

1.1 CONFERENCE COMMITTEE REPORT ON H. F. No. 3494

1.2 A bill for an act

1.3 relating to employment; providing up to three hours of paid leave in any  
1.4 12-month period for state employees to donate blood; authorizing employers to  
1.5 provide leave to employees to donate blood; proposing coding for new law in  
1.6 Minnesota Statutes, chapters 43A; 181.

1.7 May 7, 2008

1.8 The Honorable Margaret Anderson Kelliher  
1.9 Speaker of the House of Representatives

1.10 The Honorable James P. Metzen  
1.11 President of the Senate

1.12 We, the undersigned conferees for H. F. No. 3494 report that we have agreed upon  
1.13 the items in dispute and recommend as follows:

1.14 That the Senate recede from its amendments and that H. F. No. 3494 be further  
1.15 amended as follows:

1.16 Delete everything after the enacting clause and insert:

1.17 "ARTICLE 1  
1.18 STATE GOVERNMENT

1.19 Section 1. Minnesota Statutes 2006, section 3.885, is amended by adding a subdivision  
1.20 to read:

1.21 Subd. 11. Subcommittee on Government Accountability. The commission must  
1.22 form a Subcommittee on Government Accountability under section 3.3056 to review  
1.23 recommendations from the commissioner of finance under section 16A.10, subdivision 1c,  
1.24 and to review recommendations from the commissioners of finance and administration on  
1.25 how to improve the use of Minnesota Milestones and other statewide goals and indicators  
1.26 in state planning and budget documents. The subcommittee shall consider testimony from  
1.27 representatives from the following organizations and agencies: (1) nonprofit organizations  
1.28 involved in the preparation of Minnesota Milestones; (2) the University of Minnesota

2.1 and other higher education institutions; (3) the Department of Finance and other state  
2.2 agencies; and (4) other legislators. The subcommittee shall report to the commission by  
2.3 February 1 of each odd-numbered year with long-range recommendations for the further  
2.4 implementation and uses of Minnesota Milestones and other government accountability  
2.5 improvements.

2.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.7 Sec. 2. Minnesota Statutes 2006, section 16A.10, subdivision 1c, is amended to read:

2.8 Subd. 1c. **Performance measures for change items.** For each change item in the  
2.9 budget proposal requesting new or increased funding, the budget document must present  
2.10 proposed performance measures that can be used to determine if the new or increased  
2.11 funding is accomplishing its goals. To the extent possible, each budget change item  
2.12 must identify relevant Minnesota Milestones and other statewide goals and indicators  
2.13 related to the proposed initiative. The commissioner must report to the Subcommittee on  
2.14 Government Accountability established under section 3.885, subdivision 11, regarding the  
2.15 format to be used for the presentation and selection of Minnesota Milestones and other  
2.16 statewide goals and indicators.

2.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.18 Sec. 3. Minnesota Statutes 2006, section 16B.281, subdivision 3, is amended to read:

2.19 Subd. 3. **Notice to agencies; determination of surplus.** ~~On or before October 1 of~~  
2.20 ~~each year, the commissioner shall review the certifications of heads of each department or~~  
2.21 ~~agency provided for in this section.~~ The commissioner of administration shall send written  
2.22 notice to all state departments, agencies, and the University of Minnesota describing any  
2.23 lands or tracts that may be declared surplus. If a department or agency or the University of  
2.24 Minnesota desires custody of the lands or tracts, it shall submit a written request to the  
2.25 commissioner, no later than four calendar weeks after mailing of the notice, setting forth  
2.26 in detail its reasons for desiring to acquire and its intended use of the land or tract. The  
2.27 commissioner shall then determine whether any of the lands described ~~in the certifications~~  
2.28 ~~of the heads of the departments or agencies~~ should be declared surplus and offered for  
2.29 sale or otherwise disposed of by transferring custodial control to other requesting state  
2.30 departments or agencies or to the Board of Regents of the University of Minnesota for  
2.31 educational purposes, provided however that transfer to the Board of Regents shall not be  
2.32 determinative of tax exemption or immunity. If the commissioner determines that any of  
2.33 the lands are no longer needed for state purposes, the commissioner shall make findings of

3.1 fact, describe the lands, declare the lands to be surplus state land, and state the reasons for  
3.2 the sale or disposition of the lands, and notify the Executive Council of the determination.

