

Senator LeClair introduced--

S.F. No. 2302: Referred to the Committee on State and Local Government Operations.

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A bill for an act

relating to state government; designating the state
fruit; proposing coding for new law in Minnesota
Statutes, chapter 1.

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

Section 1. [1.1475] [STATE FRUIT.]

The Honeycrisp apple is the official fruit of the state of
Minnesota.

COMMITTEE REPORT - NO AMENDMENTS

Committee on State and Local Government Operations

S . F. No. 2302

Resolution

Re-referred (from another committee)

Committee recommendation:

do pass.

do pass and be placed on the Consent Calendar.

do pass and be re-referred to the Committee on

No recommendation:

(be re-referred to the Committee on _____)

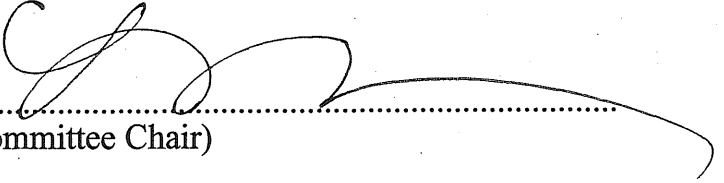
OR (be reported to the Senate) .

_____ (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was referred**

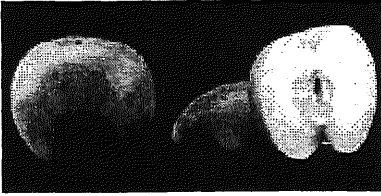
1.3 **S.F. No. 2302:** A bill for an act relating to state government; designating the state
fruit; proposing coding for new law in Minnesota Statutes, chapter 1.

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

1.7 
1.8
(Committee Chair)

1.9 March 22, 2006
1.10 (Date of Committee recommendation)

Honeycrisp fruit has shown excellent storage characteristics. The outstanding flavor and texture can be maintained for at least six months in refrigerated storage without atmosphere modification.



Performance

Honeycrisp apple's harvest season ranges from September 15 to October 10 in east central Minnesota. Optimum harvest usually occurs in the fourth week of September, approximately one week after McIntosh and 2-1/2 weeks before Red Delicious. Earlier harvested apples are generally mild in flavor, while fruit from later harvest dates may be strongly aromatic.

Honeycrisp apples ripen evenly and hold well on the tree. They can be harvested over an extended period or in a single picking. Although fruit adherence is usually good, trees with excessive crops may show some fruit drop. Thinning of heavy crops is advised since overcropping may also adversely affect flavor and fruit quality.

Honeycrisp blooms in the early to middle part of the apple flowering period. It produces viable pollen that has successfully fertilized numerous other cultivars in experimental hand pollinations.

Honeycrisp does not carry any known exceptional resistances to diseases or insects. Apple scab and cedar apple rust lesions have been observed on the leaves but these diseases have been readily controlled with a standard spray program. It has shown moderate susceptibility to fireblight. Supplemental applications of calcium may be useful in preventing bitter pit.

Origin

Honeycrisp was produced from a 1960 cross of Macoun and Honeygold, as part of the University of Minnesota apple breeding program to develop winter hardy cultivars with high fruit quality. The original seedling was planted in 1962 at the University of Minnesota Horticultural Research Center, located near Excelsior in east central Minnesota. It was selected in September 1974 and evaluated as MN 1711 at locations in Excelsior, Morris and Grand Rapids, Minnesota, and at Geneva, New York.

Availability

Honeycrisp is protected under the U.S. Plant Patent Act (Plant Patent No. 7197). It may be propagated only by licensed parties. Firms or individuals desiring to propagate and sell trees of Honeycrisp must apply for a license from the University of Minnesota, Office of Patents and Licensing, Suite 201, 1100 Washington Ave. S., Minneapolis, MN 55415-1226. A list of licensed nurseries is available from the Department of Horticultural Science, Fruit Breeding Program, University of Minnesota, St. Paul, MN 55108.

our class
loves Honeycrisp
apples. and we
hope that the
Governor will



sign the Bill

1 A bill for an act
relating to public safety; establishing a Crimes Against Children Team;
1.3 specifying the team's duties and membership; authorizing memorandums of
1.4 understanding with federal agencies, the Internet Crimes Against Children Task
1.5 Force, local government, and law enforcement; appropriating money; proposing
1.6 coding for new law in Minnesota Statutes, chapter 299A.

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

1.8 Section 1. **[299A.79] INTERNET CRIMES AGAINST CHILDREN TASK**
1.9 **FORCE; MEMBERSHIP; DUTIES; GRANTS; REPORTS.**

1.10 Subdivision 1. Definitions. (a) For purposes of this section, the following terms
1.11 have the meanings given them.

1.12 (b) "ICAC" means the Minnesota Internet Crimes Against Children Task Force.

(c) "Team" means the crimes against children team.

1.14 Subd. 2. Internet crimes against children team. The commissioner of public
1.15 safety shall convene a crimes against children team to investigate technology-facilitated
1.16 crimes against children, including the solicitation of minors for sexual purposes and
1.17 the possession or distribution of child pornography. The team shall consist of Bureau
1.18 of Criminal Apprehension agents, analysts, clerical support, and computer/technology
1.19 support.

1.20 Subd. 3. Team duties. (a) The team shall serve as a statewide source of prevention,
1.21 education, and investigative expertise to provide assistance to parents, teachers, law
1.22 enforcement, and other professionals working on child victimization issues. The team
1.23 shall investigate criminal activity involving the possession or distribution of child
1.24 pornography and criminal activity involving the exploitation or solicitation of a minor
1.25 for sexual purposes.

2.1 (b) The team shall assist in implementing a statewide "NetSmartz" and other
2.2 educational programs designed to enhance safety awareness for children and to prevent
2.3 crimes against children.

2.4 Subd. 4. Memorandum of understanding; federal agencies. The commissioner of
2.5 public safety has the authority to enter into memorandums of understanding with federal
2.6 agencies in the United States Departments of Justice, Treasury, and Homeland Security.
2.7 The memorandums may authorize state law enforcement officers to enforce federal laws.

2.8 Subd. 5. Memorandum of understanding; ICAC; local government and
2.9 law enforcement. The commissioner of public safety has the authority to enter into
2.10 memorandums of understanding with the ICAC Task Force, state law enforcement
2.11 agencies, city police departments, county sheriff's departments, and local government
2.12 units. These memorandums of understanding may authorize city and county law
2.13 enforcement officers to have statewide authority to conduct criminal investigations and
2.14 to possess the same powers of arrest as those of a sheriff.

2.15 Subd. 6. Cooperation. The team shall cooperate fully with existing prosecutorial
2.16 offices and law enforcement agencies including county attorney's offices, the Minnesota
2.17 Attorney General's office, the United States Attorney's Office, the ICAC Task Force,
2.18 federal law enforcement agencies, city and county law enforcement agencies, and other
2.19 state law enforcement agencies.

2.20 Sec. 2. APPROPRIATION.

2.21 \$1,000,000 is appropriated from the general fund to the commissioner of public
2.22 safety to fund the activities of the crimes against children team. The appropriation is
2.23 available for the biennium ending June 30, 2007.

COMMITTEE REPORT - WITH AMENDMENTS

Committee on State and Local Government Operations

S .F. No. 2607

Resolution

Re-referred (from another committee)

Amendments:

pg 1 line 8 delete "Task"
line 9 delete "Force", Grants, Reports"

Committee recommendation:

And when so amended the bill do pass.

And when so amended the bill do pass and be placed on the Consent Calendar.

And when so amended the bill do pass and be re-referred to the Committee on

Finance

No recommendation: And when so amended the bill be
 (re-referred to the Committee on _____)

OR (reported to the Senate).

_____ (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was re-referred**

1.4 **S.F. No. 2607:** A bill for an act relating to public safety; establishing a Crimes
1.5 Against Children Team; specifying the team's duties and membership; authorizing
1.6 memorandums of understanding with federal agencies, the Internet Crimes Against
1.7 Children Task Force, local government, and law enforcement; appropriating money;
proposing coding for new law in Minnesota Statutes, chapter 299A.

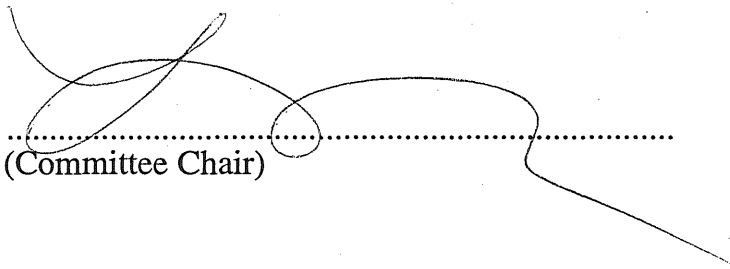
1.8 Reports the same back with the recommendation that the bill be amended as follows:

1.9 Page 1, line 8, delete "TASK"

1.10 Page 1, line 9, delete "FORCE; MEMBERSHIP; DUTIES; GRANTS; REPORTS"

1.11 and insert "; MEMBERSHIP; DUTIES"

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

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.....
(Committee Chair)

1.16 March 22, 2006
1.17 (Date of Committee recommendation)

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and Fiscal Analysis**

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Senate

State of Minnesota

S.F. No. 3023 - Agency Timelines for Building and Environmental Permits

Author: Senator Ann Rest

Prepared by: Thomas S. Bottern, Senate Counsel (651/296-3810) *TSB*

Date: March 20, 2006

This bill includes building permits and local environmental review processes within the scope of an existing statute that requires state and local government authorities to approve or deny certain requests within a specified timeframe, usually 60 days. If the applicable unit of government does not respond, the request is deemed to be approved.

Subdivision 1. Definitions. includes building permits and local environmental review processes within the existing definition of a "request," which generally refers to an written application requiring governmental approval of an action.

Subdivision 2. Deadline for response. includes commercial building permits and local environmental review processes within the statutory 60-day deadline for governmental response to permit and other requests.

Subdivision 3. Application; extensions. provides a special three-business day limit for the responding unit of government to determine that a commercial building request does not contain all of the information required. If the responding unit of government provides the applicant with a written notice within three business days of receipt of the application for a permit that information is missing from the commercial building permit request, the 60-day time limit for response starts over. Existing law provides 15 business days for the responding unit of government to make the determination for all of the other permits and requests within the scope of Minnesota Statutes, section 15.99. Paragraph (b) contains technical changes necessary to treat commercial building permits and local environmental review processes the same way the existing statute treats zoning and septic system requests.

Subdivision 4. Residential permits; deadline for response. provides a 14-day period of time for a responding unit of government to approve or deny a request relating to a residential building permit. As with existing law, failure to deny the request is considered an approval of the request. Paragraph (b) provides a three-day limit for the responding unit of government to send the applicant written notice that the request contains insufficient information. This is the same time frame provided for commercial building permits within this bill.

TSB:rd

Senator Rest introduced--

S.F. No. 3023: Referred to the Committee on State and Local Government Operations.

A bill for an act relating to state agencies; establishing timelines for agency action on building and environmental permits; amending Minnesota Statutes 2004, section 15.99.

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

Section 1. Minnesota Statutes 2004, section 15.99, is amended to read:

15.99 TIME DEADLINE FOR AGENCY ACTION.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms shall have the meanings given.

(b) "Agency" means a department, agency, board, commission, or other group in the executive branch of state government; a statutory or home rule charter city, county, town, or school district; any metropolitan agency or regional entity; and any other political subdivision of the state.

(c) "Request" means a written application related to zoning, septic systems, building permits, local environmental review, or the expansion of the metropolitan urban service area, for a permit, license, or other governmental approval of an action. A request must be submitted in writing to the agency on an application form provided by the agency, if one exists. The agency may reject as incomplete a request not on a form of the agency if the request does not include information required by the agency. A request not on a form of the agency must clearly identify on the first page the specific permit, license, or other governmental approval being sought. No request shall be deemed made if not in compliance with this paragraph.

(d) "Applicant" means a person submitting a request under this section. An applicant may designate a person to act on the applicant's behalf regarding a request under this

2.1 section and any action taken by or notice given to the applicant's designee related to the
2.2 request shall be deemed taken by or given to the applicant.

2.3 Subd. 2. **Deadline for response.** (a) Except as otherwise provided in this section,
2.4 section 462.358, subdivision 3b, or chapter 505, and notwithstanding any other law to
2.5 the contrary, an agency must approve or deny within 60 days a written request relating
2.6 to zoning, septic systems, commercial building permits, local environmental review,
2.7 or expansion of the metropolitan urban service area for a permit, license, or other
2.8 governmental approval of an action. Failure of an agency to deny a request within 60 days
2.9 is approval of the request. If an agency denies the request, it must state in writing the
2.10 reasons for the denial at the time that it denies the request.

2.11 (b) When a vote on a resolution or properly made motion to approve a request fails
2.12 for any reason, the failure shall constitute a denial of the request provided that those voting
2.13 against the motion state on the record the reasons why they oppose the request. A denial
2.14 of a request because of a failure to approve a resolution or motion does not preclude an
2.15 immediate submission of a same or similar request.

2.16 (c) Except as provided in paragraph (b), if an agency, other than a multimember
2.17 governing body, denies the request, it must state in writing the reasons for the denial at the
2.18 time that it denies the request. If a multimember governing body denies a request, it must
2.19 state the reasons for denial on the record and provide the applicant in writing a statement
2.20 of the reasons for the denial. If the written statement is not adopted at the same time as
2.21 the denial, it must be adopted at the next meeting following the denial of the request but
2.22 before the expiration of the time allowed for making a decision under this section. The
2.23 written statement must be consistent with the reasons stated in the record at the time of the
2.24 denial. The written statement must be provided to the applicant upon adoption.

2.25 Subd. 3. **Application; extensions.** (a) The time limit in subdivision 2 begins upon
2.26 the agency's receipt of a written request containing all information required by law or by
2.27 a previously adopted rule, ordinance, or policy of the agency, including the applicable
2.28 application fee. If an agency receives a written request that does not contain all required
2.29 information, the 60-day limit starts over only if the agency sends written notice within 15
2.30 business days of receipt of the request telling the requester what information is missing.
2.31 For a commercial building permit, the 60-day limit starts over only if the agency sends
2.32 written notice within three business days of receipt of the request telling the requester
2.33 what information is missing.

2.34 (b) If a request relating to zoning, septic systems, commercial building permits,
2.35 local environmental review, or expansion of the metropolitan urban service area requires
2.36 the approval of more than one state agency in the executive branch, the 60-day period

3.1 in subdivision 2 begins to run for all executive branch agencies on the day a request
3.2 containing all required information is received by one state agency. The agency receiving
the request must forward copies to other state agencies whose approval is required.

3.4 (c) An agency response meets the 60-day time limit if the agency can document that
3.5 the response was sent within 60 days of receipt of the written request.

3.6 (d) The time limit in subdivision 2 is extended if a state statute, federal law, or court
3.7 order requires a process to occur before the agency acts on the request, and the time
3.8 periods prescribed in the state statute, federal law, or court order make it impossible to
3.9 act on the request within 60 days. In cases described in this paragraph, the deadline is
3.10 extended to 60 days after completion of the last process required in the applicable statute,
3.11 law, or order. Final approval of an agency receiving a request is not considered a process
3.12 for purposes of this paragraph.

3.13 (e) The time limit in subdivision 2 is extended if: (1) a request submitted to a state
3.14 agency requires prior approval of a federal agency; or (2) an application submitted to
3.15 a city, county, town, school district, metropolitan or regional entity, or other political
3.16 subdivision requires prior approval of a state or federal agency. In cases described in
3.17 this paragraph, the deadline for agency action is extended to 60 days after the required
3.18 prior approval is granted.

3.19 (f) An agency may extend the time limit in subdivision 2 before the end of the
3.20 initial 60-day period by providing written notice of the extension to the applicant. The
3.21 notification must state the reasons for the extension and its anticipated length, which may
3.22 not exceed 60 days unless approved by the applicant.

3.23 (g) An applicant may by written notice to the agency request an extension of the
3.24 time limit under this section.

3.25 **Subd. 4. Residential permits; deadline for response.** (a) **Except as otherwise**
3.26 **provided in this section, and notwithstanding any other law to the contrary, an agency**
3.27 **must approve or deny within 14 days a written request relating to a residential building**
3.28 **permit. Failure of an agency to deny a request within 14 days is approval of the request.**
3.29 **If an agency denies the request, it must state clearly in writing the reasons for denial at**
3.30 **the time that it denies the permit.**

3.31 (b) **The time limit in this subdivision begins upon the agency's receipt of a written**
3.32 **request containing all information required by law or by a previously adopted rule,**
3.33 **ordinance, or policy of the agency, including the applicable application fee. If an agency**
3.34 **receives a written request that does not contain all required information, the 14-day limit**
3.35 **starts over only if the agency sends written notice within three business days of receipt of**
3.36 **the request telling the requester what information is missing.**

- 4.1 (c) An agency response meets the 14-day time limit if the agency can document that
4.2 the response was sent within 14 days of receipt of the written request. An applicant may
4.3 by written notice to the agency request an extension of the time limit under this section.

1.1 Senator Wiger..... moves to amend S.F. No. 3023 as follows:

1.2 Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 15.99, is amended to read:

1.4 **15.99 TIME DEADLINE FOR AGENCY ACTION.**

1.5 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms
1.6 shall have the meanings given.

1.7 (b) "Agency" means a department, agency, board, commission, or other group in
1.8 the executive branch of state government; a statutory or home rule charter city, county,
1.9 town, or school district; any metropolitan agency or regional entity; and any other political
1.10 subdivision of the state.

