

1.1 A bill for an act

1.2 relating to state government; making changes to the Housing Finance Agency;
1.3 Department of Health; health-related fees; Department of Human Services;
1.4 increasing fees; requiring reports; appropriating money to various state agencies
1.5 for public health and housing; amending Minnesota Statutes 2008, sections
1.6 103I.208, subdivision 2; 144.121, subdivisions 1a, 1b; 144.1222, subdivision
1.7 1a; 144.125, subdivision 1; 144.72, subdivisions 1, 3; 144.9501, subdivisions
1.8 22b, 26a, by adding subdivisions; 144.9504, by adding a subdivision; 144.9505,
1.9 subdivisions 1g, 4; 144.9508, subdivisions 2, 3, 4; 144.9512, subdivision 2;
1.10 144.966, by adding a subdivision; 144.97, subdivisions 2, 4, 6, by adding
1.11 subdivisions; 144.98, subdivisions 1, 2, 3, by adding subdivisions; 144.99,
1.12 subdivision 1; 148.108; 148D.180, subdivisions 1, 2, 3, 5; 148E.180, subdivisions
1.13 1, 2, 3, 5; 153A.17; 156.015; 157.15, by adding a subdivision; 157.16; 157.22;
1.14 327.14, by adding a subdivision; 327.15; 327.16; 327.20, subdivision 1, by
1.15 adding a subdivision; 327C.03, by adding a subdivision; 327C.095, subdivision
1.16 12; 462A.05, subdivisions 14, 14a; 469.201, subdivisions 2, 4, 6, 7, 10, 11, 12;
1.17 469.202; 469.203, subdivisions 1, 2, 4; 469.204, subdivision 1, by adding a
1.18 subdivision; 469.205; 469.207, subdivision 2; 580.07; proposing coding for new
1.19 law in Minnesota Statutes, chapters 116; 145; 156; repealing Minnesota Statutes
1.20 2008, sections 103I.112; 144.9501, subdivision 17b; 148D.180, subdivision
1.21 8; 327.14, subdivisions 5, 6; 469.203, subdivision 3; 469.204, subdivisions
1.22 2, 3; Minnesota Rules, parts 4626.2015, subpart 9; 9100.0400, subparts 1, 3;
1.23 9100.0500; 9100.0600.

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

1.25 ARTICLE 1

1.26 HOUSING FINANCE AGENCY

1.27 Section 1. Minnesota Statutes 2008, section 327C.03, is amended by adding a
1.28 subdivision to read:

1.29 **Subd. 6. Payment to the Minnesota manufactured home relocation trust fund.**

1.30 In the event a park owner has been assessed under section 327C.095, subdivision 12,
1.31 paragraph (c), the park owner may collect the \$12 annual payment required by section

2.1 327C.095, subdivision 12, for participation in the relocation trust fund, as a lump sum
2.2 or, along with monthly lot rent, a fee of no more than \$1 per month to cover the cost of
2.3 participating in the relocation trust fund. The \$1 fee must be separately itemized and
2.4 clearly labeled "Minnesota manufactured home relocation trust fund."

2.5 Sec. 2. Minnesota Statutes 2008, section 327C.095, subdivision 12, is amended to read:

2.6 Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.**

2.7 (a) If a manufactured home owner is required to move due to the conversion of all or a
2.8 portion of a manufactured home park to another use, the closure of a park, or cessation
2.9 of use of the land as a manufactured home park, the manufactured park owner shall,
2.10 upon the change in use, pay to the commissioner of finance for deposit in the Minnesota
2.11 manufactured home relocation trust fund under section 462A.35, the lesser amount of the
2.12 actual costs of moving or purchasing the manufactured home approved by the neutral
2.13 third party and paid by the Minnesota Housing Finance Agency under subdivision 13,
2.14 paragraph (a) or (e), or \$3,250 for each single section manufactured home, and \$6,000 for
2.15 each multisection manufactured home, for which a manufactured home owner has made
2.16 application for payment of relocation costs under subdivision 13, paragraph (c). The
2.17 manufactured home park owner shall make payments required under this section to the
2.18 Minnesota manufactured home relocation trust fund within 60 days of receipt of invoice
2.19 from the neutral third party.