3.3 Sec. 4. Minnesota Statutes 2006, section 16B.282, is amended to read:

3.4 **16B.282 SURVEYS, APPRAISALS, AND SALE.**

3.5 Subdivision 1. **Appraisal; notice and offer to public bodies.** (a) Before offering  
3.6 any surplus state-owned lands for sale, the commissioner of administration may survey the  
3.7 lands and, if the value of the lands is estimated to be ~~\$40,000~~ \$50,000 or less, may have  
3.8 the lands appraised. The commissioner shall have the lands appraised if the estimated  
3.9 value is in excess of ~~\$40,000~~ \$50,000.

3.10 (b) ~~The appraiser shall, before entering upon the duties of the office, take and~~  
3.11 ~~subscribe an oath that the appraiser will faithfully and impartially discharge the duties~~  
3.12 ~~of appraiser according to the best of the appraiser's ability and that the appraiser is not~~  
3.13 ~~interested, directly or indirectly, in any of the lands to be appraised or the timber or~~  
3.14 ~~improvements on the lands or in the purchase of the lands, timber, or improvements~~  
3.15 ~~and has entered into no agreement or combination to purchase any of the lands, timber,~~  
3.16 ~~or improvements. The oath shall be attached to the appraisal report. Appraisals must~~  
3.17 be made by an appraiser that holds a state appraiser license issued by the Department  
3.18 of Commerce. The appraisal must be in conformity with the Uniform Standards of  
3.19 Professional Appraisal Practice of the Appraisal Foundation.

3.20 (c) Before offering surplus state-owned lands for public sale, the lands shall first be  
3.21 offered to the city, county, town, school district, or other public body corporate or politic  
3.22 in which the lands are situated for public purposes and the lands may be sold for public  
3.23 purposes for not less than the appraised value of the lands. To determine whether a public  
3.24 body desires to purchase the surplus land, the commissioner shall give a written notice to  
3.25 the governing body of each political subdivision whose jurisdictional boundaries include  
3.26 or are adjacent to the surplus land. If a public body desires to purchase the surplus land,  
3.27 it shall submit a written offer to the commissioner no later than two weeks after receipt  
3.28 of notice setting forth in detail its reasons for desiring to acquire and its intended use of  
3.29 the land. In the event that more than one public body tenders an offer, the commissioner  
3.30 shall determine which party shall receive the property and shall submit written findings  
3.31 regarding the decision. If lands are offered for sale for public purposes and if a public  
3.32 body notifies the commissioner of its desire to acquire the lands, the public body may have  
3.33 up to two years from the date of the accepted offer to commence payment for the lands  
3.34 in the manner provided by law.

4.1 Subd. 2. **Public sale requirements.** (a) ~~Lands certified as surplus by the head of~~  
4.2 ~~a department or agency under section 16B.281 shall be offered for public sale by the~~  
4.3 ~~commissioner as provided in this subdivision.~~ After complying with subdivision 1 and  
4.4 before any public sale of surplus state-owned land is made and at least 30 days before the  
4.5 sale, the commissioner of administration shall publish a notice of the sale ~~at least once each~~  
4.6 ~~week for four successive weeks in a legal newspaper and also in a newspaper of general~~  
4.7 ~~distribution in the city or county in which the real property to be sold is situated. The notice~~  
4.8 ~~shall specify the time and place at which the sale will commence, a general description of~~  
4.9 ~~the lots or tracts to be offered, and a general statement of the terms of sale. Each tract or~~  
4.10 ~~lot shall be sold separately and shall be sold for no less than its appraised value.~~

4.11 (b) Surplus state-owned land shall be sold for no less than the estimated or appraised  
4.12 value. The minimum bid may include expenses incurred by the commissioner in rendering  
4.13 the property saleable, including survey, appraisal, legal, advertising, and other expenses.

4.14 (c) Parcels remaining unsold after the offering may be sold to anyone agreeing to  
4.15 pay the appraised value. The sale shall continue until all parcels are sold or until the  
4.16 commissioner orders a reappraisal or withdraws the remaining parcels from sale.