1.11 (c) "Request" means a written application related to zoning, septic systems,
1.12 watershed district review, soil and water conservation district review, or the expansion of
3 the metropolitan urban service area, for a permit, license, or other governmental approval
1.14 of an action. A request must be submitted in writing to the agency on an application form
1.15 provided by the agency, if one exists. The agency may reject as incomplete a request not
1.16 on a form of the agency if the request does not include information required by the agency.
1.17 A request not on a form of the agency must clearly identify on the first page the specific
1.18 permit, license, or other governmental approval being sought. No request shall be deemed
1.19 made if not in compliance with this paragraph.

1.20 (d) "Applicant" means a person submitting a request under this section. An applicant
1.21 may designate a person to act on the applicant's behalf regarding a request under this
1.22 section and any action taken by or notice given to the applicant's designee related to the
1.23 request shall be deemed taken by or given to the applicant.

1.24 Subd. 2. **Deadline for response.** (a) Except as otherwise provided in this section,
1.25 section 462.358, subdivision 3b, or chapter 505, and notwithstanding any other law to
1.26 the contrary, an agency must approve or deny within 60 days a written request relating
1.27 to zoning, septic systems, watershed district review, soil and water conservation district
1.28 review, or expansion of the metropolitan urban service area for a permit, license, or other
1.29 governmental approval of an action. Failure of an agency to deny a request within 60 days
1.30 is approval of the request. If an agency denies the request, it must state in writing the
1.31 reasons for the denial at the time that it denies the request.

1.32 (b) When a vote on a resolution or properly made motion to approve a request fails
1.33 for any reason, the failure shall constitute a denial of the request provided that those voting
4 against the motion state on the record the reasons why they oppose the request. A denial
1.35 of a request because of a failure to approve a resolution or motion does not preclude an
1.36 immediate submission of a same or similar request.

2.1 (c) Except as provided in paragraph (b), if an agency, other than a multimember
2.2 governing body, denies the request, it must state in writing the reasons for the denial at the
2.3 time that it denies the request. If a multimember governing body denies a request, it must
2.4 state the reasons for denial on the record and provide the applicant in writing a statement
2.5 of the reasons for the denial. If the written statement is not adopted at the same time as
2.6 the denial, it must be adopted at the next meeting following the denial of the request but
2.7 before the expiration of the time allowed for making a decision under this section. The
2.8 written statement must be consistent with the reasons stated in the record at the time of the
2.9 denial. The written statement must be provided to the applicant upon adoption.

2.10 Subd. 3. **Application; extensions.** (a) The time limit in subdivision 2 begins upon
2.11 the agency's receipt of a written request containing all information required by law or by
2.12 a previously adopted rule, ordinance, or policy of the agency, including the applicable
2.13 application fee. If an agency receives a written request that does not contain all required
2.14 information, the 60-day limit starts over only if the agency sends written notice within 15
2.15 business days of receipt of the request telling the requester what information is missing.

2.16 (b) If a request relating to zoning, septic systems, watershed district review, soil and
2.17 water conservation district review, or expansion of the metropolitan urban service area
2.18 requires the approval of more than one state agency in the executive branch, the 60-day
2.19 period in subdivision 2 begins to run for all executive branch agencies on the day a request
2.20 containing all required information is received by one state agency. The agency receiving
2.21 the request must forward copies to other state agencies whose approval is required.

2.22 (c) An agency response meets the 60-day time limit if the agency can document that
2.23 the response was sent within 60 days of receipt of the written request.

2.24 (d) The time limit in subdivision 2 is extended if a state statute, federal law, or court
2.25 order requires a process to occur before the agency acts on the request, and the time
2.26 periods prescribed in the state statute, federal law, or court order make it impossible to
2.27 act on the request within 60 days. In cases described in this paragraph, the deadline is
2.28 extended to 60 days after completion of the last process required in the applicable statute,
2.29 law, or order. Final approval of an agency receiving a request is not considered a process
2.30 for purposes of this paragraph.

2.31 (e) The time limit in subdivision 2 is extended if: (1) a request submitted to a state
2.32 agency requires prior approval of a federal agency; or (2) an application submitted to
2.33 a city, county, town, school district, metropolitan or regional entity, or other political
2.34 subdivision requires prior approval of a state or federal agency. In cases described in
2.35 this paragraph, the deadline for agency action is extended to 60 days after the required
2.36 prior approval is granted.

3.1 (f) An agency may extend the time limit in subdivision 2 before the end of the
3.2 initial 60-day period by providing written notice of the extension to the applicant. The
3.4 notification must state the reasons for the extension and its anticipated length, which may
3.6 not exceed 60 days unless approved by the applicant.

3.5 (g) An applicant may by written notice to the agency request an extension of the
3.6 time limit under this section."

COMMITTEE REPORT - WITH AMENDMENTS

Committee on State and Local Government Operations

S.F. No. 3023

Resolution

Re-referred (from another committee)

Amendments: A-1 Amendment

Committee recommendation:

And when so amended the bill do pass. OR

And when so amended the bill do pass and be placed on the Consent Calendar. OR

And when so amended the bill do pass and be re-referred to the Committee on

_____ .

To recommendation: And when so amended the bill be

(re-referred to the Committee on _____ . OR

(reported to the Senate).

_____, (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was referred**

1.5 **S.F. No. 3023:** A bill for an act relating to state agencies; establishing timelines for agency action on building and environmental permits; amending Minnesota Statutes 2004, section 15.99.

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

1.7 Delete everything after the enacting clause and insert:

1.8 "Section 1. Minnesota Statutes 2004, section 15.99, is amended to read:

1.9 **15.99 TIME DEADLINE FOR AGENCY ACTION.**

1.10 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms
1.11 shall have the meanings given.

1.12 (b) "Agency" means a department, agency, board, commission, or other group in
1.13 the executive branch of state government; a statutory or home rule charter city, county,
1.14 town, or school district; any metropolitan agency or regional entity; and any other political
1.15 subdivision of the state.

1.16 (c) "Request" means a written application related to zoning, septic systems,
1.17 watershed district review, soil and water conservation district review, or the expansion of
1.18 the metropolitan urban service area, for a permit, license, or other governmental approval
1.19 of an action. A request must be submitted in writing to the agency on an application form
1.20 provided by the agency, if one exists. The agency may reject as incomplete a request not
1.21 on a form of the agency if the request does not include information required by the agency.
1.22 A request not on a form of the agency must clearly identify on the first page the specific
1.23 permit, license, or other governmental approval being sought. No request shall be deemed
made if not in compliance with this paragraph.

1.25 (d) "Applicant" means a person submitting a request under this section. An applicant
1.26 may designate a person to act on the applicant's behalf regarding a request under this
1.27 section and any action taken by or notice given to the applicant's designee related to the
1.28 request shall be deemed taken by or given to the applicant.

1.29 Subd. 2. **Deadline for response.** (a) Except as otherwise provided in this section,
1.30 section 462.358, subdivision 3b, or chapter 505, and notwithstanding any other law to
1.31 the contrary, an agency must approve or deny within 60 days a written request relating
1.32 to zoning, septic systems, watershed district review, soil and water conservation district
1.33 review, or expansion of the metropolitan urban service area for a permit, license, or other
1.34 governmental approval of an action. Failure of an agency to deny a request within 60 days
is approval of the request. If an agency denies the request, it must state in writing the
1.36 reasons for the denial at the time that it denies the request.

2.1 (b) When a vote on a resolution or properly made motion to approve a request fails
2.2 for any reason, the failure shall constitute a denial of the request provided that those voting
2.3 against the motion state on the record the reasons why they oppose the request. A denial
2.4 of a request because of a failure to approve a resolution or motion does not preclude an
2.5 immediate submission of a same or similar request.

2.6 (c) Except as provided in paragraph (b), if an agency, other than a multimember
2.7 governing body, denies the request, it must state in writing the reasons for the denial at the
2.8 time that it denies the request. If a multimember governing body denies a request, it must
2.9 state the reasons for denial on the record and provide the applicant in writing a statement
2.10 of the reasons for the denial. If the written statement is not adopted at the same time as
2.11 the denial, it must be adopted at the next meeting following the denial of the request but
2.12 before the expiration of the time allowed for making a decision under this section. The
2.13 written statement must be consistent with the reasons stated in the record at the time of the
2.14 denial. The written statement must be provided to the applicant upon adoption.

2.15 **Subd. 3. Application; extensions.** (a) The time limit in subdivision 2 begins upon
2.16 the agency's receipt of a written request containing all information required by law or by
2.17 a previously adopted rule, ordinance, or policy of the agency, including the applicable
2.18 application fee. If an agency receives a written request that does not contain all required
2.19 information, the 60-day limit starts over only if the agency sends written notice within 15
2.20 business days of receipt of the request telling the requester what information is missing.

2.21 (b) If a request relating to zoning, septic systems, watershed district review, soil and
2.22 water conservation district review, or expansion of the metropolitan urban service area
2.23 requires the approval of more than one state agency in the executive branch, the 60-day
2.24 period in subdivision 2 begins to run for all executive branch agencies on the day a request
2.25 containing all required information is received by one state agency. The agency receiving
2.26 the request must forward copies to other state agencies whose approval is required.

2.27 (c) An agency response meets the 60-day time limit if the agency can document that
2.28 the response was sent within 60 days of receipt of the written request.

2.29 (d) The time limit in subdivision 2 is extended if a state statute, federal law, or court
2.30 order requires a process to occur before the agency acts on the request, and the time
2.31 periods prescribed in the state statute, federal law, or court order make it impossible to
2.32 act on the request within 60 days. In cases described in this paragraph, the deadline is
2.33 extended to 60 days after completion of the last process required in the applicable statute,
2.34 law, or order. Final approval of an agency receiving a request is not considered a process
2.35 for purposes of this paragraph.

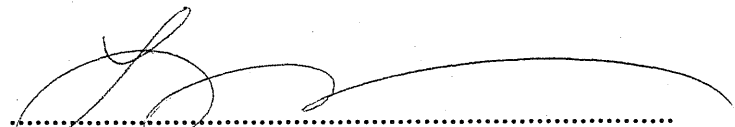
3.1 (e) The time limit in subdivision 2 is extended if: (1) a request submitted to a state
 3.2 agency requires prior approval of a federal agency; or (2) an application submitted to
 3.4 a city, county, town, school district, metropolitan or regional entity, or other political
 3.5 subdivision requires prior approval of a state or federal agency. In cases described in
 3.6 this paragraph, the deadline for agency action is extended to 60 days after the required
 prior approval is granted.

3.7 (f) An agency may extend the time limit in subdivision 2 before the end of the
 3.8 initial 60-day period by providing written notice of the extension to the applicant. The
 3.9 notification must state the reasons for the extension and its anticipated length, which may
 3.10 not exceed 60 days unless approved by the applicant.

3.11 (g) An applicant may by written notice to the agency request an extension of the
 3.12 time limit under this section."

Amend the title accordingly

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

3.15 
 3.16
 (Committee Chair)

3.17 March 22, 2006
 3.18 (Date of Committee recommendation)

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.
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Senate

State of Minnesota

S.F. No. 2754 - Hennepin County

Author: Senator Ann H. Rest

Prepared by: Daniel P. McGowan, Senate Counsel (651/296-4397)

DPM

Date: March 21, 2006

This bill is about as technical as a bill could possibly get: in 2005 the name of the Suburban Hennepin County Park District was renamed the "Three Rivers Park District" and all the statutory references to the old name were changed except for this one. This bill would correct the oversight in the 2005 law.

DPM:mvm

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in alternative formats upon request

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Page No.

State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FOURTH
SESSION**

HOUSE FILE No. 3142

March 2, 2006

Authored by Hoppe

The bill was read for the first time and referred to the Committee on Local Government

March 16, 2006

To Pass and placed on the Consent Calendar

Read Second Time

1.3 A bill for an act
relating to Hennepin County; modifying regional park district provisions;
amending Minnesota Statutes 2004, section 383B.79, subdivision 1.

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

1.5 Section 1. Minnesota Statutes 2004, section 383B.79, subdivision 1, is amended to read:

1.6 Subdivision 1. **Program created.** A multijurisdictional reinvestment program
1.7 involving Hennepin County, the cities of Minneapolis, Brooklyn Center, and other
1.8 interested statutory or home rule charter cities in Hennepin County, the Minneapolis Park
1.9 Board, and the ~~suburban Hennepin County Park~~ Three Rivers Park District is created. The
1.10 multijurisdictional program must include plans for housing rehabilitation and removals,
1.11 industrial polluted land cleanup, water ponding, environmental cleanup, community
corridor connections, corridor planning, creation of green space, acquisition of property,
1.13 development and redevelopment of parks and open space, water quality and lakeshore
1.14 improvement, development and redevelopment of housing and existing commercial
1.15 projects, and job creation.

COMMITTEE REPORT - NO AMENDMENTS

Committee on State and Local Government

H. F. No. 3142

- Resolution
- Re-referred (from another committee)

Committee recommendation:

do pass.

OR

do pass and be placed on the Consent Calendar.

OR

do pass and be re-referred to the Committee on

No recommendation:

(be re-referred to the Committee on _____)

OR

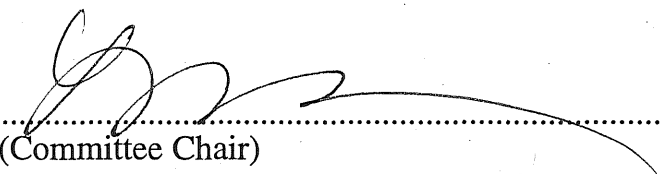
(be reported to the Senate) .

Double click here to insert date (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was referred**

1.3 **H.F. No. 3142:** A bill for an act relating to Hennepin County; modifying regional
1.5 park district provisions; amending Minnesota Statutes 2004, section 383B.79, subdivision
1.

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

1.8 
1.9 (Committee Chair)

1.10 March 22, 2006
1.11 (Date of Committee recommendation)

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

S.F. No. 2886 - Metropolitan Government

Author: Senator Jane Ranum

Prepared by: Daniel P. McGowan, Senate Counsel (651/296-4397) *DPM*

Date: March 17, 2006

The proposed legislation adds the Metropolitan Airports Commission to the bodies over which the Legislative Commission on Metropolitan Government has oversight. Under current law the LCMG's oversight only extends to the Metropolitan Council.

DPM:mvm

Senators Ranum, Dibble and Higgins introduced-

S.F. No. 2886: Referred to the Committee on State and Local Government Operations.

1.1 A bill for an act
1.2 relating to metropolitan government; including the Metropolitan Airports
1.3 Commission in the oversight responsibilities of the Legislative Commission on
1.4 Metropolitan Government; amending Minnesota Statutes 2004, section 3.8841,
1.5 subdivisions 1, 8, 9.

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

1.7 Section 1. Minnesota Statutes 2004, section 3.8841, subdivision 1, is amended to read:

1.8 Subdivision 1. **Established.** The Legislative Commission on Metropolitan
1.9 Government is established to oversee the Metropolitan Council's and the Metropolitan
1.10 Airports Commission's operating and capital budgets, work program, and capital
1.11 improvement program.

Sec. 2. Minnesota Statutes 2004, section 3.8841, subdivision 8, is amended to read:

1.13 Subd. 8. **Powers; duties; Metropolitan Council and Metropolitan Airports**
1.14 **Commission levy, budget oversight.** The commission must monitor, review, and make
1.15 recommendations to the Metropolitan Council, the Metropolitan Airports Commission,
1.16 and to the legislature for the following calendar year on:

1.17 (1) the tax rate and dollar amount of the Metropolitan Council's and the Metropolitan
1.18 Airports Commission's property tax levies and any proposed increases in the rate or
1.19 dollar amount of tax;

1.20 (2) any request for an increase in the debt of the Metropolitan Council or the
1.21 Metropolitan Airports Commission;

(3) the overall work and role of the Metropolitan Council and the Metropolitan
1.22 Airports Commission;

2.1 (4) the Metropolitan Council's and the Metropolitan Airports Commission's
2.2 proposed operating and capital budgets, work program, and capital improvement program;
2.3 and

2.4 (5) the Metropolitan Council's and the Metropolitan Airports Commission's
2.5 implementation of the operating and capital budgets, work program, and capital
2.6 improvement program.

2.7 Sec. 3. Minnesota Statutes 2004, section 3.8841, subdivision 9, is amended to read:

2.8 Subd. 9. **Powers; duties; Metropolitan Council and Metropolitan Airports**
2.9 **Commission appointments oversight.** The commission must monitor appointments to
2.10 the Metropolitan Council and the Metropolitan Airports Commission and may make
2.11 recommendations on appointments to the nominating committee under section 473.123,
2.12 subdivision 3, or to the governor before the governor makes the appointments. The
2.13 commission may also make recommendations to the senate before appointments are
2.14 presented to the senate for its advice and consent.

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

S.F. No. 3022 - Boxing Commission

Author: Senator Gary Kubly

Prepared by: Thomas S. Bottern, Senate Counsel (651/296-3810) *TSB*

Date: March 20, 2006

S.F. No. 3022 reestablishes a Minnesota Boxing Commission with the authority to adopt rules, establish and collect fees, and to generally regulate all aspects of boxing and nontraditional fighting, which is defined in this bill to include ultimate fighting, elimination contests, tough man contests, and other kinds of combative contests. The former Boxing Commission was abolished in 1999.

Section 1. DEFINITIONS. provides definitions for various terms used in Chapter 341, including a definition for nontraditional fighting contests that includes a wide variety of contests using combative full-contact techniques, but excludes kickboxing or recognized martial arts competitions. Defines "professional" to mean persons competing for prizes that exceed \$50.00, or who teach, pursue, or assist in the practice of boxing or nontraditional fighting as a means of obtaining a livelihood or pecuniary gain.

Section 2. BOXING COMMISSION. establishes a five-member Minnesota Boxing Commission, and requires that all members be Minnesota citizens. Requires that one member of the commission must be a retired judge of the Minnesota state or federal courts, and requires that another member be a licensed medical professional. The remaining three members must be involved in the boxing industry. Uses provisions from the generally applicable portions of Chapter 214 relating to examining and licensing boards to provide for membership terms, compensation of members, and other aspects of organizing the board.