2.20 (b) A manufactured home park owner is not required to make the payment prescribed
2.21 under paragraph (a), nor is a manufactured home owner entitled to compensation under
2.22 subdivision 13, paragraph (a) or (e), if:

2.23 (1) the manufactured home park owner relocates the manufactured home owner to
2.24 another space in the manufactured home park or to another manufactured home park at
2.25 the park owner's expense;

2.26 (2) the manufactured home owner is vacating the premises and has informed the
2.27 manufactured home park owner or manager of this prior to the mailing date of the closure
2.28 statement under subdivision 1;

2.29 (3) a manufactured home owner has abandoned the manufactured home, or the
2.30 manufactured home owner is not current on the monthly lot rental, personal property
2.31 taxes, ~~or has failed to pay the annual \$12 payments to the Minnesota manufactured home~~
2.32 ~~relocation trust fund when due;~~

2.33 (4) the manufactured home owner has a pending eviction action for nonpayment of
2.34 lot rental amount under section 327C.09, which was filed against the manufactured home

3.1 owner prior to the mailing date of the closure statement under subdivision 1, and the writ
3.2 of recovery has been ordered by the district court;

3.3 (5) the conversion of all or a portion of a manufactured home park to another use,
3.4 the closure of a park, or cessation of use of the land as a manufactured home park is the
3.5 result of a taking or exercise of the power of eminent domain by a governmental entity
3.6 or public utility; or

3.7 (6) the owner of the manufactured home is not a resident of the manufactured home
3.8 park, as defined in section 327C.01, subdivision 9, or the owner of the manufactured home
3.9 is a resident, but came to reside in the manufactured home park after the mailing date of
3.10 the closure statement under subdivision 1.

3.11 ~~(c) Owners of manufactured homes who rent lots in a manufactured home park shall~~
3.12 ~~make annual payments to the park owner, to be deposited in the Minnesota manufactured~~
3.13 ~~home relocation trust fund under section 462A.35, in the amount of \$12 per year, per~~
3.14 ~~manufactured home, payable on August 15 of each year. On or before July 15 of each~~
3.15 ~~year, the commissioner of finance shall prepare and post on the department's Web site a~~
3.16 ~~generic invoice and cover letter explaining the purpose of the Minnesota manufactured~~
3.17 ~~home relocation trust fund, the obligation of each manufactured home owner to make an~~
3.18 ~~annual \$12 payment into the fund, the due date, and the need to pay to the park owner for~~
3.19 ~~collection, and a warning, in 14-point font, that if the annual payments are not made when~~
3.20 ~~due, the manufactured home owner will not be eligible for compensation from the fund if~~
3.21 ~~the manufactured home park closes. The park owner shall receive, record, and commingle~~
3.22 ~~the payments and forward the payments to the commissioner of finance by September~~
3.23 ~~15 of each year, with a summary by the park owner, certifying the name, address, and~~
3.24 ~~payment amount of each remitter, and noting the names and address of manufactured home~~
3.25 ~~owners who did not pay the \$12 annual payment, sent to both the commissioner of finance~~
3.26 ~~and the commissioner of the Minnesota Housing Finance Agency. The commissioner of~~
3.27 ~~finance shall deposit the payments in the Minnesota manufactured home relocation trust~~
3.28 ~~fund. The commissioner of finance shall annually assess each manufactured home park~~
3.29 ~~owner by mail the total amount of \$12 for each licensed lot in their park, payable on~~
3.30 ~~or before September 15 of each year. The commissioner of finance shall deposit the~~
3.31 ~~payments in the Minnesota manufactured home relocation trust fund. On or before July~~
3.32 ~~15 of each year, the commissioner of finance shall prepare and distribute to park owners~~
3.33 ~~a letter explaining the collection, an invoice for all licensed lots, and a sample form for~~
3.34 ~~the park owners to collect information on which park residents have been accounted for.~~
3.35 ~~The park owner may recoup the cost of the assessment with a monthly fee of no more~~
3.36 ~~than \$1 collected from park residents together with monthly lot rent as provided in section~~

4.1 327C.03, subdivision 1. Park owners may adjust payment for lots in their park that are
4.2 vacant or otherwise not eligible for contribution to the trust fund under section 327C.095,
4.3 subdivision 12, paragraph (b), and deduct from the assessment, accordingly.

4.4 (d) This subdivision and subdivision 13, paragraph (c), clause (5), are enforceable by
4.5 the neutral third party, on behalf of the Minnesota Housing Finance Agency, or by action
4.6 in a court of appropriate jurisdiction. The court may award a prevailing party reasonable
4.7 attorney fees, court costs, and disbursements.