4.17 (e) ~~Except as provided in section 16B.283, the cost of any survey or appraisal as~~  
4.18 ~~provided in subdivision 1 shall be added to and made a part of the appraised value of the~~  
4.19 ~~lands to be sold, whether to any political subdivision of the state or to a private purchaser~~  
4.20 ~~as provided in this subdivision.~~

4.21 Sec. 5. Minnesota Statutes 2006, section 16B.283, is amended to read:

4.22 **16B.283 TERMS OF PAYMENT.**

4.23 ~~No less than ten percent of the purchase price shall be paid at the time of sale with~~  
4.24 ~~the balance payable according to this section. If the purchase price of any lot or parcel is~~  
4.25 ~~\$5,000 or less, the balance shall be paid within 90 days of the date of sale. If the purchase~~  
4.26 ~~price of any lot or parcel is in excess of \$5,000, the balance shall be paid in equal annual~~  
4.27 ~~installments for no more than five years, at the option of the purchaser, with principal~~  
4.28 ~~and interest payable annually in advance at a rate equal to the rate in effect at the time~~  
4.29 ~~under section 549.09 on the unpaid balance, payable to the state treasury on or before~~  
4.30 ~~June 1 each year. Any installment of principal or interest may be prepaid. The purchaser~~  
4.31 must pay at the time of sale ten percent of the total amount bid and the remainder of the  
4.32 payment is due within 90 days of the sale date. A person who fails to make final payment  
4.33 within 90 days of the sale date is in default. On default, all right, title, and interest of  
4.34 the purchaser or heirs, representatives, or assigns of the purchaser in the premises shall

5.1 terminate without the state doing any act or thing. A record of the default must be made in  
5.2 the state land records of the commissioner.

5.3 Sec. 6. Minnesota Statutes 2006, section 16B.284, is amended to read:

5.4 **16B.284 ~~CONTRACT FOR DEED AND QUITCLAIM DEED.~~**

5.5 ~~In the event a purchaser elects to purchase surplus real property on an installment~~  
5.6 ~~basis, the commissioner shall enter into a contract for deed with the purchaser, in which~~  
5.7 ~~shall be set forth the description of the real property sold and the price of the property,~~  
5.8 ~~the consideration paid and to be paid for the property, the rate of interest, and time and~~  
5.9 ~~terms of payment. The contract for deed shall be made assignable and shall further set~~  
5.10 ~~forth that in case of the nonpayment of the annual principal or interest payment due by the~~  
5.11 ~~purchaser, or any person claiming under the purchaser, then the contract for deed, from the~~  
5.12 ~~time of the failure, is entirely void and of no effect and the state may be repossessed of the~~  
5.13 ~~lot or tract and may resell the lot or tract as provided in sections 16B.281 to 16B.287. In~~  
5.14 ~~the event the terms and conditions of a contract for deed are completely fulfilled or if a~~  
5.15 ~~purchaser makes a lump-sum payment for the subject property in lieu of entering into a~~  
5.16 ~~contract for deed; The commissioner of administration shall sign and cause to be issued a~~  
5.17 ~~quitclaim deed on behalf of the state. The quitclaim deed shall be in a form prescribed by~~  
5.18 ~~the attorney general and shall vest in the purchaser all of the state's interest in the subject~~  
5.19 ~~property except as provided in section 16B.286.~~

5.20 Sec. 7. Minnesota Statutes 2006, section 16B.287, subdivision 2, is amended to read:

5.21 Subd. 2. **Payment of expenses.** A portion of the proceeds from the sale equal in  
5.22 amount to the survey, appraisal, legal, advertising, and other expenses incurred by the  
5.23 commissioner of administration or other state official in rendering the property salable shall  
5.24 be remitted to the account from which the expenses were paid and are appropriated and  
5.25 immediately available for expenditure in the same manner as other money in the account.