Section 3. LIMITATIONS. restricts members of the Boxing Commission from involvement with promoting or managing boxing or nontraditional fighting.

Section 4. EXECUTIVE DIRECTOR. provides the commission with authority to appoint and remove an executive director.

Section 5. RULES. provides rulemaking authority for the commission with respect to physical exams for boxers, nontraditional fighters, and referees. Provides additional general authority for the commission to adopt rules relating to the conduct of contests.

Section 6. MEETINGS. requires the commission to hold a regular quarterly meeting and authorizes it to hold special meetings as needed. Makes all commission meetings subject to the Open Meeting Law under Chapter 13B.

Section 7. COMMISSION DUTIES. provides the commission with general licensing authority, requires it to make and maintain records of its actions and to make those records available to public inspection.

Section 8. REGULATION OF BOXING AND NONTRADITIONAL FIGHTING CONTESTS. makes all boxing contests in Minnesota subject to the authority of the commission and requires a commission member to be present at each boxing contest and to provide a written report. Also places tough man contests and nontraditional fighting contests under the same authority. Specifically provides that nontraditional fighting contests must prohibit contestants from striking other contestants in the spinal column or back of the head and prohibits them from striking with their knees or elbows.

Section 9. JURISDICTION OF COMMISSION. provides the commission with authority to supervise and regulate boxing contests, tough man contests, and nontraditional fighting contests, including applicable licensing.

Section 10. LICENSURE.

Subdivision 1 requires a wide variety of personnel associated with boxing contests to be licensed by the commission.

Subdivision 2 requires business entities who hold or conduct boxing or nontraditional fighting contests and any person holding a 25 percent or more ownership interest in a corporation that holds or conducts the contests to obtain a license from the commission.

Subdivision 3 requires the commission to conduct background checks on referees, judges, matchmakers, promoters, boxers, and nontraditional fighters' managers. The commission may charge a fee and must obtain fingerprints from these personnel. In addition, the commission may require fingerprints and additional background information before each license renewal.

Subdivision 4, paragraph (a), provides specific license requirements for promoters, matchmakers, corporations, or other business entities, including providing the commission with a copy of any agreement with a contestant that requires the promoter to pay the contestant a fixed fee

or percentage of gate receipts, and to provide the commission with a copy of the latest financial statements for the business entity. Also requires the promoter to provide the commission with copies of insurance policies required by section 14 of this bill. Paragraph (b) provides specific license requirements for promoters, including the deposit of a bond to cover performance by the promoter of its legal obligations. Paragraph (c) provides specific license requirements for boxers and nontraditional fighters, including medical examination requirements.

Section 11. SIMULCAST LICENSES. requires persons or organizations who exhibit simultaneous telecasts of boxing or nontraditional fighting within Minnesota, regardless of where the contest originates, to obtain a license in advance from the commission before showing the contest.

Section 12. LICENSE FEES. authorizes the commission to establish licenses requiring collection of advance fees for promoters, matchmakers, managers, judges, referees, ring announcers, ringside physicians, timekeepers, boxers, nontraditional fighters, boxers' trainers, boxers' seconds, and business entities, including their officers, who file for a license to hold a boxing contest. Provides an annual expiration date for these licenses and the terms for their renewal. If a licensee fails to apply within the 30-day grace period after the expiration of a license, the licensee must apply for a new license.

Section 13. CONTESTANTS AND REFEREES; PHYSICAL EXAMINATIONS. requires all boxers and nontraditional fighters and referees to be examined by a physician within three hours before beginning a contest. Requires the examining physician to file a written report of the examination immediately upon completion of the examination. Authorizes the examining physician to prohibit a contestant from entering the ring if it is in the best interest of the health of the contestant. Requires the person or entity conducting the contest to pay the cost of the examination. Authorizes the Boxing Commission to establish the fee schedule for attending physicians.

Section 14. INSURANCE. requires boxers and nontraditional fighters to have at least \$100,000 of health insurance coverage and \$50,000 of life insurance coverage applying to accidental death resulting from injuries sustained in a contest. Makes the promoter liable for the cost of all insurance required by this law.

Section 15. PENALTIES FOR NONLICENSED EXHIBITIONS. provides a misdemeanor penalty for a variety of activities in violation of this bill, including nonlicensed competition in boxing or nontraditional fighting or acting as a trainer, aider, abettor, backer, umpire, referee, second, surgeon, assistance, or attendant at a nonlicensed contest.

Section 16. GROSS RECEIPTS TAX. imposes a tax of five percent on the gross receipts from any boxing contest or exhibition covered by this legislation, including simulcasts that are regulated under section 11. Receipts from the tax are credited to the Minnesota Boxing Commission fund.

Section 17. APPROPRIATIONS. appropriates an undetermined amount from the general fund the Minnesota Boxing Commission for its activities under law.

Section 18. EFFECTIVE DATE. makes the bill effective January 1, 2007.

TSB:rdr

Senator Kubly introduced-

S.F. No. 3022: Referred to the Committee on State and Local Government Operations.

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A bill for an act relating to boxing; regulation of boxing; establishing a boxing commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 341.

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

Section 1. [341.21] DEFINITIONS.

Subdivision 1. Applicability. The definitions in this section apply to this chapter.

Subd. 2. Boxing. "Boxing" means the act of attack and defense with the fists, using padded gloves, that is practiced as a sport under the rules of the World Boxing Association, the World Boxing Council, the International Boxing Federation, or equivalent. Where applicable, boxing includes full contact karate.

Subd. 3. Commission. "Commission" means the Minnesota Boxing Commission.

Subd. 4. Contest. "Contest" means any boxing or nontraditional fighting contest, match, or exhibition.

Subd. 5. Nontraditional fighting contest. "Nontraditional fighting contest" means any competition between two or more persons, with or without gloves, who use any combination of fighting skills, including boxing, wrestling, hitting, kicking, martial arts, and other combative full contact techniques. Nontraditional fighting contests include, but are not limited to, ultimate fighting, extreme fighting, elimination contests, cage fighting, mixed martial arts fighting, tough man contests, shoot fighting, and the like, but do not include kick boxing or any recognized martial arts competition.

Subd. 6. Professional. "Professional" means any person who competes for any money prize or a prize that exceeds the value of \$50 or teaches, pursues, or assists in

2.1 the practice of boxing or nontraditional fighting as a means of obtaining a livelihood
2.2 or pecuniary gain.

2.3 Subd. 7. Director. "Director" means the executive director of the commission.

2.4 Subd. 8. Tough man contest. "Tough man contest" means any boxing match
2.5 consisting of one-minute rounds between two or more persons who use their hands or
2.6 their feet, or both, in any manner. Tough man contest does not include kick boxing, any
2.7 recognized martial arts competition, or boxing as defined in subdivision 2.

2.8 **Sec. 2. [341.22] BOXING COMMISSION.**

2.9 There is hereby created the Minnesota Boxing Commission, consisting of five
2.10 members who are citizens of this state. One member of the commission shall be a retired
2.11 judge of the Minnesota district court, Minnesota Court of Appeals, Minnesota Supreme
2.12 Court, the United States District Court for the District of Minnesota, or the Eighth Circuit
2.13 Court of Appeals; one member shall be a licensed medical professional; and three
2.14 members shall be involved in the boxing industry. Membership terms, compensation of
2.15 members, removal of members, the filling of membership vacancies, and fiscal year and
2.16 reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of
2.17 staff, administrative services, and office space; the review and processing of complaints;
2.18 the setting of fees; and other provisions relating to commission operations shall be as
2.19 provided in chapter 214.

2.20 **Sec. 3. [341.23] LIMITATIONS.**

2.21 No member of the boxing commission shall directly or indirectly promote any
2.22 boxing or nontraditional fighting contest, or directly or indirectly engage in the managing
2.23 of any boxer or fighter or be interested in any manner in the proceeds from any boxing
2.24 match or nontraditional fighting contest.

2.25 **Sec. 4. [341.24] EXECUTIVE DIRECTOR.**

2.26 The commission may appoint, and at its pleasure remove, an executive director
2.27 and prescribe the powers and duties of the office. The executive director shall not be a
2.28 member of the commission. The commission may employ personnel necessary to the
2.29 performance of its duties.

2.30 **Sec. 5. [341.25] RULES.**

2.31 (a) The commission may adopt rules that include standards for the physical
2.32 examination and condition of boxers, nontraditional fighters, and referees.

3.1 (b) The commission may adopt other rules necessary to carry out the purposes of this
3.2 chapter, including, but not limited to, the conduct of boxing exhibitions, bouts, fights, and
nontraditional fighting contests and events, and their manner, supervision, time, and place.

3.4 **Sec. 6. [341.26] MEETINGS.**

3.5 The commission shall hold a regular meeting quarterly and in addition may hold
3.6 special meetings. Except as otherwise provided in law, all meetings of the commission
3.7 shall be open to the public and reasonable notice of the meetings shall be given under
3.8 chapter 13D.

3.9 **Sec. 7. [341.27] COMMISSION DUTIES.**

3.10 The commission shall:

- 3.11 (1) issue, deny, renew, suspend, or revoke licenses;
(2) make and maintain records of its acts and proceedings including the issuance,
3.13 denial, renewal, suspension, or revocation of licenses;
3.14 (3) keep public records of the commission open to inspection at all reasonable times;
3.15 (4) assist the director in the development of rules to be implemented under this
3.16 chapter; and
3.17 (5) conform to the rules adopted under this chapter.

3.18 **Sec. 8. [341.28] REGULATION OF BOXING AND NONTRADITIONAL**
3.19 **FIGHTING CONTESTS.**

3.20 Subdivision 1. **Regulatory authority; boxing.** All boxing contests are subject to
this chapter. Every contestant in a boxing contest shall wear padded gloves that weigh at
3.22 least eight ounces. The commission shall, for every boxing contest:

- 3.23 (1) direct a commission member to be present; and
3.24 (2) direct the attending commission member to make a written report of the contest.

3.25 All boxing contests within this state shall be conducted according to the requirements
3.26 of this chapter.

3.27 Subd. 2. **Regulatory authority; tough man contests.** All tough man contests,
3.28 including amateur tough man contests, are subject to this chapter. Every contestant in a
3.29 tough man contest shall wear padded gloves that weight at least 12 ounces.

3.30 Subd. 3. **Regulatory authority; nontraditional fighting.** All nontraditional
3.31 fighting, including amateur nontraditional fighting contests, are subject to this chapter and
the rules adopted by the commission. Contestants in nontraditional fighting contests shall

4.1 not strike other contestants in the spinal column or in the back of the head, and shall not
4.2 strike with their knees or elbows.

4.3 **Sec. 9. [341.29] JURISDICTION OF COMMISSION.**

4.4 The commission shall:

4.5 (1) have sole direction, supervision, regulation, control, and jurisdiction over all
4.6 boxing contests, tough man contests, and nontraditional fighting contests held within this
4.7 state unless a contest is exempt from the application of this chapter under federal law;

4.8 (2) have sole control, authority, and jurisdiction over all licenses required by this
4.9 chapter; and

4.10 (3) grant a license to an applicant if, in the judgment of the commission, the financial
4.11 responsibility, experience, character, and general fitness of the applicant are consistent
4.12 with the public interest, convenience, or necessity and the best interests of boxing and
4.13 conforms with this chapter and the commission's rules.

4.14 **Sec. 10. [341.30] LICENSURE; PERSONS REQUIRED TO OBTAIN**
4.15 **LICENSES; REQUIREMENTS; BACKGROUND INFORMATION; FEE; BOND.**

4.16 Subdivision 1. **Licensure; individuals.** All referees, judges, matchmakers,
4.17 promoters, trainers, ring announcers, timekeepers, ringside physicians, boxers,
4.18 nontraditional fighters, boxers' managers, and boxers' seconds are required to be licensed
4.19 by the commission. The commission shall not permit any of these persons to participate
4.20 in the holding or conduct of any boxing contest unless the commission has first issued
4.21 the person a license.

4.22 Subd. 2. **Entity licensure.** Before participating in the holding or conduct of any
4.23 boxing or nontraditional fighting contest, a corporation, partnership, limited liability
4.24 company, or other business entity organized and existing under law, its officers and
4.25 directors, and any person holding 25 percent or more of the ownership of the corporation
4.26 shall obtain a license from the commission and must be authorized to do business under
4.27 the laws of this state.

4.28 Subd. 3. **Background investigation.** The commission shall require referees,
4.29 judges, matchmakers, promoters, boxers, and nontraditional fighters' managers to furnish
4.30 fingerprints and background information under commission rules before licensure. The
4.31 commission shall charge a fee for receiving fingerprints and background information
4.32 in an amount determined by the commission. The commission may require referees,
4.33 judges, matchmakers, promoters, boxers, and nontraditional fighters' managers to furnish
4.34 fingerprints and background information before license renewal if the commission

5.1 determines that the fingerprints and background information are desirable or necessary.
5.2 The fee may include a reasonable charge for expenses incurred by the commission or the
5.3 Department of Public Safety. For this purpose, the commission and the Department of
5.4 Public Safety may enter into an interagency agreement pursuant to section

5.5 Subd. 4. Prelicensure requirements. (a) Before the commission issues a license to
5.6 a promoter, matchmaker, corporation, or other business entity, the applicant shall:

5.7 (1) provide the commission with a copy of any agreement between a contestant
5.8 and the applicant which binds the applicant to pay the contestant a certain fixed fee or
5.9 percentage of the gate receipts;

5.10 (2) show on the application the owner or owners of the applicant entity and the
5.11 percentage of interest held by each owner holding a 25 percent or more interest in the
5.12 applicant;

5.13 (3) provide the commission with a copy of the latest financial statement of the
5.14 entity; and

5.15 (4) provide the commission with a copy or other proof acceptable to the commission
5.16 of the insurance contract or policy required by this chapter.

5.17 (b) Before the commission issues a license to a promoter, the applicant shall deposit
5.18 with the commission a cash bond or surety bond in an amount set by the commission.
5.19 The bond shall be executed in favor of this state and shall be conditioned on the faithful
5.20 performance by the promoter of the promoter's obligations under this chapter and the
5.21 rules adopted under it.

5.22 (c) Before the commission issues a license to a boxer or nontraditional fighter, the
5.23 applicant shall submit to the commission the results of a current medical examination on
5.24 forms furnished or approved by the commission. The medical examination must include
5.25 an ophthalmological and neurological examination. The ophthalmological exam must be
5.26 designed to detect any retinal defects or other damage or condition of the eye that could
5.27 be aggravated by boxing or nontraditional fighting. The neurological examination must
5.28 include an electroencephalogram or medically superior test if the boxer or nontraditional
5.29 fighter has been knocked unconscious in a previous boxing, nontraditional fighting, or
5.30 other athletic competition. The commission may also order an electroencephalogram or
5.31 other appropriate neurological or physical exam before any contest, match, or exhibition
5.32 if it determines that the examination is desirable to protect the health of the boxer or
5.33 nontraditional fighter.

Sec. 11. [341.31] SIMULCAST LICENSES.

6.1 The commission shall issue a license to a person or organization holding, showing,
 6.2 or exhibiting a simultaneous telecast of any live, current, or spontaneous boxing or
 6.3 sparring match or nontraditional fighting exhibition or performance on a closed circuit
 6.4 telecast or subscription television program viewed within the state, whether originating
 6.5 in this state or elsewhere, and for which a charge is made. Each person or organization
 6.6 shall apply for such a license in advance of each showing. No showing may be licensed
 6.7 unless the person or organization applying for the license:

6.8 (1) certifies that the match is subject to the jurisdiction and regulation of a boxing or
 6.9 athletic regulatory authority in another state or country;

6.10 (2) certifies the match is in compliance with the requirements of the authority;

6.11 (3) identifies the authority; and

6.12 (4) provides any information the commission may require.

6.13 **Sec. 12. [341.32] LICENSE FEES; EXPIRATION; RENEWAL.**

6.14 Subdivision 1. Annual licensure. The commission may establish and issue annual
 6.15 licenses subject to the collection of advance fees by the commission for: promoters,
 6.16 matchmakers, managers, judges, referees, ring announcers, ringside physicians,
 6.17 timekeepers, boxers, nontraditional fighters, boxers' trainers, boxers' seconds, business
 6.18 entities filing for a license to participate in the holding of any boxing contest, and officers,
 6.19 directors, or other persons affiliated with the business entity.

6.20 Subd. 2. Expiration and renewal. A license expires December 31 at midnight in
 6.21 the year of its issuance and may be renewed on filing an application for renewal of a
 6.22 license with the commission and payment of the license fee required in subdivision 1. An
 6.23 application for a license and renewal of a license shall be on a form provided by the
 6.24 commission. There is a 30-day grace period during which a license may be renewed if a
 6.25 late filing penalty fee equal to the license fee is submitted with the regular license fee.
 6.26 A licensee that files late shall not conduct any activity regulated by this chapter until the
 6.27 commission has renewed the license. If the licensee fails to apply to the commission within
 6.28 the 30-day grace period the licensee must apply for a new license under subdivision 1.

6.29 **Sec. 13. [341.33] CONTESTANTS AND REFEREES; PHYSICAL**
 6.30 **EXAMINATION; ATTENDANCE OF PHYSICIAN; PAYMENT OF FEES;**
 6.31 **INSURANCE.**

6.32 Subdivision 1. Examination by physician. All boxers, nontraditional fighters,
 6.33 and referees shall be examined by a physician licensed by this state within three hours
 6.34 before entering the ring, and the examining physician shall immediately file with the

7.1 commission a written report of the examination. The physician's examination shall report
 7.2 on the condition of the boxer's heart and general physical and neurological condition. The
 7.3 physician's report may record the condition of the boxer's nervous system and brain as
 7.4 required by the commission. The physician may prohibit the boxer from entering the ring
 7.5 if, in the physician's professional opinion, it is in the best interest of the boxer's health.
 7.6 The cost of the examination is payable by the person or entity conducting the contest
 7.7 or exhibition.