4.8 Sec. 3. Minnesota Statutes 2008, section 462A.05, subdivision 14, is amended to read:

4.9 Subd. 14. **Rehabilitation loans.** It may agree to purchase, make, or otherwise
4.10 participate in the making, and may enter into commitments for the purchase, making, or
4.11 participation in the making, of eligible loans for rehabilitation, with terms and conditions
4.12 as the agency deems advisable, to persons and families of low and moderate income, and
4.13 to owners of existing residential housing for occupancy by such persons and families,
4.14 for the rehabilitation of existing residential housing owned by them. The loans may be
4.15 insured or uninsured and may be made with security, or may be unsecured, as the agency
4.16 deems advisable. The loans may be in addition to or in combination with long-term
4.17 eligible mortgage loans under subdivision 3. They may be made in amounts sufficient
4.18 to refinance existing indebtedness secured by the property, if refinancing is determined
4.19 by the agency to be necessary to permit the owner to meet the owner's housing cost
4.20 without expending an unreasonable portion of the owner's income thereon. No loan for
4.21 rehabilitation shall be made unless the agency determines that the loan will be used
4.22 primarily to make the housing more desirable to live in, to increase the market value of the
4.23 housing, for compliance with state, county or municipal building, housing maintenance,
4.24 fire, health or similar codes and standards applicable to housing, or to accomplish energy
4.25 conservation related improvements. In unincorporated areas and municipalities not
4.26 having codes and standards, the agency may, solely for the purpose of administering
4.27 the provisions of this chapter, establish codes and standards. Except for accessibility
4.28 improvements under this subdivision and subdivisions 14a and 24, clause (1), no secured
4.29 loan for rehabilitation of any owner-occupied property shall be made in an amount which,
4.30 with all other existing indebtedness secured by the property, would exceed 110 percent
4.31 of its market value, as determined by the agency. No loan under this subdivision for the
4.32 rehabilitation of owner-occupied housing shall be denied solely because the loan will not
4.33 be used for placing the owner-occupied residential housing in full compliance with all
4.34 state, county, or municipal building, housing maintenance, fire, health, or similar codes
4.35 and standards applicable to housing. Rehabilitation loans shall be made only when the

5.1 agency determines that financing is not otherwise available, in whole or in part, from
5.2 private lenders upon equivalent terms and conditions. Accessibility rehabilitation loans
5.3 authorized under this subdivision may be made to eligible persons and families without
5.4 limitations relating to the maximum incomes of the borrowers if:

5.5 (1) the borrower or a member of the borrower's family requires a level of care
5.6 provided in a hospital, skilled nursing facility, or intermediate care facility for persons
5.7 with developmental disabilities;

5.8 (2) home care is appropriate; and

5.9 (3) the improvement will enable the borrower or a member of the borrower's family
5.10 to reside in the housing.

5.11 The agency may waive any requirement that the housing units in a residential housing
5.12 development be rented to persons of low and moderate income if the development consists
5.13 of four or less dwelling units, one of which is occupied by the owner.

5.14 Sec. 4. Minnesota Statutes 2008, section 462A.05, subdivision 14a, is amended to read:

5.15 Subd. 14a. **Rehabilitation loans; existing owner occupied residential housing.**

5.16 It may make loans to persons and families of low and moderate income to rehabilitate
5.17 or to assist in rehabilitating existing residential housing owned and occupied by those
5.18 persons or families. No loan shall be made unless the agency determines that the loan
5.19 will be used primarily for rehabilitation work necessary for health or safety, essential
5.20 accessibility improvements, or to improve the energy efficiency of the dwelling. No
5.21 loan for rehabilitation of owner occupied residential housing shall be denied solely
5.22 because the loan will not be used for placing the residential housing in full compliance
5.23 with all state, county or municipal building, housing maintenance, fire, health or similar
5.24 codes and standards applicable to housing. The amount of any loan shall not exceed the
5.25 lesser of (a) a maximum loan amount determined under rules adopted by the agency
5.26 not to exceed ~~\$20,000~~ \$27,000, or (b) the actual cost of the work performed, or (c) that
5.27 portion of the cost of rehabilitation which the agency determines cannot otherwise be
5.28 paid by the person or family without the expenditure of an unreasonable portion of the
5.29 income of the person or family. Loans made in whole or in part with federal funds may
5.30 exceed the maximum loan amount to the extent necessary to comply with federal lead
5.31 abatement requirements prescribed by the funding source. In making loans, the agency
5.32 shall determine the circumstances under which and the terms and conditions under which
5.33 all or any portion of the loan will be repaid and shall determine the appropriate security
5.34 for the repayment of the loan. Loans pursuant to this subdivision may be made with
5.35 or without interest or periodic payments.