5.26 Sec. 8. Minnesota Statutes 2006, section 16E.01, subdivision 3, is amended to read:

5.27 Subd. 3. **Duties.** (a) The office shall:

5.28 (1) manage the efficient and effective use of available federal, state, local, and  
5.29 public-private resources to develop statewide information and telecommunications  
5.30 technology systems and services and its infrastructure;

5.31 (2) approve state agency and intergovernmental information and telecommunications  
5.32 technology systems and services development efforts involving state or intergovernmental  
5.33 funding, including federal funding, provide information to the legislature regarding

6.1 projects reviewed, and recommend projects for inclusion in the governor's budget under  
6.2 section 16A.11;

6.3 (3) ensure cooperation and collaboration among state and local governments in  
6.4 developing intergovernmental information and telecommunications technology systems  
6.5 and services, and define the structure and responsibilities of a representative governance  
6.6 structure;

6.7 (4) cooperate and collaborate with the legislative and judicial branches in the  
6.8 development of information and communications systems in those branches;

6.9 (5) continue the development of North Star, the state's official comprehensive online  
6.10 service and information initiative;

6.11 (6) promote and collaborate with the state's agencies in the state's transition to an  
6.12 effectively competitive telecommunications market;

6.13 (7) collaborate with entities carrying out education and lifelong learning initiatives  
6.14 to assist Minnesotans in developing technical literacy and obtaining access to ongoing  
6.15 learning resources;

6.16 (8) promote and coordinate public information access and network initiatives,  
6.17 consistent with chapter 13, to connect Minnesota's citizens and communities to each  
6.18 other, to their governments, and to the world;

6.19 (9) promote and coordinate electronic commerce initiatives to ensure that Minnesota  
6.20 businesses and citizens can successfully compete in the global economy;

6.21 (10) manage and promote the regular and periodic reinvestment in the information  
6.22 and telecommunications technology systems and services infrastructure so that state and  
6.23 local government agencies can effectively and efficiently serve their customers;

6.24 (11) facilitate the cooperative development of and ensure compliance with standards  
6.25 and policies for information and telecommunications technology systems and services,  
6.26 electronic data practices and privacy, and electronic commerce among international,  
6.27 national, state, and local public and private organizations;

6.28 (12) eliminate unnecessary duplication of existing information and  
6.29 telecommunications technology systems and services provided by other public and private  
6.30 organizations while building on the existing governmental, educational, business, health  
6.31 care, and economic development infrastructures;

6.32 (13) identify, sponsor, develop, and execute shared information and  
6.33 telecommunications technology projects and ongoing operations; and

6.34 (14) ensure overall security of the state's information and technology systems and  
6.35 services.

7.1 (b) The chief information officer, in consultation with the commissioner of  
7.2 finance, must determine when it is cost-effective for agencies to develop and use shared  
7.3 information and telecommunications technology systems and services for the delivery of  
7.4 electronic government services. The chief information officer may require agencies to  
7.5 use shared information and telecommunications technology systems and services. The  
7.6 chief information officer shall establish reimbursement rates in cooperation with the  
7.7 commissioner of finance to be billed to agencies and other governmental entities sufficient  
7.8 to cover the actual development, operating, maintenance, and administrative costs of  
7.9 the shared systems. The methodology for billing may include the use of interagency  
7.10 agreements, or other means as allowed by law.

7.11 (c) A state agency that has an information and telecommunications technology  
7.12 project with a total expected project cost of more than \$1,000,000, whether funded as part  
7.13 of the biennial budget or by any other means, shall register with the office by submitting  
7.14 basic project startup documentation, as specified by the chief information officer in both  
7.15 format and content, before any project funding is requested or committed and before  
7.16 the project commences. State agency project leaders must demonstrate that the project  
7.17 will be properly managed, provide updates to the project documentation as changes are  
7.18 proposed, and regularly report on the current status of the project on a schedule agreed to  
7.19 with the chief information officer.

7.20 (d) The chief information officer shall monitor progress on any active information  
7.21 and telecommunications technology project with a total expected project cost of more than  
7.22 \$5,000,000 and report on the performance of the project in comparison with the plans for  
7.23 the project in terms of time, scope, and budget. The chief information officer may conduct  
7.24 an independent project audit of the project. The audit analysis and evaluation of the  
7.25 projects subject to paragraph (c) must be presented to agency executive sponsors, the  
7.26 project governance bodies, and the chief information officer. All reports and responses  
7.27 must become part of the project record.

7.28 (e) For any active information and telecommunications technology project with a  
7.29 total expected project cost of more than \$10,000,000, the state agency must perform an  
7.30 annual independent audit that conforms to published project audit principles promulgated  
7.31 by the office.