7.8 Subd. 2. Attendance of physician. Every person holding or sponsoring any boxing
 7.9 or nontraditional fighting contest shall have in attendance at every boxing contest a
 7.10 physician licensed by this state. The commission may establish a schedule of fees to be
 7.11 paid to each attending physician by the person holding or sponsoring the contest.

7.12 **Sec. 14. [341.34] INSURANCE.**

Subdivision 1. Required insurance. The commission shall:

7.14 (1) require insurance coverage for a boxer or nontraditional fighter to provide for
 7.15 medical, surgical, and hospital care for injuries sustained in the ring in an amount of at
 7.16 least \$100,000 with \$25 deductible and payable to the boxer or nontraditional fighter
 7.17 as beneficiary; and

7.18 (2) require life insurance for a boxer or nontraditional fighter in the amount of at least
 7.19 \$50,000 payable in case of accidental death resulting from injuries sustained in the ring.

7.20 Subd. 2. Payment for insurance. The cost of the insurance required by this section
 7.21 is payable by the promoter.

Sec. 15. [341.35] PENALTIES FOR NONLICENSED EXHIBITIONS.

7.23 Any person or persons who send or cause to be sent, published, or otherwise made
 7.24 known, any challenge to fight what is commonly known as a prize fight, or engage in any
 7.25 public boxing or sparring match, or nontraditional exhibition or contest, with or without
 7.26 gloves, for any prize, reward or compensation, or for which any admission fee is charged
 7.27 directly or indirectly, or go into training preparatory for such fight, exhibition, or contest,
 7.28 or act as a trainer, aider, abettor, backer, umpire, referee, second, surgeon, assistant, or
 7.29 attendant at such fight, exhibition, or contest, or in any preparation for same, and any
 7.30 owner or lessee of any ground, building, or structure of any kind permitting the same to
 7.31 be used for any fight, exhibition, or contest, is guilty of a misdemeanor unless a license
 7.32 for the holding of the fight, exhibition, or contest has been issued by the commission in
compliance with the rules adopted by it.

8.1 **Sec. 16. [341.46] GROSS RECEIPTS TAX.**

8.2 The promoter or promoters of all boxing or nontraditional fighting contests, shows,
8.3 or exhibitions held under this chapter shall pay to the commissioner of finance, for credit
8.4 to the Minnesota Boxing Commission fund, a tax of five percent of the gross receipts
8.5 from the contest or exhibition. This section also applies to all boxing, kick boxing, and
8.6 nontraditional fighting contests or exhibitions that are simulcast or shown over closed
8.7 circuit television and for which a fee is charged for the right to view the event in this state.

8.8 **Sec. 17. APPROPRIATIONS.**

8.9 \$..... is appropriated from the general fund to the Minnesota Boxing Commission
8.10 for purposes in sections 1 to 16.

8.11 **Sec. 18. EFFECTIVE DATE.**

8.12 Sections 1 to 16 are effective January 1, 2007.

COMMITTEE REPORT - WITH AMENDMENTS

Committee on State and Local Government Operations

F. No. 3022

Resolution

Re-referred (from another committee)

**Amendments: Pg, 1, line 11, delete "Where"
Pg, 8, line 12 delete "January" insert "July"**

Committee recommendation:

And when so amended the bill do pass. OR

And when so amended the bill do pass and be placed on the Consent Calendar. OR

And when so amended the bill do pass and be re-referred to the Committee on

Commerce

no recommendation: And when so amended the bill be

(re-referred to the Committee on . OR

(reported to the Senate).

_____, (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was referred**

1.3 **S.F. No. 3022:** A bill for an act relating to boxing; regulation of boxing; establishing
1.4 a boxing commission; appropriating money; proposing coding for new law in Minnesota
Statutes, chapter 341.

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

1.7 Page 1, line 10, delete everything after the period

1.8 Page 1, delete line 11

1.9 Page 8, line 12, delete "January" and insert "July"

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

1.12 
1.13 (Committee Chair)

1.14 March 22, 2006
1.15 (Date of Committee recommendation)

SF 3022
Mike Riley

Combat Sports Alliance

Mission Statement : Become a respected and widely recognized sport within the world of professional sports (not just MMA). Ensure fighters, fans and supporters of the sport are treated fairly, safely and that the highest standards of professionalism are maintained.

GOALS

- 1 Form a unified network of promotions around the world where there is a consistency in the rules and regulations.
- 2 Help to create State and Local laws governing Mixed Martial Arts that ensures sanctioning rules are complied with by all promoters.
- 2 Promote the Sport of Mixed Martial Arts. Educate people concerning the safety and purpose of the sport. Promote shows acceptable to the mainstream public.
- 3 Protect the image of the sport.
- 4 Develop unified championship titles for the Americas, Europe, and the Pacific-Rim, which will compliment the World titles.
- 5 Obtain corporate level sponsorship for professional CSA and spread that benefit to the promoters.
- 6 Obtain television distribution contracts for professional CSA (Pay-Per View and cable networks) and spread that opportunity to promoters.
- 7 Establish a circuit through which promoters can have access to an international field of competitors, and competitors can have opportunities to travel and compete overseas.
- 8 Ensure fighters and fans are treated fairly and with respect.

1. **RULES** – CSA's rules follow very closely to the unified rules of MMA defined by the NV State Athletic Commission and the NJ State Athletic Control Board. All promotions sanctioned by the CSA must follow all the rules laid out here for mixed martial arts events.

Victory in a bout is secured as follows:

- i. By submission, where the competitor verbally signals defeat or by "Tapping" the mat of the ring or their opponent indicating submission;
- ii. The competitor's corner man throws a towel into the ring, thereby surrendering on behalf of the competitor;
- iii. By decision of the referee (whose determination shall be exercised in the referee's sole and absolute discretion, and shall be final and binding on all competitors and if the referee stops the fight it must be totally conclusive);
- iv. By the ringside Medical Staff's intervention (who may intervene in his sole and absolute discretion and whose determination shall be final and binding).
- v. Knock out, stunning blow or positional disadvantage that prevents a fighter from intelligently defending one self.
- vi. Disqualification. A fighter will be disqualified for a violation of any rule that nets an advantage for that fighter. Or any violation of the rules following a warning even if the infraction has no effect on the outcome of the match. If the competitor utilizes any dangerous or injurious prohibited techniques during the competition at any stage, which is

deemed intentional by the referee the competitor shall be instantly disqualified

Soft leather athletic footwear may be worn; however no kicking to the head will be allowed if the fighter is wearing any type of footwear.

The competitor must wear a mouth guard, groin cup, and gloves at all times.

The following tactics and techniques are expressly forbidden by all PFA sanctioned events and their use during a match is cause for automatic disqualification and other possible sanction by PFA Officials:

- No Biting.
- No Eye-Gouging.
- No Head-Butting.
- No Fish-Hooking.
- No Kicking to the head while either opponent is down. This includes and opponent being on one knee. If any part of either player is touching the ground except to bottom of their feet; no kicking to the head is allowed.
- No Strikes allowed to the neck or back of the head.
- No Small Joint Manipulation (twisting fingers, etc.).
- No Groin strikes.
- No Attacks to the spine.
- No Attacks to the front of the throat including gouging, pinching or strikes.
- No strikes with the point of the elbow.
- No backward elbow strikes. Forearm strikes are allowed.
- No holding the cage to gain an advantage.
- No mocking, disparaging or other disrespectful behavior, gestures or words towards an opponent, fans, PFA or other promotional officials will be tolerated .

TIME LIMITS:

Beginner level 3 rounds of 3 minutes. No Over times

Advanced 5 Minutes Rounds. Matches can be 2 or 3 rounds. A 3 minute over time can be allowed in the cases of a Draw where previously agreed to by both players.

Championship Bouts 3 to 5 – 5 minute rounds. Or 5 to 7 - 3 Minute rounds. Tournament Championships can not exceed 3 rounds. Total Ring time can not exceed 25 minutes in a single evening.

EQUIPMENT DO'S:

- Mandatory Cup
- Mandatory Mouthguard
- Mandatory Gloves (SUPPLIED BY THE Promotion approved of by the PFA.)
- Anklets
- Knee Braces (NO HARD SHELL)
- Fighting Trunks/shorts
- Strap TAPING IS ALLOWED. No more then 3 wraps around the wrist and 3 wraps around the hand. Hand wraps will be inspected by CSA Official prior to gloving
- Vaseline is allowed on face only (NO use of excessive Vaseline)

EQUIPMENT DON'TS:

- NO Liniments, Oils or Vaseline On the Body
- NO loose SHIRTS (Must be bare chested; Approved Rash Guards allowed)
- NO Gi's
- Must wear approved fight shorts. No pants, belts or any wear with pockets, loops, zippers, buttons, etc.
- Fighters are not allowed to wear anything with offensive or insulting logos or statements.

FOULS AND/OR DISQUALIFICATION'S:

- Upon a foul it is up to the referee's discretion to either -1 point or to give out a warning. If the foul inhibits the opposing athlete to continue the contest the fouling athlete will get -1 point and then it will go to the score cards to render a decision. A round may not be scored if it is under 2 1/2 minutes into the round (1 ½ minutes in Amateur bouts). The round may only be scored if the foul occurred in the second half of the round. The match will be declared a no contest if the foul occurred in the first half of the first round, since that round may not be scored.

Verbally abusing the Officials may result as a foul, -1 point, or disqualification

Weigh-Ins & Doctors Examinations:

- Promoter must arrange fighter weigh in no earlier than 6 p.m. the night before and no later than 12 noon the day of the fight
- If fighter does not make weight, he will have no more than 1.5 hours to make weight
- All fighters must be weighed in by a CSA Official
- All fighters must be examined by medical personal provided by the promoter prior to the fight
- The doctor has the right to stop a fighter from competing
- The doctor has the right to stop a fight at any time during the bout.

WEIGHT CLASSES:

FOR MEN:

BantamWEIGHT 135 and Under
 FeatherWEIGHT 135 to 145
 LightWEIGHT 145LBS - 155LBS
 WelterWEIGHT 155LBS - 170LBS
 MiddleWEIGHT 170LBS - 185LBS
 Light HeavyWEIGHT 185LBS - 205LBS
 HeavyWEIGHT 205LBS -235 lbs
 Superheavyweight 236 to 265 lbs
 Unlimited 266 & Over

FOR WOMEN:

LightWEIGHT 120LBS & UNDER
 MiddleWEIGHT 120.1LBS - 140LBS
 Super MiddleWEIGHT 140.1LBS - 160LBS
 HeavyWEIGHT 160.1LBS & OVER

Officials: Job descriptions, Qualifications and Certification

OFFICIALS – All officials will be trained and certified by the CSA Commission. They

must be neutral individuals with an impeccable reputation for integrity and professionalism.

REFEREES:

Fighters will Always follow the direction of the REFEREE

- 1 The primary job of the Referee is the safety of the fighter. The Referee will make all calls and act at all times in the interest of fighter safety.
- 2 The Referee will be present at the rules meeting and will make sure s/he knows all the fighters names and relative skill levels. The Referee should meet individually with the contestants of every bout prior to the fights and ensure they understand the rules and have no questions.
- 3 In the ring the Referee visually inspects each fighter and ensure they have the proper equipment and are in compliance with all CSA Rules. The Referee ensures the fighters are ready and able to compete.
- 4 The referee signals the time keep and starts the bout.
- 5 Referee can stop a fight if they feel a fighter is hurt, cannot protect him or herself or if the fight is too lopsided. It is possible that the referee will stop the fight for a second or two and then decide that the fight can continue. For example in the case of a flash down where a fighter may appear more hurt then they actually are the referee may intercede to be sure the fighter is not unconscious and is able of an intelligent defense. If the referee has to stop action for anything but a very brief moment (2 full seconds) the fight will be stopped.
- 6 The Referee has the responsibility to ensure the pace of the action is maintained. If there is inactivity the fighters will be warned and a FAST 10 count will start. If the action has not picked up, the referee will restart the fighters to continue. The first time fighters are on the ground they will be given more time to work from that position. If the pattern repeats there will be less and less time allowed on the ground. The Referee can decide to stand fighters up from any position if they do not feel the fighters are making an effort to finish the bout from their current position. This is true even if a fighter is in a clearly superior position. Fighters who repeatedly have to be restarted for stalling can and will be penalized.
When fighters are in or close to the ropes the Referee will warn them to move towards the center. If they remain in the ropes the fight will be stood up and restarted. If a fighter is felt to be purposely going into the ropes they will be a penalty given to the fighter for fleeing the match.
- 7 The Referee will forcibly stop the action at the end of the bout or a round, or to check a cut or the condition of a fighter. The Referee is expected to physically intervene between fighters to prevent any further damage being done. The Referee will do so in a manner that does not endanger either fighter.
- 8 The Referee after the fight will ensure the players are separated back into their corners. When ready to announce the winner fighters are brought to the center and the winners hand is raised.

Qualifications

Referees must be physically able to do the job. They must have the agility to stay out of the way when they need to and quick enough to intercede when they need to.

Must be able to take command of the action in the ring and not be intimidated by fighters, corners, promoters or anyone else. Only the ring side doctor can over ride a referee's decision only where the Referee feels a fighter can continue and the medical staff feels the fight should be stopped.

Must not have a personal stake in the outcome of the bout. They should not be coaches, team mates or potential future opponent or either player in the bout.

Certification

The promoter has the right to certify referees for a single event. After that event the CSA will review the tape and determine if the certification can become permanent, provisional or denied. A Permanent certification will allow the referee to perform as a referee at any CSA event as long as their license is current. A Provisional certification will allow the referee to work only for the initially sponsoring promotion until they improve or are denied. Referees denied a certification may not work any CSA shows for at least one year from the date of the denial.

Certification costs \$25 for one year.

JUDGES

Three "out of the ring" judges are appointed for each bout sanctioned by the CSA. The judges only job is to observe and score the bout. All bouts will be scored using a 10 point must system where even rounds are possible and scored 10-10. All Judges will understand and utilize the following judging criteria.

The number one determining factor for any round will be damaging, effective offense. Fighters must be making efforts to end the fight to be rewarded by the judges decision. Efforts to control to ride out time, to stall will be weighted lower then efforts to finish the bout.

Short of damaging offense the following criteria will be used and each part weighed equally.

5 EQUAL PARTS:

1. Stand up STRIKING
2. Ground STRIKING
3. Stand Up GRAPPLING
4. Ground GRAPPLING
5. Attempted Submission, Affective Aggressiveness.

Each round is judged and scored **separately**.

Score rounds and ensure a short description is included explaining why the round was scored the way it was.

Judges should be able to differential between wild but ineffective offense (such as strikes landing on the shoulders or grazing targets) and controlled but effective techniques. Like wise a hold down in itself does not merit winning a round.

For example. Fighter A is able to hit several double leg takedowns; but each time

lands in his opponent's guard no real advantage is gained. If both fighters we straight up even every where else this slight advantage would be worth awarding the round. However if the fighter who gets taken down is able to land effective shots, work submissions and other wise keep top man from moving from a lay and pray position the round could be scored for fight B. Even if fighter A is on top for 4 ½ minutes but does no damage he will loss the round if fighter B is able to land a clean, effective blow.

At the end of all three round the Judges will hand their score cards with the winners name and total score clearly written on top. The Announcer will then hand all cards over to the promoter who will then send copies of them to the CSA.

Judging qualifications

Must be aware of CSA Judging criteria

Must not have a personal stake in the outcome of the bout. They should not be coaches, team mates or potential future opponent or either player in the bout.

Must have an in depth knowledge of the sport.

Judge's Certification

The promoter may certify anyone they deem qualified to be a judge. If a complaint is filed the CSA will review the Judges performance. If the commissioner can decide based on that review to deny the Judge certification for future events and may take other action as deemed necessary.

Certification costs \$25 for one year.

Match Maker (Booker)

The following is the responsibilities of the Booker. A Booker is the promotions interface to the fighters. They function as "Talent" manager and match maker (generally with input from the promoters and others on the staff). The Booker is the person who establishes the one on one relationship. Your Booker is recruiter and PR rep with fighters. The Booker negotiates contracts with fighters / manager. A quality Booker will pay attention to giving fighters fair opportunities. This means fair pay and a fair fight. It also means developing a relationship beyond one fight. This is a key factor for the Booker to keep in mind. To build a show requires you build fighters. Having different fighter on each show does little good for the show or the fighters. Shows that are able to build local hero's are far more successful. It also makes the promotion far more attractive if guys can see that fighters can establish themselves within the promotion.

Once a fighter has agreed to fight the Booker must remain available and responsive to their needs. The Match Maker must have a signed agreement with the fighter in question that spells out pay, opponent and other needed information. All contracts must be copied and forwarded to the CSA.

The Booker runs the fighters meeting. At this meeting the Booker will announce any changes in the show. Then the fight order and rules. Now there should be few surprises here since the Booker will have ensured that all fighters have a copy of the rules before hand and they should have an idea where they are fighting on the card. However a review is important and give fighters an opportunity to answer questions. Expectation of fighters behavior needs to be made clear here. This is the Promotions last chance to avoid any really disastrous, stupid stuff from happening. During this meeting the Booker

will introduce the fighters escorts and the escort system. Then the Booker meet individually with each fighter and makes sure contracts, waivers and biographies are complete. The Booker must be sure they have the fighters music and has their introduction set.

The most important role the booker has is making fair and exciting match ups. Matches should be made with an eye to the future. If each show is booked as a single entity the promotion will lack story. To keep fans interested and coming back the show needs to build on itself. That means either the show gets bigger (more expensive) each time or you build your talent, your stories and so on. A simple formula can be made to lay out a plan for the next 3-4 shows.