6.1 Sec. 5. Minnesota Statutes 2008, section 469.201, subdivision 2, is amended to read:

6.2 Subd. 2. **City.** "City" means ~~a city of the first class as defined in section 410.01 and~~
6.3 ~~a city of the second class that is designated as an economically depressed area by the~~
6.4 ~~United States Department of Commerce~~ any statutory or home rule charter city, town, or
6.5 township. For each city, a port authority, housing and redevelopment authority, or other
6.6 agency or instrumentality, the jurisdiction of which is the territory of the city, is included
6.7 within the meaning of city.

6.8 Sec. 6. Minnesota Statutes 2008, section 469.201, subdivision 4, is amended to read:

6.9 Subd. 4. **City matching money.** (a) "City matching money" means the money of a
6.10 city specified in a targeted revitalization program. The sources of city matching money
6.11 may include:

6.12 (1) money from the general fund or a special fund of a city used to implement a
6.13 targeted revitalization program;

6.14 (2) money paid or repaid to a city from the proceeds of a grant that a city has
6.15 received from the federal government, a profit or nonprofit corporation, or another entity
6.16 or individual, that is to be used to implement a targeted revitalization program;

6.17 (3) tax increments received by a city under sections 469.174 to 469.179 or other law,
6.18 if eligible, to be spent in the targeted ~~neighborhood~~ community;

6.19 (4) the greater of the fair market value or the cost to the city of acquiring land,
6.20 buildings, equipment, or other real or personal property that a city contributes, grants,
6.21 leases, or loans to a profit or nonprofit corporation or other entity or individual, in
6.22 connection with the implementation of a targeted revitalization program;

6.23 (5) city money to be used to acquire, install, reinstall, repair, or improve the
6.24 infrastructure facilities of a targeted ~~neighborhood~~ community;

6.25 (6) money contributed by a city to pay issuance costs, fund bond reserves, or to
6.26 otherwise provide financial support for revenue bonds or obligations issued by a city for a
6.27 project or program related to the implementation of a targeted revitalization program;

6.28 (7) money derived from fees received by a city in connection with its community
6.29 development activities that are to be used in implementing a targeted revitalization
6.30 program;

6.31 (8) money derived from the apportionment to the city under section 162.14 or by
6.32 special law, and expended in a targeted ~~neighborhood~~ community for an activity related to
6.33 the targeted revitalization program;

6.34 (9) administrative expenses of the city that are incurred in connection with the
6.35 planning, implementation, or reporting requirements of sections 469.201 to 469.207.

7.1 (b) City matching money does not include:

7.2 (1) city money used to provide a service or to exercise a function that is ordinarily
7.3 provided throughout the city, unless an increased level of the service or function is
7.4 to be provided in a targeted ~~neighborhood~~ community in accordance with a targeted
7.5 revitalization program;

7.6 (2) the proceeds of bonds issued by the city under chapter 462C or 469 and payable
7.7 solely from repayments made by one or more nongovernmental persons in consideration
7.8 for the financing provided by the bonds; or

7.9 (3) money given by the state to fund any part of the targeted revitalization program.

7.10 Sec. 7. Minnesota Statutes 2008, section 469.201, subdivision 6, is amended to read:

7.11 Subd. 6. **Housing activities.** "Housing activities" include any work or undertaking
7.12 to provide housing and related services and amenities primarily for persons and families of
7.13 low or moderate income. This work or undertaking may include the planning of buildings
7.14 and improvements; the acquisition of real property, which may be needed ~~immediately~~
7.15 to address vacancies, foreclosures, and preservation of housing now or in the future for
7.16 housing purposes and the; ~~demolition of any existing improvements;~~ activities to address
7.17 lead abatement, energy efficiencies, or other activities related to the health of a building;
7.18 and the construction, reconstruction, alteration, and repair of new and existing buildings.
7.19 Housing activities also include the provision of a housing rehabilitation and energy
7.20 improvement loan and grant program with respect to any residential property located
7.21 within the targeted ~~neighborhood~~ community, the cost of relocation relating to acquiring
7.22 property for housing activities, and programs authorized by chapter 462C.

7.23 Sec. 8. Minnesota Statutes 2008, section 469.201, subdivision 7, is amended to read:

7.24 Subd. 7. **Lost unit.** "Lost unit" means a rental housing unit that has been vacant
7.25 for more than six months or has been condemned for code violations, that is lost as a
7.26 result of revitalization activities because it is demolished, converted to an owner-occupied
7.27 unit that is not a cooperative, or converted to a nonresidential use, or because the gross
7.28 rent to be charged exceeds 125 percent of the gross rent charged for the unit six months
7.29 before the start of rehabilitation.