7.32 (f) The chief information officer shall report by January 15 of each year to the  
7.33 chairs and ranking minority members of the legislative committees and divisions with  
7.34 jurisdiction over the office regarding projects the office has reviewed under paragraph (a),  
7.35 clause (2). The report must include the reasons for the determinations made in the review  
7.36 of each project and a description of its current status.

8.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

8.2 Sec. 9. Minnesota Statutes 2006, section 16E.03, subdivision 1, is amended to read:

8.3 Subdivision 1. **Definitions.** For the purposes of chapter 16E, the following terms  
8.4 have the meanings given them.

8.5 (a) "Information and telecommunications technology systems and services" means  
8.6 all computing and telecommunications hardware and software, the activities undertaken  
8.7 to secure that hardware and software, and the activities undertaken to acquire, transport,  
8.8 process, analyze, store, and disseminate information electronically. "Information and  
8.9 telecommunications technology systems and services" includes all proposed expenditures  
8.10 for computing and telecommunications hardware and software, security for that hardware  
8.11 and software, and related consulting or other professional services.

8.12 (b) "Information and telecommunications technology project" means an effort to  
8.13 acquire or produce information and telecommunications technology systems and services.

8.14 (c) "Telecommunications" means voice, video, and data electronic transmissions  
8.15 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

8.16 (d) "Cyber security" means the protection of data and systems in networks connected  
8.17 to the Internet.

8.18 (e) "State agency" means an agency in the executive branch of state government and  
8.19 includes the Minnesota Office of Higher Education, but does not include the Minnesota  
8.20 State Colleges and Universities unless specifically provided elsewhere in this chapter.

8.21 (f) "Total expected project cost" includes direct staff costs, all supplemental contract  
8.22 staff and vendor costs, and costs of hardware and software development or purchase.  
8.23 Breaking a project into several phases does not affect the cost threshold, which must be  
8.24 computed based on the full cost of all phases.

8.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

8.26 Sec. 10. Minnesota Statutes 2006, section 16E.04, subdivision 2, is amended to read:

8.27 Subd. 2. **Responsibilities.** (a) In addition to other activities prescribed by law, the  
8.28 office shall carry out the duties set out in this subdivision.

8.29 (b) The office shall develop and establish a state information architecture to ensure  
8.30 that state agency development and purchase of information and communications systems,  
8.31 equipment, and services is designed to ensure that individual agency information systems  
8.32 complement and do not needlessly duplicate or conflict with the systems of other agencies.  
8.33 When state agencies have need for the same or similar public data, the chief information  
8.34 officer, in coordination with the affected agencies, shall manage the most efficient and

9.1 cost-effective method of producing and storing data for or sharing data between those  
9.2 agencies. The development of this information architecture must include the establishment  
9.3 of standards and guidelines to be followed by state agencies. The office shall ensure  
9.4 compliance with the architecture.

9.5 (c) The office shall assist state agencies in the planning and management of  
9.6 information systems so that an individual information system reflects and supports the  
9.7 state agency's mission and the state's requirements and functions. The office shall review  
9.8 and approve agency technology plans to ensure consistency with enterprise information  
9.9 and telecommunications technology strategy. By January 15 of each year, the chief  
9.10 information officer must report to the chairs and the ranking minority members of  
9.11 the legislative committees and divisions with jurisdiction over the office regarding the  
9.12 assistance provided under this paragraph. The report must include a listing of agencies  
9.13 that have developed or are developing plans under this paragraph.

9.14 (d) The office shall review and approve agency requests for funding for the  
9.15 development or purchase of information systems equipment or software before the  
9.16 requests may be included in the governor's budget.

9.17 (e) The office shall review major purchases of information systems equipment to:

9.18 (1) ensure that the equipment follows the standards and guidelines of the state  
9.19 information architecture;

9.20 (2) ensure the agency's proposed purchase reflects a cost-effective policy regarding  
9.21 volume purchasing; and

9.22 (3) ensure that the equipment is consistent with other systems in other state agencies  
9.23 so that data can be shared among agencies, unless the office determines that the agency  
9.24 purchasing the equipment has special needs justifying the inconsistency.