Fighter must be matched up with similar skill level and athletic ability. This does not always mean parity of record; although there needs to be some attention paid to record. Fighters coming back from a long lay off for example could have a very impressive record; but should not necessarily be matched up with a top fighter until they have had a few bouts and re-proven themselves to compete at a higher level.

The CSA recognizes that match making is as much art as it is science. In an effort to help bookers ensure equal match ups promotions will work together to create a fair and effective ranking system that can assign fighters letter grades denoting skill level. This system will take some time to full implement but promoters and booker are strongly encouraged to fairly match up all of their competitors.

The CSA retains the right to refuse sanctioning for any fight on a promoters bout. Promoters that allow unsanctioned bouts as subject to fines and suspension from the CSA.

Match Maker certification \$50 for 1 year.

Fighters

Fighting for the CSA is a different experience then fighting for any other MMA organization. The competition to get in the CSA shows is tough and the competition you will face in the CSA even tougher. There are no easy fights in CSA promotions. Fighters who want to compete in the CSA should have the following.

A verifiable, proven record against skilled opponents on legitimate shows

A quality coach and/ or come from a quality training Academy

You must be in excellent condition

You must be a skilled fighter

To be considered individual CSA Promotions or send information to the CSA directly and you will be added to the fighter Database.

Please be sure to give your height, weight, age, gym or team, managers information, a contact number, e-mail, web page. Also include your record. We will use FCF DB to confirm records. If your true record is different then what is reflected there please explain the difference and fill in the blanks.

We will also need digital pictures (jpegs please). If your picture is on the web – that will work just fine initially. Ideally you will also send video of you in action – fights and training.

Send then to 4716 Oxborough Lane Bloomington, MN 55437

CODE OF CONDUCT for ATHLETES:

All fighters must carry themselves in a respectful manner.

2. FIGHTERS will obey ALL Officials

3. FIGHTERS will refrain from PROFANITY

4. FIGHTERS will show respect to their Opponents

5. FIGHTERS will not be allowed to display Vulgar Pictures or Profanity on their Gi's, Trunks, etc.

Approved fighters for CSA events will need to get licensed at the event. A one year license is \$25.

COACHES

FIGHTERS will be allowed only 2 corner men or coaches

COACHES are not allowed in the ring during the fight

COACHES can stop the fight by throwing in the towel

Approved Coaches and corners for CSA events will need to get licensed at their first event. A one year license is \$25.

Promoters

The CSA recognizes Promoters as the back bone of the sport. The only chance the sport has of growing or gaining mainstream acceptance is squarely on the shoulders of those willing to conduct safe, enjoyable promotions that promote the ideals of fairness, honor and quality competition. CSA Event promoters will be closely scrutinized to ensure:

- A. The financial responsibility, experience, character and general fitness of the applicant is such that the participation of the applicant will be consistent with the best interests of the CSA and Mixed Martial Arts as a whole
- B. The applicant has provided a signed agreement to conduct their promotion under the strict guidelines of the CSA.

Denial, Suspension, or Revocation of a promoters license can be caused by any of the following.

- A. The applicant has been convicted of a crime involving bookmaking, gambling, or fraud or misrepresentation.
- B. The promoter, referees, judges, contestants or any of the employees are found to be in control, possession, or under the influence of any alcoholic beverages, narcotic drugs or controlled substances, as defined by Minnesota Statutes, on the premises of the exhibition.
- C. The applicants public reputation and previous shows have revealed him to be dangerous to the sport or generally irresponsible. A reported history of not paying fighters will be reason enough to deny a sanction.
- D. The promoter must prove to the CSA's satisfaction that they have the financial

recourse on hand to cover all monies owed fighters and other event personal 48 hours prior to first bell. It is not acceptable to pay fighters from the gate. Promoters must be able to cover responsibilities event in the event of a low gate. Any promoter who does not meet financial obligations will be subject to fines, suspensions. Plus the CSA will support all legal effort for recovery from said promoter.

EVENT GOVERNING GUIDELINES

30 days prior to event, Promoter must fill out an application form providing the following information to CSA:

1. Event Name
2. The Venue (Address, Date & Start Time)
3. Weigh-In (Time & Place)
4. Any proposed Title Fights with the Fighter Stats & Bio

21 days prior to event, Promoter must submit sanctioning fee. Once Governing fees are received, CSA will:

1. Confirm officials working the event (keeping in mind to minimize the costs of the promoter)
2. Order Title Belts if applicable

14 days prior to event, Promoter must submit Fight line-up to CSA. Along with the line up the promoter must submit all fighter contracts to the CSA. The CSA will approve all fights within 10 days of the fight.

2 days after the event, Promoter must submit the Full results of every match.

14 days after the event, Promoter must submit a video of the full event to the CSA.

Promoter and event fee schedule:

\$100 - One year Promoters certification

\$150.00 – per Event Fee

Structure of the CSA

The CSA will be overseen by a commissioner. The Commissioner or his/her appointed deputy can approve or deny any sanction. They can also issue fines and implement legal action against those who violate the rules of the CSA. The Commissioner will be responsible for publicly representing the sport of Mixed Martial Arts and the CSA.

The Commissioner is appointed by the board of directors.

The BOD consists of all approved promoters in the CSA plus 3 members chosen by the board and approved of by the Commissioner. All Appointments are for 1 year.

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

**S.F. No. 3044 - Minnesota Biomedical Sciences Research
Facilities Authority**

Author: Senator Richard Cohen

Prepared by: Thomas S. Bottern, Senate Counsel (651/296-3810) *TSB*

Date: March 21, 2006

This bill directs the sale of \$330,000,000 of state general obligation bond funds to provide funding for 90 percent of the costs of constructing and furnishing biomedical research science facilities that will be owned and operated by the Board of Regents of the University of Minnesota. The University of Minnesota must, either on its own, or in collaboration with another private or public institution, pay ten percent of the costs of the constructing each facility. The bill creates a nine-member Biomedical Sciences Research Facilities Authority that must determine whether applications from the university to use the fund meet the criteria specified in this legislation before the money can be spent.

Sections 1 and 2 provide the purpose and definitions for the bill.

Section 3. MINNESOTA BIOMEDICAL SCIENCES RESEARCH AUTHORITY. establishes the Minnesota Biomedical Sciences Research Facilities Authority, to be chaired by the Commissioner of Employment and Economic Development. The bill names eight other members to the authority, including one member of the Senate appointed by the majority leader, one member of the Senate appointed by the minority leader, one member of the House of Representatives appointed by the speaker, and one member of the House appointed by the minority leader. In addition, the Governor must appoint four members who are not members of either legislative body or employees of any agency. Members must serve terms of four years. The remainder of section 3 provides administrative procedures for the authority.

Section 4. POWERS; DUTIES. authorizes the authority to adopt bylaws and the Commissioner of Employment and Economic Development to adopt rules regarding the operation for the authority.

Provides other necessary powers and duties for the authority to conduct business, including receiving gifts and making grants, and contracting for services.

Section 5. BIOMEDICAL SCIENCE RESEARCH FACILITY FUNDING PROGRAM. establishes the biomedical science research facility program fund, which provides grants to the Board of Regents for 90 percent of the cost of approved projects. All grants made by the authority must be applied for by Board of Regents, either acting on behalf of the University of Minnesota, or in collaboration with another private or public institution. Specifies that the facility resulting from the projects must be owned by the Board of Regents.

Section 6. AUTHORIZATION OF BONDS. directs the sale of \$330,000,000 in general obligation bonds. The proceeds of this sale must be deposited in the biomedical science research facilities program fund, to be used for payment of construction costs of new facilities as provided in this bill.

Establishes a special dedicated biomedical science research facility bond fund, to be held and invested separately from all other state funds. Provides for an annual transfer on October 1 of each year beginning in 2007 of a specified percentage of total net nondedicated general fund revenues into the bond fund, to be used to pay the principal, premium, and interest on the \$330,000,000 bond issue authorized in this bill. The percentage of net nondedicated general fund revenue that must be transferred begins at .03 percent in 2007 and increases to .13 in 2015 and afterwards.

TSB:rdr

Senators Cohen, Pappas, Langseth, Larson and Frederickson introduced—
S.F. No. 3044: Referred to the Committee on State and Local Government Operations.

A bill for an act
relating to economic development; establishing the Minnesota Biomedical
Sciences Research Facilities Authority and the biomedical sciences research
project funding program; providing for the University of Minnesota to apply
for facility program funds; authorizing sale of state bonds to fund program;
proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Section 1. [116J.886] PURPOSE.

Sections 1 to 6 provide a framework for a biomedical science research funding
program for the purposes of which are to further the investment in biomedical sciences
research facilities in the state which will benefit the state's economy, advance the
biomedical technology industry, benefit human health, and facilitate research collaboration
between the University of Minnesota and other private and public institutions in the state.

Sec. 2. [116J.887] DEFINITIONS.

Subdivision 1. Definitions. For the purposes of this chapter, the terms in this section
have the meaning given them.

Subd. 2. Authority. "Authority" means the Minnesota Biomedical Sciences
Research Facilities Authority.

Subd. 3. Biomedical research science facility. "Biomedical research science
facility" means a facility located in the state to be used as research facilities and
laboratories for biomedical science and biomedical technology.

Subd. 4. Commissioner. "Commissioner" means the commissioner of finance.

2.1 Subd. 5. Costs. "Costs" of a project means the sum of all obligations paid, or
2.2 to be paid, or incurred which are reasonably required for the design, construction, and
2.3 completion of the project, including, but not limited to:

2.4 (1) site acquisition;

2.5 (2) soil and environmental testing, surveys, estimates, plans and specifications,
2.6 supervision of construction, and other engineering and architectural services;

2.7 (3) payment under construction contracts and for payment and performance bonds;

2.8 and

2.9 (4) purchase and installation of furniture, fixtures, and equipment.

2.10 Subd. 6. Program. "Program" means the program authorized by section 5.

2.11 Subd. 7. Project. "Project" means the acquisition, construction, improvement,
2.12 expansion, repair, or rehabilitation of all or any part of any structure, facility, or equipment
2.13 necessary for a biomedical research science facility.

2.14 **Sec. 3. [116J.888] MINNESOTA BIOMEDICAL SCIENCES RESEARCH**
2.15 **AUTHORITY.**

2.16 Subdivision 1. Membership. The Minnesota Biomedical Sciences Research
2.17 Facilities Authority consists of the commissioner of employment and economic
2.18 development, one member of the senate appointed by the majority leader of the senate,
2.19 one member of the senate appointed by the minority leader of the senate, one member of
2.20 the house of representatives appointed by the speaker of the house of representatives, one
2.21 member of the house of representatives appointed by the minority leader of the house of
2.22 representatives, and four members appointed by the governor who are not members of the
2.23 senate or house of representatives or officers or employees of any agency in the executive
2.24 branch. The members of the authority, other than the commissioner of employment and
2.25 economic development, shall be appointed for staggered terms of four years. The initial
2.26 members of the authority appointed by the governor shall be appointed for a term of one,
2.27 two, three, and four years, respectively, as specified by the governor. The initial terms of
2.28 the members of the authority who are members of the senate or house of representatives
2.29 shall be determined by lot with one member appointed for a one-year term, one for a
2.30 two-year term, one for a three-year term, and one for a four-year term.

2.31 Subd. 2. Chair; other officers. The commissioner of employment and economic
2.32 development shall serve as the chair and chief executive officer of the authority. The
2.33 authority may elect other officers as necessary from its members.

3.1 Subd. 3. Authority actions. A majority of the authority, excluding vacancies,
3.2 constitutes a quorum to conduct its business, to exercise its powers, and for all other
3.3 purposes.

3.4 Subd. 4. Meeting by telephone or other means. (a) If compliance with Minnesota
3.5 Statutes, section 13D.02, is impractical, the authority may conduct a meeting of its
3.6 members by telephone or other electronic means so long as the following conditions
3.7 are met:

3.8 (1) all members of the authority participating in the meeting, wherever their physical
3.9 location, can hear one another and can hear all discussion and testimony;

3.10 (2) members of the public present at the regular meeting location of the authority can
3.11 hear clearly all discussion and testimony and all votes of members of the authority and, if
3.12 needed, receive those services required by Minnesota Statutes, sections 15.44 and 15.441;

3.13 (3) at least one member of the authority is physically present at the regular meeting
3.14 location; and

3.15 (4) all votes are conducted by roll call, so each member's vote on each issue can be
3.16 identified and recorded.

3.17 (b) Each member of the authority participating in a meeting by telephone or other
3.18 electronic means is considered present at the meeting for purposes of determining a
3.19 quorum and participating in all proceedings.

3.20 (c) If telephone or other electronic means is used to conduct a meeting, the authority,
3.21 to the extent practical, shall allow a person to monitor the meeting electronically from a
3.22 remote location. The authority may require the person making such a connection to pay for
3.23 documented marginal costs that the authority incurs as a result of the additional connection.

3.24 (d) If telephone or other electronic means is used to conduct a regular, special, or
3.25 emergency meeting, the authority shall provide notice of the regular meeting location,
3.26 of the fact that some members may participate by telephone or other electronic means,
3.27 and of the provisions of paragraph (c). The timing and method of providing notice is
3.28 governed by Minnesota Statutes, section 13D.04.

3.29 Subd. 5. Administrative services. The commissioner shall provide administrative
3.30 services to the authority and establish an annual budget for the authority. The reasonable
3.31 costs of administrative services are payable as provided in section 6.

3.32 Subd. 6. Executive director. The commissioner may employ, with the concurrence
3.33 of the authority, an executive director. The director shall perform duties that the authority
3.34 may require in carrying out its responsibilities.

3.35 Subd. 7. Personal liability. Members and officers of the authority are not liable
3.36 personally for any debt or obligation of the authority.

4.1 Subd. 8. In general. The authority has all the powers necessary and convenient
4.2 to carry out its duties under this chapter.

4.3 **Sec. 4. [116J.889] POWERS; DUTIES.**

4.4 Subdivision 1. Bylaws; rules. The authority shall adopt bylaws for its organization
4.5 and internal management. The commissioner may adopt rules governing the authority's
4.6 operations, properties, and facilities.

4.7 Subd. 2. Power to sue; enter contracts. The authority may sue and be sued. The
4.8 authority may make and enter into contracts, leases, and agreements necessary to perform
4.9 its duties and exercise its powers.

4.10 Subd. 3. Gifts; grants. The authority may apply for, accept, and disburse gifts,
4.11 grants, loans, or other property from the United States, the state, private sources, or
4.12 any other source for any of its purposes. Money received by the authority under this
4.13 subdivision must be deposited in the biomedical sciences research facilities program fund
4.14 established in section 5.

4.15 Subd. 4. Contract for services. The authority may retain or contract for the
4.16 services of accountants, financial advisors, and other consultants or agents needed to
4.17 perform its duties and exercise its powers.

4.18 **Sec. 5. [116J.8891] BIOMEDICAL SCIENCE RESEARCH FACILITIES**
4.19 **FUNDING PROGRAM.**

4.20 Subdivision 1. Program established. The authority will establish a biomedical
4.21 science research facilities funding program to provide grants to the Board of Regents
4.22 of the University of Minnesota for 90 percent of the costs of projects approved under
4.23 subdivision 4.

4.24 Subd. 2. Establishment of program fund. The biomedical science research
4.25 facilities program fund is established as a special and dedicated fund to be held and
4.26 invested separately from all other funds of the state. All proceeds of state bonds authorized
4.27 and issued for the purposes of the biomedical science research facilities program fund
4.28 and any other money from any source which may be credited to the biomedical science
4.29 research facilities program fund pursuant to law or pursuant to the terms of any grants,
4.30 contributions, or contracts are appropriated and shall remain available for the purposes of
4.31 the biomedical science research facilities program fund until those purposes have been
4.32 fully accomplished. The biomedical science research facilities program fund may be used
4.33 only for making grants for projects pursuant to the program.

5.1 Subd. 3. Grant applications. Applications for grants for a project are to be made
 5.2 by the Board of Regents of the University of Minnesota to the authority. To be eligible for
 5.3 a grant under the program a project must meet the following criteria:

5.4 (1) the University of Minnesota, either acting on its own or in collaboration with
 5.5 another private or public institution, must pay ten percent of the costs of the project and
 5.6 the University of Minnesota must be responsible for the ongoing facilities maintenance
 5.7 and operations of the biomedical science research facility resulting from the project;

5.8 (2) if the application is for a project in which the University of Minnesota proposes
 5.9 to work in collaboration with another private or public institution, such other institution
 5.10 must be one that generates at least \$75,000,000 annually in competitive federal funding
 5.11 from the National Institute of Health, National Science Foundation, or similar agency; and

5.12 (3) the biomedical science research facility resulting from the project will be owned
 5.13 by the Board of Regents of the University of Minnesota.

5.14 Subd. 4. Grant approvals. The authority shall determine for each project for which
 5.15 an application is submitted whether it appears in the authority's judgment to conform to
 5.16 the purposes and policies stated in section 1 and meets the criteria stated in subdivision
 5.17 3. Upon determination by the authority that a project conforms to the purposes and
 5.18 policies stated in section 1 and meets the criteria stated in subdivision 3, it may approve
 5.19 a grant under the program for the project in an amount equal to 90 percent of the costs
 5.20 of the project.

5.21 Subd. 5. Disbursements. Disbursement of grants approved by the authority under
 5.22 the program must be made for eligible project costs as incurred according to the project
 5.23 grant agreement and applicable state laws governing the payment.

5.24 **Sec. 6. [116J.8892] AUTHORIZATION OF BONDS AND ESTABLISHMENT**
 5.25 **OF BOND FUND.**

5.26 Subdivision 1. Issuance of bonds. To provide money in the biomedical science
 5.27 research facilities program fund for the purpose of the program for which the biomedical
 5.28 science research facilities program fund is appropriated and dedicated under the provisions
 5.29 of sections 1 to 5, the commissioner shall sell and issue bonds of the state in the aggregate
 5.30 amount of \$330,000,000 in the manner, upon the terms, and with the effect prescribed by
 5.31 Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution,
 5.32 article XI, sections 4 to 7. Before the issuance of any series of bonds the authority shall
 5.33 determine that the proceeds of the series of bonds to be issued will be needed to make
disbursements of grants approved by the authority under the program.

6.1 Subd. 2. Establishment of bond fund. The biomedical science research facilities
 6.2 bond fund is hereby established as a special and dedicated fund to be held and invested
 6.3 separately from all other funds of the state. The biomedical science research facilities
 6.4 bond fund may be used only for paying the principal of, premium, if any, and interest on
 6.5 bonds issued pursuant to subdivision 1. Funds sufficient to pay the principal of, premium,
 6.6 if any, and interest of bonds issued authorized pursuant to subdivision 1 are appropriated
 6.7 from the biomedical science research facilities bond fund to the commissioner.

6.8 Subd. 3. Transfer. There is transferred from the general fund to the biomedical
 6.9 science research facilities bond fund on October 1 of the years set forth below, the
 6.10 percentage set forth for each date of the total net nondedicated general fund revenues
 6.11 for the fiscal year, prior to each October 1:

<u>Percentage of Net Nondedicated General</u>	
<u>Fund Revenues</u>	<u>Date (October 1)</u>
<u>.03 percent</u>	<u>2007 and 2008</u>
<u>.06 percent</u>	<u>2009 and 2010</u>
<u>.08 percent</u>	<u>2011 and 2012</u>
<u>.11 percent</u>	<u>2013 and 2014</u>
<u>.13 percent</u>	<u>2015 and thereafter</u>

6.19 All amounts in the biomedical science research facilities bond fund not required to pay the
 6.20 principal of, premium, if any, and interest on bonds issued pursuant to subdivision 1 in any
 6.21 fiscal year or required to pay the authority's administrative costs shall be transferred by the
 6.22 commissioner to the general fund by June 30 of each fiscal year.

1.1 Senator moves to amend S.F. No. 3044 as follows:

1.2 Page 2, line 24, after the period, insert "The legislative members serve at the pleasure of the appointing authority and are nonvoting members."

1.4 Page 2, line 27, delete "The initial terms of"

1.5 Page 2, delete lines 28 to 30

COMMITTEE REPORT - WITH AMENDMENTS

Committee on State and Local Government Operations

A. No. 3044

Resolution

Re-referred (from another committee)

Amendments: Pg, 1, line 15 after the period, insert, "Notwithstanding Sec. Subdivision 116J.03,

P1, line 15 delete "this chapter" insert "sections 116J.886 to 116J.8892"

A-1 amendment

Committee recommendation:

And when so amended the bill do pass. OR

And when so amended the bill do pass and be placed on the Consent Calendar. OR

And when so amended the bill do pass and be re-referred to the Committee on

Finance .

No recommendation: And when so amended the bill be

(re-referred to the Committee on _____ . OR

(reported to the Senate).

_____, (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was referred**

1.4 **S.F. No. 3044:** A bill for an act relating to economic development; establishing the
1.5 Minnesota Biomedical Sciences Research Facilities Authority and the biomedical sciences
1.6 research project funding program; providing for the University of Minnesota to apply for
1.7 facility program funds; authorizing sale of state bonds to fund program; proposing coding
for new law in Minnesota Statutes, chapter 116J.

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

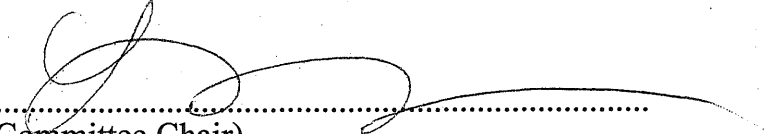
1.9 Page 1, line 15, delete "For" and insert "Notwithstanding section 116J.03, for" and
1.10 delete "this chapter" and insert "sections 116J.886 to 116J.8892"

1.11 Page 2, line 24, after the period, insert "The legislative members serve at the pleasure
1.12 of the appointing authority and are nonvoting members."

1.13 Page 2, line 27, delete everything after the period

1.14 Page 2, delete lines 28 to 30

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

1.17
1.18 
.....
(Committee Chair)

1.19 March 22, 2006
1.20 (Date of Committee recommendation)

SF 3044

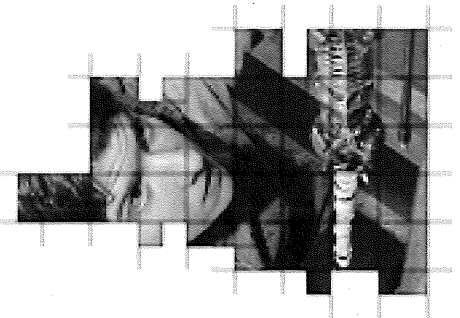


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BIOMEDICAL SCIENCES RESEARCH

The Case for Investment in Biomedical Sciences Research Facilities



Minnesota is a Leader in the Biomedical Sciences

- **World competitor** in biomedical research, medical devices, health industry
- **Lead world's medical device industry**
- **31.9 percent employment growth** in the past ten years

The University is a Leader in the Biomedical Sciences

- **98 percent** of all research dollars going to public higher education institutions in the state
- **\$563.4 million** in grant and contract awards in 2005
- **4th** in **technology transfer** activity among the nations top 15 universities

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The Future of Biomedical Sciences in Minnesota

BIOMEDICAL SCIENCES RESEARCH



We must act now to advance the state's interest and the University's strengths.

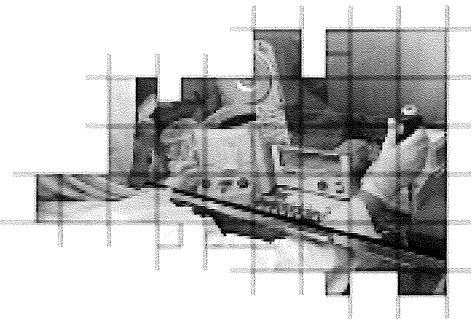
- Minnesota is **uniquely positioned** to be a national leader
- The U, the **state's only research university**, is uniquely positioned to lead
- Research universities are important to the **economic strength** of their states
- Minnesota must make **an investment** to support bioscience research
- Investment is needed to demonstrate a **long-term commitment**

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The Need for Biomedical Sciences Research Facilities

BIOMEDICAL SCIENCES RESEARCH



We must capture market share to recruit top faculty.

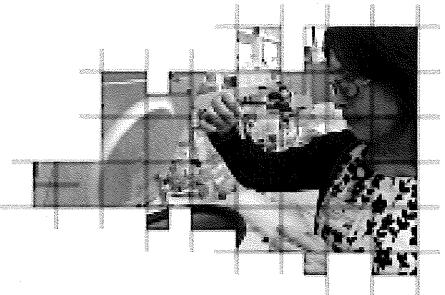
- Our most critical need is **technologically sophisticated research space**
- The University will need to **construct roughly 750,000 square feet of new research facilities**
- To reach this goal, the University must **construct at least one new research building every two years**
- Adjusted for inflation, the total cost would be **\$366 million over the next 10 years**

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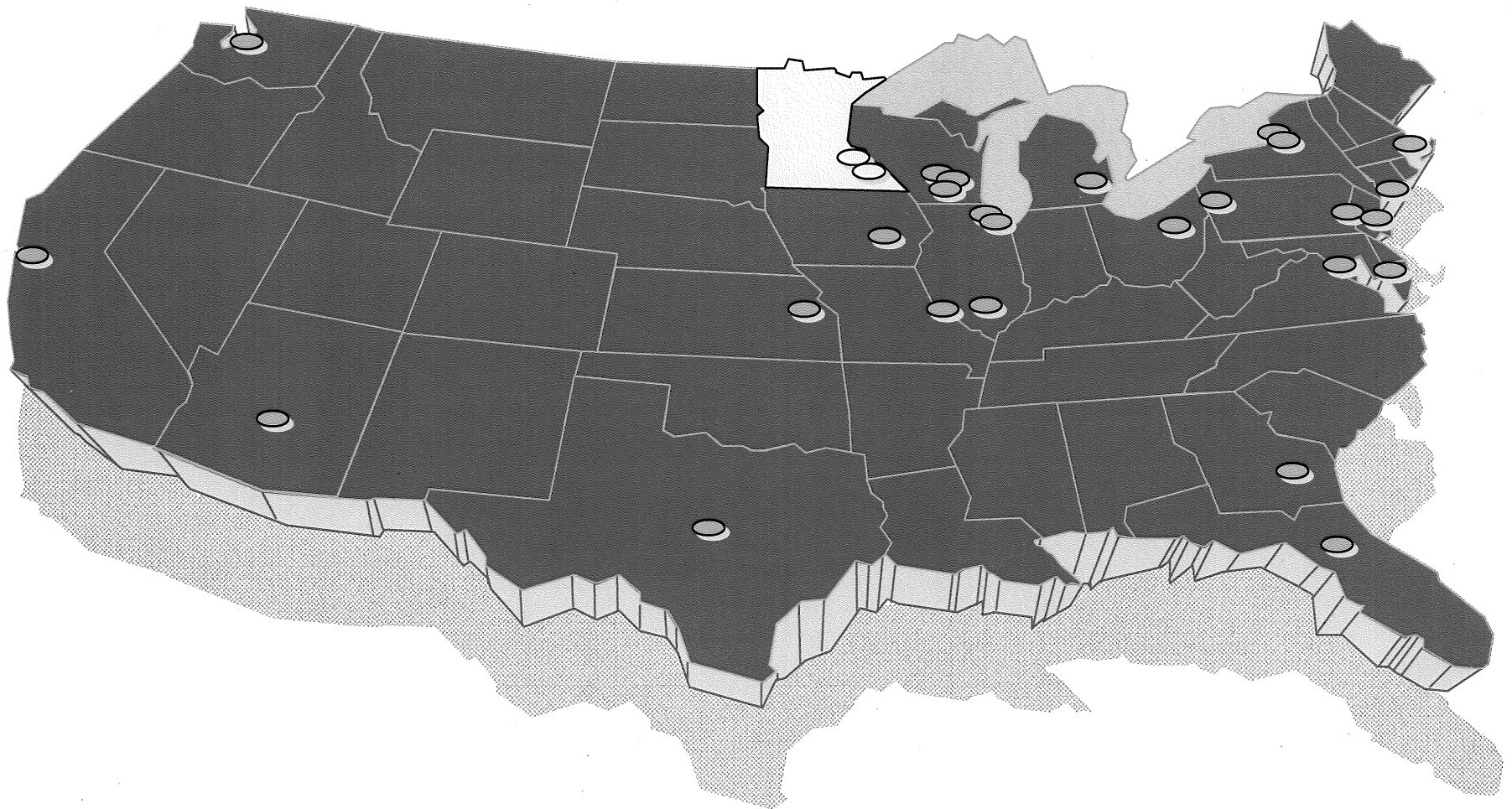
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The Competition

BIOMEDICAL SCIENCES RESEARCH



We can keep pace with the facility investments of our peers.



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The Problem for Biomedical Sciences in Minnesota

BIOMEDICAL SCIENCES RESEARCH



The current bonding process presents a challenge.

- Two most recently constructed buildings took **\$107 million** in bonds **over four bonding cycles**

The current bonding process is not equipped to handle high cost projects.

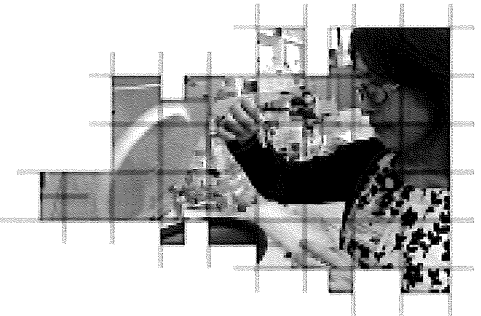
- The 2005 state capital budget was **\$886 million** for **171 individual projects**
- Average of **\$5.2 million per project**

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A Solution for Biomedical Sciences in Minnesota

BIOMEDICAL SCIENCES RESEARCH



- Create the **Minnesota Biomedical Sciences Research Facilities Authority** as an entity of the state
- Authorize **\$330 million in state general obligation debt** to support the program
- Require a 90 percent state and 10 percent University of Minnesota cost sharing for all projects
- Enact a **statutory transfer of revenues** on a schedule sufficient to service the bonds issued to construct one project every two years for the next 10 years

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Minnesota Biomedical Sciences Research Facilities Authority

BIOMEDICAL SCIENCES RESEARCH

Minnesota Biomedical Sciences Research Facilities Authority

2006 Minnesota Legislature

Create the Minnesota Biomedical
Sciences Research Facilities Authority

Establish a Biomedical Sciences
Research Facilities Program

Authorize \$330 Million G.O. Debt &
Establish Dedicated Fund in State
Treasury

Enact a Statutory Transfer of
Incremental Percent
of State Tax Revenue to Service Bonds

Accept applications for funds in accordance
with goals and objectives of the program

Approve Financing For Biomedical Sciences
Research Facility Project

State of Minnesota
90% Funding of
Cost of Project
(\$330.0M)

U of M
10% Match
Requirement
(\$36.0M)

Revenue Transfer Schedule – October 1

FY2008 & 09 = \$ 4.3 million/year

FY2010 & 11 = \$ 9.1 million/year

FY2012 & 13 = \$14.3 million/year

FY2014 & 15 = \$20.1 million/year

FY2016 & thereafter = \$26.4 million/year

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State General Obligation Bonds

BIOMEDICAL SCIENCES RESEARCH



State of Minnesota Debt Management Policy Guidelines:

- 1. The general fund appropriation for debt service shall not exceed 3.0% of non-dedicated revenues.***
2. General obligation debt shall not exceed 2.5% of state personal income.
3. State agency debt shall not exceed 3.5% of state personal income.
4. The total amount of state general obligation debt, moral obligation debt, state bond guarantees, equipment capital leases, and real estate leases are not to exceed 5.0% of state personal income.
5. 40% of general obligation debt shall be due within five years and 70% within ten years.

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

S.F. No. 2677 - First Engrossment - Climate Neutral Policy for State Building Projects

Author: Senator Sandra Pappas

Prepared by: Thomas S. Bottern, Senate Counsel (651/296-3810) *TSB*

Date: March 20, 2006

This bill applies to any use of state bond proceeds to construct or significantly renovate a building. Beginning July 1, 2006, the bill prohibits these construction projects from creating a net increase in greenhouse gases. Under conditions established in the bill, a net increase in greenhouse gases can be avoided by activity in connection with or separate from the project, including, but not limited to, renewable energy development, renewable energy purchases, energy efficiency, carbon sequestration, and the use of cleaner fuels. This bill requires the Commissioner of Administration to work together with Commissioners of Commerce and the Pollution Control Agency to certify that the project complies with this new section of law. Project proposers will be required to submit written plans for compliance with this law to the Commissioner of Administration.

TSB:rd

1.1 A bill for an act
 1 relating to state government; establishing a climate neutral policy for state
 1.3 building projects funded with state bonds; proposing coding for new law in
 1.4 Minnesota Statutes, chapter 16B.

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

1.6 Section 1. **[16B.326] GREENHOUSE GAS EMISSIONS; STATE-FUNDED**
 1.7 **BUILDINGS.**

1.8 A project to construct or significantly renovate a building that receives any funding
 1.9 from the state bond proceeds fund must result in no net increase in greenhouse gases.
 1.10 The prevention of a net increase may be accomplished by other planned action, either in
 1.11 connection with or separate from the building project, that will offset any increase in
 1.12 greenhouse gas emissions caused by the building project and subsequent operation of the
 1.13 building.

1.14 Greenhouse gas offset projects must be located in the state and may include, but
 1.15 are not limited to, renewable energy development, renewable energy purchases, energy
 1.16 efficiency, carbon sequestration, and switching to cleaner fuels.

1.17 Greenhouse gases include carbon dioxide, methane, sulfur hepafluoride, nitrous
 1.18 oxide, hydrofluorocarbons, and perfluorocarbons. All of these can be expressed in terms
 1.19 of their carbon dioxide equivalentents.

1.20 The commissioner of administration, in consultation with the commissioners of
 1.21 commerce and the pollution control agency, must certify that a project is in compliance
 1.22 with this section. The commissioner must receive a written plan for compliance from
 1 a project proposer.

2.1 Sec. 2. EFFECTIVE DATE.

2.2 Section 1 is effective July 1, 2006, and applies to buildings designed after that date.

COMMITTEE REPORT - NO AMENDMENTS

Committee on State and Local Government

S. F. No. 2677

- Resolution
- Re-referred (from another committee)

Committee recommendation:

do pass.

OR

do pass and be placed on the Consent Calendar.

OR

do pass and be re-referred to the Committee on
Finance

No recommendation:

(be re-referred to the Committee on ___)

OR

(be reported to the Senate) .

Double click here to insert date (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was re-referred**

1.3 **S.F. No. 2677:** A bill for an act relating to state government; establishing a climate
neutral policy for state building projects funded with state bonds; proposing coding for
new law in Minnesota Statutes, chapter 16B.

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

1.8
1.9 (Committee Chair)

1.10 March 22, 2006
1.11 (Date of Committee recommendation)

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

**S.F. No. 3283 - Minnesota Agricultural Fertilizer Research
and Education Council - First Engrossment**

Author: Senator Steve Dille

Prepared by: Thomas S. Bottem, Senate Counsel (651/296-3810) *TSB*

Date: March 21, 2006

This bill imposes a 40 cent per ton check-off fee on each ton of fertilizer sold to agricultural producers in Minnesota. The fee is used to fund program grants from a new Minnesota Agricultural Fertilizer Research and Education Council established in this bill.

Section 1. EXEMPTION. exempts personal storage of no more than 6,000 gallons of liquid commercial fertilizer from existing statutory construction permits and fee requirements for fertilizer facilities.

Section 2. MINNESOTA AGRICULTURAL FERTILIZER RESEARCH AND EDUCATION COUNCIL.