9.25 (f) The office shall review the operation of information systems by state agencies  
9.26 and ensure that these systems are operated efficiently and securely and continually meet  
9.27 the standards and guidelines established by the office. The standards and guidelines must  
9.28 emphasize uniformity that is cost-effective for the enterprise, that encourages information  
9.29 interchange, open systems environments, and portability of information whenever  
9.30 practicable and consistent with an agency's authority and chapter 13.

9.31 (g) The office shall conduct a comprehensive review at least every three years of  
9.32 the information systems investments that have been made by state agencies and higher  
9.33 education institutions. The review must include recommendations on any information  
9.34 systems applications that could be provided in a more cost-beneficial manner by an outside  
9.35 source. The office must report the results of its review to the legislature and the governor.

9.36 **EFFECTIVE DATE.** This section is effective the day following final enactment.

10.1       Sec. 11. [43A.187] BLOOD DONATION LEAVE.

10.2             A state employee must be granted leave from work with 100 percent of pay to donate  
10.3 blood at a location away from the place of work. The total amount of leave used under this  
10.4 paragraph may not exceed three hours in a 12-month period, and must be determined by  
10.5 the employee. A state employee seeking leave from work under this section must provide  
10.6 14 days' notice to the appointing authority. This leave must not affect the employee's  
10.7 vacation leave, pension, compensatory time, personal vacation days, sick leave, earned  
10.8 overtime accumulation, or cause a loss of seniority. For the purposes of this section, "state  
10.9 employee" does not include an employee of the Minnesota State Colleges and Universities.

10.10       Sec. 12. [181.9458] AUTHORIZATION FOR BLOOD DONATION LEAVE.

10.11             An employer may grant paid leave from work to an employee to allow the employee  
10.12 to donate blood.

10.13       Sec. 13. Minnesota Statutes 2006, section 309.53, subdivision 3, is amended to read:

10.14             Subd. 3. **Financial statement requirements.** The financial statement shall include  
10.15 a balance sheet, statement of income and expense, and statement of functional expenses,  
10.16 shall be consistent with forms furnished by the attorney general, and shall be prepared in  
10.17 accordance with generally accepted accounting principles so as to make a full disclosure  
10.18 of the following, including necessary allocations between each item and the basis of  
10.19 such allocations:

10.20             (a) total receipts and total income from all sources;

10.21             (b) cost of management and general;

10.22             (c) program services;

10.23             (d) cost of fund-raising;

10.24             (e) cost of public education;

10.25             (f) funds or properties transferred out of state, with explanation as to recipient and  
10.26 purpose;

10.27             (g) total net amount disbursed or dedicated within this state, broken down into total  
10.28 amounts disbursed or dedicated for each major purpose, charitable or otherwise;

10.29             (h) names of professional fund-raisers used during the accounting year and the  
10.30 financial compensation and profit resulting to each professional fund-raiser; and

10.31             (i) a list of the five highest paid directors, officers, and employees of the organization  
10.32 and its related organizations, as that term is defined by section 317A.011, subdivision 18,  
10.33 that receive total compensation of more than \$50,000, together with the total compensation  
10.34 paid to each. Total compensation shall include salaries, fees, bonuses, fringe benefits,

11.1 severance payments, and deferred compensation paid by the charitable organization and  
11.2 all related organizations as that term is defined by section 317A.011, subdivision 18.

11.3 Unless otherwise required by this subdivision, the financial statement need not be  
11.4 certified.

11.5 A financial statement of a charitable organization which has received total revenue  
11.6 in excess of \$350,000 for the 12 months of operation covered by the statement shall be  
11.7 accompanied by an audited financial statement prepared in accordance with generally  
11.8 accepted accounting principles that has been examined by an independent certified public  
11.9 accountant for the purpose of expressing an opinion. In preparing the audit the certified  
11.10 public accountant shall take into consideration capital, endowment or other reserve funds,  
11.11 if any, controlled by the charitable organization. For purposes of calculating the \$350,000  
11.12 total revenue threshold provided by this subdivision, the value of donated food to a  
11.13 nonprofit food shelf may not be included if the food is donated for subsequent distribution  
11.14 at no charge, and not for resale.