Subdivision 1. Establishment; membership. creates a council of 12 voting members nominated by their organizations and appointed by the Commissioner of Agriculture, including:

- (1) two members of the Minnesota Crop Production Retailers;
- (2) one member of the Minnesota Corn Growers Association;
- (3) one member of the Minnesota Soybean Growers Association;
- (4) one member of the sugar beet growers industry;
- (5) one member of the Minnesota Association of Wheat Growers;
- (6) one member of the potato growers industry;
- (7) one member of the Minnesota Farm Bureau;
- (8) one member of the Minnesota Farmers Union;
- (9) one member from the Minnesota Irrigators Association;
- (10) one member of the Minnesota Grain and Feed Association; and

(11) one member of the Minnesota Independent Crop Consultant Association or the Minnesota Certified Crop Advisor Program.

Member of the council serve three-year terms, and subsequent appointments must be staggered to replace one-third of the council each year. The council is required to meet yearly, and all expenses for the council members must be reimbursed by sponsoring organizations or members themselves.

Subdivision 2. Powers and duties. provides the council with authority to select projects to receive research and education program grants as authorized in section 3 of this bill. Requires the Commissioner of Agriculture to act as fiscal agent for collecting fees and distributing program funds.

Subdivision 3. Check-off fees. imposes a check-off fee of 40 cents per ton of fertilizer sold to producers in Minnesota and requires that those funds be sent at least semiannually to the Commissioner of Agriculture.

Subdivision 4. Program account. creates the agricultural fertilizer research and education program account in the agricultural fund and requires the deposit of check-off funds raised under subdivision 3 of this bill in the account. Appropriates money in the account to the Commissioner of Agriculture to carry out the purposes of the program and for refunds described in subdivision 5.

Subdivision 5. Refunds. allows any producer paying the check-off fee to request a refund of the fee provided that the fee and the refund request have been submitted on a timely basis.

Subdivision 6. Rules. exempts the Commissioner of Agriculture from the rulemaking and other requirements of Chapter 14 as they apply to duties related to this program.

Subdivision 7. Expiration. provides a January 8, 2017, sunset date for the council and check-off fee created in this bill.

Section 3. MINNESOTA AGRICULTURAL FERTILIZER RESEARCH AND EDUCATION PROGRAM. specifies that projects that are eligible for funding under this program include research education and technology transfer regarding the producing and application of fertilizer, soil amendments, and other plant amendments. Requires an outreach component for each project involving a dissemination of findings and applicability within the production agricultural community. Requires a simple majority of eight of the 12 council members to approve a project before it may receive funding. Requires annual progress reports from each project that receives funds. Requires an annual audit of the fertilizer research and education program, which must be filed with the Commissioner of Agriculture before June 1 for the preceding year ending December 31.

Section 4. EFFECTIVE DATE. makes the bill effective January 1, 2007.

TSB:rdr

A bill for an act
relating to agriculture; providing for a checkoff for fertilizer, soil amendment,
and plant amendment; establishing a Minnesota Agricultural Fertilizer Research
and Education Council and program; exempting on-farm storage from fertilizer
facility safeguarding and permitting; appropriating money; amending Minnesota
Statutes 2004, section 18C.305, by adding a subdivision; proposing coding for
new law in Minnesota Statutes, chapter 18C.

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

Section 1. Minnesota Statutes 2004, section 18C.305, is amended by adding a
subdivision to read:

Subd. 3. Exemption. A permit and safeguard is not required for a person who stores
on the person's own property and for the person's own use no more than 6,000 gallons
of liquid commercial fertilizer.

Sec. 2. [18C.70] MINNESOTA AGRICULTURAL FERTILIZER RESEARCH
AND EDUCATION COUNCIL.

Subdivision 1. Establishment; membership. (a) The Minnesota Agricultural
Fertilizer Research and Education Council is established. The council is composed of
12 voting members as follows:

- (1) two members of the Minnesota Crop Production Retailers;
- (2) one member of the Minnesota Corn Growers Association;
- (3) one member of the Minnesota Soybean Growers Association;
- (4) one member of the sugar beet growers industry;
- (5) one member of the Minnesota Association of Wheat Growers;
- (6) one member of the potato growers industry;

- 2.1 (7) one member of the Minnesota Farm Bureau;
2.2 (8) one member of the Minnesota Farmers Union;
2.3 (9) one member from the Minnesota Irrigators Association;
2.4 (10) one member of the Minnesota Grain and Feed Association; and
2.5 (11) one member of the Minnesota Independent Crop Consultant Association or the
2.6 Minnesota Certified Crop Advisor Program.

2.7 (b) Council members shall serve three-year terms. After the initial council is
2.8 appointed, subsequent appointments must be staggered so that one-third of council
2.9 membership is replaced each year. Council members must be nominated by their
2.10 organizations and appointed by the commissioner. The council may add ex officio,
2.11 nonvoting members at its discretion. The council shall meet at least once per year, with all
2.12 related expenses reimbursed by members' sponsoring organizations or by the members
2.13 themselves.

2.14 Subd. 2. Powers and duties. The council shall review applications and select
2.15 projects to receive agricultural fertilizer research and education program grants, as
2.16 authorized in section 18C.71. The council shall establish a program to provide grants to
2.17 research, education, and technology transfer projects related to agricultural fertilizer, soil
2.18 amendments, and plant amendments. For the purpose of this section, "fertilizer" includes
2.19 soil amendments and plant amendments. The department shall act as the fiscal agent in
2.20 charge of collecting fees, distributing program funds, and otherwise administering the
2.21 program.

2.22 Subd. 3. Checkoff fees. Any person, whether in Minnesota or elsewhere, that
2.23 sells fertilizer to producers must collect a checkoff of 40 cents per ton of fertilizer sold
2.24 and forward the checkoff funds at least semiannually to the commissioner along with
2.25 forms provided by the commissioner. For the purposes of this section, a producer means
2.26 any person who owns or operates an agricultural producing or growing facility for an
2.27 agricultural commodity and shares in the profits and risk of loss from such operation, and
2.28 who grows, raises, feeds, or produces the agricultural commodity in Minnesota during the
2.29 current or preceding calendar year.

2.30 Subd. 4. Program account. There is established in the state treasury an agricultural
2.31 fertilizer research and education program account in the agricultural fund. The checkoff
2.32 funds raised pursuant to this section must be deposited in the account. Money in the
2.33 account, including interest earned, is appropriated to the commissioner to carry out the
2.34 program and to refund checkoff funds as described in subdivision 5.

2.35 Subd. 5. Refunds. Any producer may, by use of forms provided by the
2.36 commissioner, and upon presentation of such proof as the commissioner requires, have

3.1 the checkoff fee refunded, provided the checkoff fee was remitted in a timely basis. The
3.2 producer must submit annual refund requests to the commissioner before February 28 for
3.3 checkoff fees paid in the previous calendar year.

3.4 Subd. 6. Rules. The commissioner's duties under this section and section 18C.71
3.5 are not subject to the provisions of chapter 14.

3.6 Subd. 7. Expiration. This section expires on January 8, 2017.

3.7 **Sec. 3. [18C.71] MINNESOTA AGRICULTURAL FERTILIZER RESEARCH**
3.8 **AND EDUCATION PROGRAM.**

3.9 Subdivision 1. Eligible projects. Eligible project activities include research,
3.10 education, and technology transfer related to the production and application of fertilizer,
3.11 soil amendments, and other plant amendments. Chosen projects must contain a component
3.12 of outreach that achieves a timely dissemination of findings and their applicability to the
3.13 production agricultural community.

3.14 Subd. 2. Awarding of program grants. Applications for program grants shall
3.15 be submitted in the form prescribed by the Minnesota Agricultural Fertilizer Research
3.16 and Education Council. Applications must be submitted on or before the deadline
3.17 prescribed by the council. All applications are subject to a thorough in-state review by a
3.18 peer committee established and approved by the council. Each project meeting the basic
3.19 qualifications is subject to a yes or no vote by each council member. Projects chosen
3.20 to receive funding must achieve an affirmative vote by at least eight of the 12 council
3.21 members. Projects awarded program funds must submit an annual progress report in the
3.22 form prescribed by the council.

3.23 Subd. 3. Annual audit. The program must have an annual audit of financial
3.24 activities, which the council must file with the commissioner on or before June 1 for the
3.25 immediately preceding year ending December 31.

3.26 Subd. 4. Expiration. This section expires January 8, 2017.

3.27 **Sec. 4. EFFECTIVE DATE.**

3.28 Sections 1 to 3 are effective January 1, 2007.

COMMITTEE REPORT - NO AMENDMENTS

Committee on State and Local Government

S. F. No. 3283

- Resolution
- Re-referred (from another committee)

Committee recommendation:

do pass.

OR

do pass and be placed on the Consent Calendar.

OR

do pass and be re-referred to the Committee on

Finance

No recommendation:

(be re-referred to the Committee on ____)

OR

(be reported to the Senate) .

Double click here to insert date (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was re-referred**

1.3 **S.F. No. 3283:** A bill for an act relating to agriculture; providing for a checkoff for
1.4 fertilizer, soil amendment, and plant amendment; establishing a Minnesota Agricultural
1.5 Fertilizer Research and Education Council and program; exempting on-farm storage from
1.6 fertilizer facility safeguarding and permitting; appropriating money; amending Minnesota
1.7 Statutes 2004, section 18C.305, by adding a subdivision; proposing coding for new law in
1.8 Minnesota Statutes, chapter 18C.

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

1.11 _____
1.12 (Committee Chair)

1.13 March 22, 2006
1.14 (Date of Committee recommendation)

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.
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JO ANNE ZOFF SELLNER
DIRECTOR

Senate

State of Minnesota

S.F. No. 3148 - City of Grand Rapids

Author: Senator Tom Saxhaug

Prepared by: Daniel P. McGowan, Senate Counsel (651/296-4397)

DPM

Date: March 21, 2006

The proposed special bill for Grand Rapids would authorize the city to issue general obligation bonds to refund outstanding revenue bonds issued for a joint public works and public utilities service center. The general law authorizes cities to issue bonds without an election for certain capital improvements if they are done under a capital improvement plan and are approved by a three-fifths vote of the city council. The bill provides that the joint service center is deemed a capital improvement and a capital improvement plan or plan amendment that describes the refunding bonds and is approved by the city council after a public hearing is deemed to comply with that statute.

DPM:mvm

Senator Saxhaug introduced-

S.F. No. 3148: Referred to the Committee on Finance.

A bill for an act
relating to the city of Grand Rapids; authorizing issuance of certain capital
improvement bonds.

1.3

1.4

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

1.5

Section 1. CITY OF GRAND RAPIDS.

1.6

The city of Grand Rapids may issue general obligation bonds under Minnesota

1.7

Statutes, section 475.521, to refund outstanding revenue bonds issued by the city to finance

1.8

the acquisition and betterment of a joint public works and public utilities service center.

1.9

Sec. 2. SPECIAL RULES.

1.10

The joint service center is deemed to be a capital improvement, and a capital
improvement plan or plan amendment that describes the refunding bonds and is approved

1.12

by the city council after public hearing is deemed to comply with Minnesota Statutes,

1.13

section 475.521, subdivision 3.

1.14

Sec. 3. EFFECTIVE DATE.

1.15

Sections 1 and 2 are effective upon compliance with Minnesota Statutes, section

1.16

645.021, subdivision 3.

COMMITTEE REPORT - NO AMENDMENTS

Committee on State and Local Government

S. F. No. 3148

- Resolution
- Re-referred (from another committee)

Committee recommendation:

do pass.

OR

do pass and be placed on the Consent Calendar.

OR

do pass and be re-referred to the Committee on

No recommendation:

(be re-referred to the Committee on _____)

OR

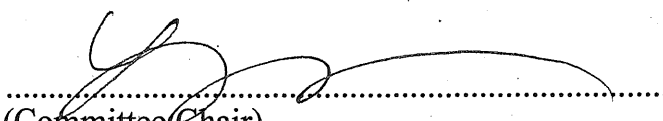
(be reported to the Senate) .

Double click here to insert date (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was re-referred**

1.3 **S.F. No. 3148:** A bill for an act relating to the city of Grand Rapids; authorizing
issuance of certain capital improvement bonds.

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

1.7
1.8 
(Committee Chair)

1.9 March 22, 2006
1.10 (Date of Committee recommendation)

SF 3148

Kennedy

&

Graven

CHARTERED

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Minneapolis MN 55402

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MEMORANDUM

TO: Ed Treska
Shirley Miller

FROM: Stephen Bubul

DATE: February 15, 2006

RE: Capital Improvement Bond Legislation

Following is a brief explanation of the proposed special legislation relating to issuance of capital improvement refunding bonds.

The legislation authorizes the city to issue capital improvement bonds under Minnesota Statutes, Section 475.521, to refund the outstanding Series 1996A revenue bonds issued to finance the joint public works and public utilities service center. As previously noted, issuance of refunding bonds under this legislation would reduce costs for both the City and PUC through lower interest rates, issuance cost savings, and release of debt service reserve requirements.

The legislation is needed for two reasons.

1. It is not clear that the joint service center would meet the definition of a "capital improvement" under the existing statute. The term capital improvements includes a "public works facility," but that phrase is not defined in the statute. Part of the service center is used by the Grand Rapids Public Utilities Commission (PUC) for its electric and water utility operations. Such utility improvements can be--and have been--financed from utility revenues, compared to general public works facilities that are typically financed with general funds and tax levies. Arguably, the rationale for the capital improvement bond statute was to permit general obligation bond financing for improvements that must be supported by tax dollars, so it is not clear that the term "public works facility" extends to improvements that are operated and financed by the PUC.

Moreover, the service center includes *office* space for both the city's public works staff and the PUC's staff. The term "capital improvement" specifically excludes any "administrative building other than a city hall." Minnesota Statutes, Section 475.521, subd. 1(b). Therefore, the office portion of the building may not fall within the definition at all.

2. Even if the service center clearly qualified as a capital improvement, the facility was not acquired, constructed or financed under a "capital improvement plan" as defined in the statute. Whether a plan may be amended later to allow for refunding bonds is open to question.¹

The proposed legislation expressly provides that the service center is a capital improvement, and clarifies that the capital improvement plan requirement is met if the city describes the refunding bonds in a plan amendment approved in accordance with the statute (which the city has already done). Because this facility is a joint endeavor of the City and PUC, and *parts* of the building would clearly qualify for capital improvement bond financing under existing law, permitting the issuance of lower-cost general obligation refunding bonds under the capital improvement bond statute is reasonable and fair.

The refunding bonds would be subject to all other terms of the statute. The City would need to hold a public hearing regarding issuance of the bonds, and if the city receives a petition within 30 days after the hearing, signed by voters equal to five percent of the votes cast in the last general city election, the bonds may not be issued unless approved by the voters.

The bonds are also subject to the city's net debt limit, and the maximum annual debt service on all capital improvement bonds issued by the city under this statute may not exceed .16% of the City's taxable market value. The proposed refunding bonds would comply with these limits.

If you have further questions about the proposed legislation, please let me know.

¹ The situation is different where a city has previously financed a capital improvement through lease-purchase financing. In that case, the city has not yet acquired the facility in full, and the capital improvement plan may be amended to provide for acquisition of the facility by pre-paying the lease payments.

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DIRECTOR

Senate

State of Minnesota

**S.F. No. 2870 - Human Trafficking Provisions
(First Engrossment)**

Author: Senator Sandra L. Pappas

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 15, 2006

Article 1

Department of Public Safety; Human Trafficking Task Force

Section 1 extends the current statutory definitions for human trafficking to the new provisions created by the bill. It also expands the duties of the Commissioner of Public Safety to include analyses of data on human trafficking and the establishment of policies to provide assistance to trafficking victims.

Section 2 requires the commissioner to develop and implement a plan to address human trafficking. The plan must include training initiatives for law enforcement, prosecutors, social service providers, and public awareness initiatives. Training and awareness initiatives must be evaluated annually to ensure their effectiveness.

Section 3 requires the commissioner to establish policies to enable the state and nongovernmental organizations to provide assistance to trafficking victims.

Section 4 creates a 22-member human trafficking task force to advise and assist the commissioner to implement the provisions of the bill. This section also details task force membership and procedures, and provides for the appointment of a task force coordinator. The task force expires June 30, 2011.

Section 5 appropriates \$200,000 from the general fund to the commissioner for the purposes of the bill. Provides that the base appropriation for this activity is \$200,000 in fiscal year 2008 and \$150,000 thereafter.

Article 2
Criminal Provisions

Section 1 amends Minnesota Statutes, section 609.282 (Labor Trafficking) by creating a 20-year felony for trafficking persons under the age of 18. Current law does not make an age distinction. The 15-year felony for trafficking persons 18 or older remains.

Section 2 amends Minnesota Statutes, section 609.283 (Unlawful Conduct With Respect to Documents in Furtherance of Labor or Sex Trafficking) by creating a ten-year felony complicity in trafficking persons under the age of 18. Current law does not make an age distinction. The five-year felony for complicity in trafficking persons 18 or older remains.

CT:rer

A bill for an act

relating to public safety; directing the commissioner of public safety to analyze and use trafficking data to address trafficking problems in Minnesota; directing the commissioner of public safety to establish policies to provide assistance to trafficking victims; creating a human trafficking task force; creating the unclassified service position of trafficking coordinator; enhancing penalties for trafficking crimes; appropriating money; amending Minnesota Statutes 2005 Supplement, sections 299A.78; 609.282; 609.283; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

ARTICLE 1

DEPARTMENT OF PUBLIC SAFETY;
HUMAN TRAFFICKING TASK FORCE

Section 1. Minnesota Statutes 2005 Supplement, section 299A.78, is amended to read:

299A.78 STATEWIDE HUMAN TRAFFICKING ASSESSMENT.

Subdivision 1. **Definitions.** For purposes of sections 299A.78 to ~~299A.785~~ 299A.7955, the following definitions apply:

(a) "Commissioner" means the commissioner of the Department of Public Safety.

(b) "Nongovernmental organizations" means nonprofit, nongovernmental organizations that provide legal, social, or other community services.

(c) "Blackmail" has the meaning given in section 609.281, subdivision 2.

(d) "Debt bondage" has the meaning given in section 609.281, subdivision 3.

(e) "Forced labor or services" has the meaning given in section 609.281, subdivision

4.

(f) "Labor trafficking" has the meaning given in section 609.281, subdivision 5.

- 2.1 (g) "Labor trafficking victim" has the meaning given in section 609.281, subdivision
2.2 6.
- 2.3 (h) "Sex trafficking" has the meaning given in section 609.321, subdivision 7a.
- 2.4 (i) "Sex trafficking victim" has the meaning given in section 609.321, subdivision 7b.
- 2.5 (j) "Trafficking" includes "labor trafficking" and "sex trafficking."
- 2.6 (k) "Trafficking victim" includes "labor trafficking victim" and "sex trafficking
2.7 victim."

2.8 Subd. 2. **General duties.** The commissioner of public safety, in cooperation with
2.9 local authorities, shall:

2.10 (1) collect, share, and compile trafficking data among government agencies to assess
2.11 the nature and extent of trafficking in Minnesota;

2.12 (2) analyze collected data to develop a plan to address and prevent human
2.13 trafficking; and

2.14 (3) use its analyses to establish policies to enable state government to work with
2.15 nongovernmental organizations and other elements of civil society to provide assistance to
2.16 trafficking victims.

2.17 Subd. 3. **Outside services.** As provided for in section 15.061, the commissioner of
2.18 public safety may contract with professional or technical services in connection with the
2.19 duties to be performed under ~~section~~ sections 299A.785, 299A.79, and 299A.795. The
2.20 commissioner may also contract with other outside organizations to assist with the duties
2.21 to be performed under ~~section~~ sections 299A.785, 299A.79, and 299A.795.

2.22 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.23 **Sec. 2. [299A.79] TRAFFICKING STUDY; ANALYSIS AND USE OF DATA.**

2.24 **Subdivision 1. Data analysis.** The commissioner shall analyze the data collected in
2.25 section 299A.785 to develop and carry out a plan to address current trafficking and prevent
2.26 future trafficking in Minnesota. The commissioner may evaluate various approaches used
2.27 by other state and local governments to address trafficking. The plan shall include, but
2.28 not be limited to, the following initiatives:

2.29 (1) training agencies, organizations, and officials involved in law enforcement,
2.30 prosecution, and social services;

2.31 (2) increasing public awareness of trafficking; and

2.32 (3) establishing procedures to enable the state government to work with
2.33 nongovernmental organizations to prevent trafficking.

3.1 Subd. 2. Training initiatives. The commissioner shall provide and strengthen
3.2 training for law enforcement, prosecutors, social services, and other relevant officials in
addressing trafficking. The training shall include:

3.4 (1) methods used in identifying trafficking victims, including preliminary interview
3.5 techniques and appropriate interrogation methods;

3.6 (2) methods for prosecuting traffickers;

3.7 (3) methods for protecting the rights of trafficking victims, taking into account
3.8 the need to consider human rights and special needs of women and children trafficking
3.9 victims; and

3.10 (4) methods for promoting the safety of trafficking victims.

3.11 Subd. 3. Awareness initiatives. (a) The commissioner shall, in cooperation
3.12 with appropriate nongovernmental organizations, establish public awareness programs
3.13 designed to educate persons at risk of trafficking. The programs shall include, but not be
3.14 limited to, information on the following subjects:

3.15 (1) the risks of becoming a trafficking victim;

3.16 (2) common recruitment techniques; use of debt bondage, blackmail, forced labor
3.17 and services, prostitution, and other coercive tactics; and risks of assault, criminal sexual
3.18 conduct, exposure to sexually transmitted diseases, and psychological harm;

3.19 (3) crime victims' rights; and

3.20 (4) reporting recruitment activities involved in trafficking.

3.21 (b) The commissioner shall, in cooperation with appropriate agencies and
3.22 nongovernmental organizations, disseminate public awareness materials to educate the
3.23 public on the extent of trafficking and to discourage the demand that fosters and leads to
3.24 trafficking, in women and children in particular. These materials may include information
3.25 on:

3.26 (1) the impact of trafficking on individual victims;

3.27 (2) the aggregate impact of trafficking worldwide and domestically; and

3.28 (3) the criminal consequences of trafficking.

3.29 The materials may be disseminated by way of the following mediums: pamphlets,
3.30 brochures, posters, advertisements in mass media, or any other appropriate methods. All
3.31 materials must preserve the privacy of any individual trafficking victim and the victim's
3.32 family.

3.33 Subd. 4. Annual evaluation. The commissioner shall evaluate its training and
3.34 awareness initiatives annually to ensure their effectiveness.

3.35 EFFECTIVE DATE. This section is effective July 1, 2006.

4.1 Sec. 3. [299A.795] TRAFFICKING VICTIM ASSISTANCE.

4.2 (a) The commissioner shall establish policies to enable state government to work
4.3 with nongovernmental organizations and other elements of civil society to provide
4.4 assistance to trafficking victims.

4.5 (b) The commissioner may review the existing services and facilities to meet
4.6 trafficking victims' needs and recommend a plan that would coordinate such services
4.7 including, but not limited to:

4.8 (1) medical and mental health services;

4.9 (2) housing;

4.10 (3) education and job training;

4.11 (4) English as a second language;

4.12 (5) interpreting services;

4.13 (6) legal and immigration services; and

4.14 (7) victim compensation.

4.15 EFFECTIVE DATE. This section is effective July 1, 2006.

4.16 Sec. 4. [299A.7955] HUMAN TRAFFICKING TASK FORCE; COORDINATOR.

4.17 Subdivision 1. Creation and duties. By December 1, 2006, the commissioner shall
4.18 appoint a 22-member task force on human trafficking to advise the commissioner on its
4.19 duties, as well as the implementation and continued operation of the initiatives set forth in
4.20 sections 299A.78 to 299A.795. The task force shall also serve as a liaison between the
4.21 commissioner and agencies and nongovernmental organizations that provide services
4.22 to trafficking victims. The members shall receive expense reimbursement as specified
4.23 in section 15.059.

4.24 Subd. 2. Membership. To the extent possible, the human trafficking task force
4.25 consists of the following individuals, or their designees, who are knowledgeable in
4.26 trafficking, crime victims' rights, or violence protection:

4.27 (1) a representative of the Minnesota Police Chiefs' Association;

4.28 (2) a representative of the Bureau of Criminal Apprehension;

4.29 (3) a representative of the Minnesota Sheriffs' Association;

4.30 (4) a peace officer who works and resides in the metropolitan area, composed of
4.31 Hennepin, Ramsey, Anoka, Dakota, Scott, Washington, and Carver Counties;

4.32 (5) a peace officer who works and resides in the nonmetropolitan area;

4.33 (6) a county attorney who works in Hennepin County;

4.34 (7) a county attorney who works in Ramsey County;

4.35 (8) a representative of the attorney general's office;

- 5.1 (9) a representative of the Department of Public Safety's office of justice program;
5.2 (10) a representative of the federal Homeland Security Office;
(11) a representative of the Department of Health and Human Services;
5.4 (12) the chair or executive director of the Council on Asian-Pacific Minnesotans;
5.5 (13) the chair or executive director of the Minnesota Chicano Latino Affairs Council;
5.6 (14) a representative of the United States Attorney's Office; and
5.7 (15) eight representatives from nongovernmental organizations which may include
5.8 representatives of:

- 5.9 (i) the Minnesota Coalition for Battered Women;
5.10 (ii) the Minnesota Coalition Against Sexual Assault;
5.11 (iii) a statewide or local organization that provides civil legal services to women
5.12 and children;
5.13 (iv) a statewide or local organization that provides mental health services to women
and children;
5.15 (v) a statewide or local human rights and social justice advocacy organization;
5.16 (vi) a statewide or local organization that provides services to victims of torture,
5.17 trauma, or human trafficking;
5.18 (vii) a statewide or local organization that serves the needs of immigrants and
5.19 refugee women and children from diverse ethnic communities; and
5.20 (viii) a statewide or local organization that provides legal services to low income
5.21 immigrants.

5.22 **Subd. 3. Officers; meetings.** (a) The task force shall annually elect a chair and
5.23 vice-chair from among its members, and may elect other officers as necessary. The task
force shall meet at least quarterly, or upon the call of its chair. The task force shall meet
5.25 sufficiently enough to accomplish the tasks identified in this section.

5.26 (b) The task force shall seek out and enlist the cooperation and assistance of
5.27 nongovernmental organizations and academic researchers, especially those specializing in
5.28 trafficking, representing diverse communities disproportionately affected by trafficking, or
5.29 focusing on child services and runaway services.

5.30 **Subd. 4. Coordinator.** The commissioner of public safety shall appoint a statewide
5.31 trafficking coordinator recommended by the task force. The coordinator is a position
5.32 in the unclassified service and shall continue beyond the dissolution of the committee.
5.33 The coordinator shall:

- 5.34 (1) coordinate and monitor the activities of the agencies implementing sections
299A.78 to 299A.795;

6.1 (2) facilitate local efforts and ensure statewide coordination of efforts to prevent
6.2 trafficking;

6.3 (3) facilitate training for personnel;

6.4 (4) monitor compliance with investigative protocols; and

6.5 (5) implement an outcome evaluation and data quality control process.

6.6 Subd. 5. Expiration. Notwithstanding section 15.059, the task force expires June
6.7 30, 2011, or once it has implemented and evaluated the programs and policies in sections
6.8 299A.78 to 299A.795 to the satisfaction of the commissioner, whichever occurs first.

6.9 EFFECTIVE DATE. This section is effective July 1, 2006.

6.10 Sec. 5. APPROPRIATION.

6.11 \$200,000 is appropriated in fiscal year 2007 from the general fund to the
6.12 commissioner of public safety to carry out the commissioner's duties in sections 1 to 4.
6.13 The base for this appropriation is \$200,000 in fiscal year 2008 and \$150,000 thereafter
6.14 until the task force expires.

6.15 EFFECTIVE DATE. This section is effective July 1, 2006.

6.16 ARTICLE 2

6.17 CRIMINAL PROVISIONS

6.18 Section 1. Minnesota Statutes 2005 Supplement, section 609.282, is amended to read:

6.19 **609.282 LABOR TRAFFICKING.**

6.20 Subdivision 1. Individuals under age 18. Whoever knowingly engages in the
6.21 labor trafficking of an individual who is under the age of 18 is guilty of a crime and
6.22 may be sentenced to imprisonment for not more than 20 years or to payment of a fine of
6.23 not more than \$40,000, or both.

6.24 Subd. 2. Other offenses. Whoever knowingly engages in the labor trafficking of
6.25 another is guilty of a crime and may be sentenced to imprisonment for not more than 15
6.26 years or to payment of a fine of not more than \$30,000, or both.

6.27 Subd. 3. Consent or age of victim not a defense. In a prosecution under this
6.28 section the consent or age of the victim is not a defense.

6.29 EFFECTIVE DATE. This section is effective August 1, 2006, and applies to crimes
6.30 committed on or after that date.

7.1 Sec. 2. Minnesota Statutes 2005 Supplement, section 609.283, is amended to read:

7.2 **609.283 UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS IN**
7.3 **FURTHERANCE OF LABOR OR SEX TRAFFICKING.**

7.4 Subdivision 1. Crime defined. Unless the person's conduct constitutes a violation
7.5 of section 609.282, a person who knowingly destroys, conceals, removes, confiscates, or
7.6 possesses any actual or purported passport or other immigration document, or any other
7.7 actual or purported government identification document, of another person:

7.8 (1) in the course of a violation of section 609.282 or 609.322;

7.9 (2) with intent to violate section 609.282 or 609.322; or

7.10 (3) to prevent or restrict or to attempt to prevent or restrict, without lawful authority,
7.11 a person's liberty to move or travel, in order to maintain the labor or services of that person,
7.12 when the person is or has been a victim of a violation of section 609.282 or 609.322;

is guilty of a crime and may be sentenced as provided in subdivision 2.

7.14 Subd. 2. Penalties. A person who violates subdivision 1 may be sentenced as
7.15 follows:

7.16 (1) if the crime involves a victim under the age of 18, to imprisonment for not more
7.17 than ten years or to payment of a fine of \$20,000, or both; or

7.18 (2) in other cases, to imprisonment for not more than five years or to payment of
7.19 a fine of not more than \$10,000, or both.

7.20 Subd. 3. Consent or age of victim not a defense. In a prosecution under this
7.21 section the consent or age of the victim is not a defense.

7.22 EFFECTIVE DATE. This section is effective August 1, 2006, and applies to crimes
3 committed on or after that date.

COMMITTEE REPORT - NO AMENDMENTS

Committee on State and Local Government

S. F. No. 2870

- Resolution
- Re-referred (from another committee)

Committee recommendation:

do pass.

OR

do pass and be placed on the Consent Calendar.

OR

do pass and be re-referred to the Committee on
Finance

No recommendation:

(be re-referred to the Committee on ____)

OR

(be reported to the Senate) .


Double click here to insert date (date of committee recommendation)

1.1 **Senator Higgins from the Committee on State and Local Government**
1.2 **Operations, to which was re-referred**

1.3 **S.F. No. 2870:** A bill for an act relating to public safety; directing the commissioner
1.6 of public safety to analyze and use trafficking data to address trafficking problems in
1.7 Minnesota; directing the commissioner of public safety to establish policies to provide
1.8 assistance to trafficking victims; creating a human trafficking task force; creating the
1.9 unclassified service position of trafficking coordinator; enhancing penalties for trafficking
1.10 crimes; appropriating money; amending Minnesota Statutes 2005 Supplement, sections
299A.78; 609.282; 609.283; proposing coding for new law in Minnesota Statutes, chapter
299A.

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

1.13
1.14 (Committee Chair)


.....
(Committee Chair)

March 22, 2006
(Date of Committee recommendation)

SF 2870

Posted on Wed, Mar. 22, 2006

rl, 16, allegedly held captive, prostituted

St. Paul woman charged; male sex offender suspected of luring teen

BY MARA H. GOTTFRIED
Pioneer Press

A convicted sex offender lured a 16-year-old girl from a St. Paul McDonald's restaurant to a house in the Frogtown neighborhood, where a woman kept the victim in a closet for weeks and forced her into prostitution, police said Tuesday.

Authorities charged Lamiea Ball, 34, of St. Paul with kidnapping and false imprisonment Monday. Meanwhile, Alphonso Mitchell, the 33-year-old sex offender who police say lured the girl, has been sent back to prison for violating the terms of his release.

The victim was ordered to do chores and baby-sit her captor's children in what authorities called a rare and alarming case of local human trafficking. Police later found a second 16-year-old girl who also said she had been held against her will in the house.

"We're very concerned about human trafficking," said St. Paul police Cmdr. Todd Axtell. "It makes you sick when you think what some of these women are going through — being coerced, assaulted, living daily in fear of being hurt."

The case came to light Feb. 22, when police were called to the Ramsey County Juvenile Detention Center about a rape that had occurred at a different location, according to a complaint filed in Ramsey County District Court. The girl making the report was at the detention center after being picked up as a runaway.

The victim told police she had been struck with a gun and held against her will for several weeks, the complaint said.

The girl told police she met a man, later identified as Mitchell, several times near the Dorothy Day Center in downtown St. Paul.

In January, Mitchell approached the girl at the McDonald's at University Avenue and Marion Street and asked her to help out a friend of his by baby-sitting, the complaint said.

Mitchell gave the girl a ride to 532 Sherburne Ave., where she met a woman later identified as Ball. The woman told the girl "she had been brought there to 'ho' for her," the complaint stated.

When the girl told Ball she wanted to leave, the woman pistol-whipped her and forced her into a bedroom closet, the complaint said. The girl was not allowed to leave the home over the next several weeks and was forced to stay in the closet, wearing little or no clothing, the complaint said.

During that time, the girl was continually asked to engage in sexual activity with a "trick" and, if she refused, Mitchell or Ball pistol-whipped her or whipped her with a leather belt, the complaint said.

At one point, the girl told police, she escaped. But as she walked down a street, Ball pulled up next to her in a minivan, pointed a gun at her and ordered her into the van, the complaint said. She was taken back to the Sherburne Avenue home and held against her will again until she escaped about two weeks later, the complaint said.

The complaint provided few details about the other girl who also reported being held in the house. Police found her at another location, and she told officers she had been held captive. Both girls' families had reported them missing, said officer Pete Crum, a Paul police spokesman.

St. Paul police said there might be other victims in the case. Police ask anyone with information to call 651-291-1111.

A neighbor said the Sherburne Avenue duplex appears to have been unoccupied since a March 3 fire there, which police are investigating as arson, Crum said.

Another neighbor reported hearing a girl screaming outside the house on a Sunday evening about a month ago, but didn't know whether it was connected with the current case.

Ball was being held Tuesday in the Ramsey County jail on \$50,000 bail. The Ramsey County attorney's office was considering other charges against her, Crum said.

The county attorney's office also was considering charges against Mitchell, Crum said.

Mitchell was convicted in 2003 of third-degree criminal sexual conduct. DNA testing showed he impregnated a 15-year-old girl whose mother was allowing him to stay at her home in Shakopee, according to the Minnesota Department of Corrections.

A Corrections Department hearing officer ruled that Mitchell violated the conditions of his release by having direct or indirect contact with a minor and by using intoxicants. He was returned to prison at Lino Lakes on Friday for about five months, said Shari Burt, Corrections Department spokeswoman.

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Ages of Internationally trafficked victims are from 14 to late 40's

All Internationally trafficked victims together have 17 children