11.15 **EFFECTIVE DATE.** This section is effective the day following final enactment  
11.16 and applies to any financial statement that is required to be filed under this section after  
11.17 May 14, 2008.

11.18 Sec. 14. Laws 2005, First Special Session chapter 1, article 4, section 121, subdivision  
11.19 4, as amended by Laws 2007, chapter 29, section 1, subdivision 4, is amended to read:

11.20 Subd. 4. **Duties.** The commission shall have the following duties:

11.21 (1) to present to the governor and legislature a plan for grants to pay for capital  
11.22 improvements on Minnesota's historic public and private buildings, to be known as  
11.23 sesquicentennial grants;

11.24 (2) to seek funding for activities to celebrate the 150th anniversary of statehood, and  
11.25 to form partnerships with private parties to further this mission;

11.26 (3) to present an annual report to the governor and legislature outlining progress  
11.27 made towards the celebration of the sesquicentennial; ~~and~~

11.28 (4) to encourage all activities celebrating the sesquicentennial to be as energy  
11.29 efficient as practicable; and

11.30 (5) to use the results of the Sesquicentennial Plan for Our Future project to help  
11.31 provide feedback on the selection and use of Minnesota Milestones goals and indicators.

11.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.33 Sec. 15. **WORKING GROUP FOR MINNESOTA MILESTONES PROCESS**  
11.34 **AND INDICATORS.**

12.1 By September 1, 2008, the commissioner of administration shall convene a working  
12.2 group of state agency staff, legislative staff, and other interested parties to assist in the  
12.3 use of Minnesota Milestones as required under Minnesota Statutes, section 16A.10,  
12.4 subdivision 1c. The working group shall consider collaborative opportunities with  
12.5 community organizations and higher education institutions. The working group expires on  
12.6 February 27, 2009.

12.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.8 Sec. 16. **REPEALER.**

12.9 Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, and 5; and 16B.285,  
12.10 are repealed.

12.11 **ARTICLE 2**  
12.12 **LAWFUL GAMBLING**

12.13 Section 1. Minnesota Statutes 2006, section 240.24, subdivision 2, is amended to read:

12.14 Subd. 2. **Exception.** Notwithstanding subdivision 1, the commission by rule shall  
12.15 allow the use of: (1) topical external applications that do not contain anesthetics or  
12.16 steroids; (2) food additives; (3) Furosemide or other pulmonary hemostatic agents if the  
12.17 agents are administered under the visual supervision of the veterinarian or a designee of the  
12.18 veterinarian employed by the commission; ~~and~~ (4) nonsteroidal anti-inflammatory drugs,  
12.19 provided that the test sample does not contain more than five micrograms of the substance  
12.20 or metabolites thereof per milliliter of blood plasma; and (5) medications and their  
12.21 metabolites, provided their use thereof does not exceed regulatory threshold concentrations  
12.22 set by rule by the commission. For purposes of this clause, "test sample" means any bodily  
12.23 substance including blood, urine, saliva, or other substance as directed by the commission,  
12.24 taken from a horse under the supervision of the commission veterinarian and in such  
12.25 manner as prescribed by the commission for the purpose of analysis.

12.26 Sec. 2. Minnesota Statutes 2006, section 609.75, subdivision 4, is amended to read:

12.27 Subd. 4. **Gambling device.** A gambling device is a contrivance the purpose of  
12.28 which is that for a consideration affords the a player is afforded an opportunity to obtain  
12.29 something of value, other than free plays, automatically from the machine or otherwise,  
12.30 the award of which is determined principally by chance, whether or not the contrivance is  
12.31 actually played. "Gambling device" also includes a video game of chance, as defined in  
12.32 subdivision 8.

12.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.



14.1 We request the adoption of this report and repassage of the bill.

14.2 House Conferees: (Signed)

14.3 .....  
14.4 Gene Pelowski Jr. Jeanne Poppe

14.5 .....  
14.6 Will Morgan Phyllis Kahn

14.7 .....  
14.8 Neil W. Peterson

14.9 Senate Conferees: (Signed)

14.10 .....  
14.11 Ann H. Rest Dan Larson

14.12 .....  
14.13 Dick Day Sharon L. Erickson Ropes

14.14 .....  
14.15 Sandra L. Pappas