7.30 Sec. 9. Minnesota Statutes 2008, section 469.201, subdivision 10, is amended to read:

7.31 Subd. 10. **Targeted ~~neighborhood~~ community.** "Targeted ~~neighborhood~~
7.32 community" means an area including one or more census tracts, as determined and
7.33 measured by the Bureau of Census of the United States Department of Commerce, that

8.1 a city council determines in a resolution adopted under section 469.202, subdivision 1,
8.2 meets the criteria of section 469.202, subdivision 2, and any additional area designated
8.3 under section 469.202, subdivision 3.

8.4 Sec. 10. Minnesota Statutes 2008, section 469.201, subdivision 11, is amended to read:

8.5 Subd. 11. **Targeted ~~neighborhood~~ community money.** "Targeted ~~neighborhood~~
8.6 community money" means the money designated in the targeted revitalization program to
8.7 be used to implement the targeted revitalization program.

8.8 Sec. 11. Minnesota Statutes 2008, section 469.201, subdivision 12, is amended to read:

8.9 Subd. 12. **Targeted ~~neighborhood~~ community revitalization and financing**
8.10 **program.** "Targeted ~~neighborhood~~ community revitalization and financing program,"
8.11 "revitalization program," or "program" means the targeted ~~neighborhood~~ community
8.12 revitalization and financing program adopted in accordance with section 469.203.

8.13 Sec. 12. Minnesota Statutes 2008, section 469.202, is amended to read:

8.14 **469.202 DESIGNATION OF TARGETED ~~NEIGHBORHOODS~~**
8.15 **COMMUNITIES.**

8.16 Subdivision 1. **City authority.** A city may by resolution designate a targeted
8.17 ~~neighborhoods~~ community within its borders after adopting detailed findings that the
8.18 designated ~~neighborhoods~~ communities meet the eligibility requirements in subdivision 2
8.19 or 3.

8.20 Subd. 2. **Eligibility requirements for targeted ~~neighborhoods~~ communities.** An
8.21 area within a city is eligible for designation as a targeted ~~neighborhood~~ community if the
8.22 area meets ~~two~~ three of the following ~~three~~ four criteria:

8.23 (a) The area had an unemployment rate that was twice the unemployment rate for
8.24 the Minneapolis and Saint Paul standard metropolitan statistical area as determined by
8.25 the most recent federal decennial census.

8.26 (b) The median household income in the area was no more than ~~half~~ 80 percent of
8.27 the median household income for the Minneapolis and Saint Paul standard metropolitan
8.28 statistical area as determined by the most recent federal decennial census.

8.29 (c) The area is characterized by residential dwelling units in need of substantial
8.30 rehabilitation. An area qualifies under this paragraph if 25 percent or more of the
8.31 residential dwelling units are in substandard condition as determined by the city, or if 70
8.32 percent or more of the residential dwelling units in the area were built before ~~1940~~ 1960 as
8.33 determined by the most recent federal decennial census.

9.1 (d) The area is characterized by having a disproportionate number of vacant
9.2 residential buildings and mortgage foreclosures. An area qualifies under this paragraph
9.3 if it has either:

9.4 (1) a foreclosure rate of at least 1.5 percent in 2008; or

9.5 (2) a foreclosure rate in 2008 in the city or in a zip code area of the city that is at
9.6 least 50 percent higher than the average foreclosure rate in the metropolitan area, as
9.7 defined in section 473.121, subdivision 2. For purposes of this paragraph, "foreclosure
9.8 rate" means the number of foreclosures, as indicated by sheriff sales records, divided by
9.9 the number of households in the city in 2007.

9.10 Subd. 3. **Additional area eligible for inclusion in targeted ~~neighborhood~~**
9.11 **community**. (a) A city may add to the area designated as a targeted ~~neighborhood~~
9.12 community under subdivision 2 additional area extending up to four contiguous city
9.13 blocks in all directions from the designated targeted ~~neighborhood~~ community. For the
9.14 purpose of this subdivision, "city block" has the meaning determined by the city; or

9.15 (b) The city may enlarge the targeted ~~neighborhood~~ community to include portions
9.16 of a census tract that is contiguous to a targeted ~~neighborhood~~ community, provided that
9.17 the city council first determines the additional area satisfies ~~two~~ three of the ~~three~~ four
9.18 criteria in subdivision 2.

9.19 Sec. 13. Minnesota Statutes 2008, section 469.203, subdivision 1, is amended to read:

9.20 Subdivision 1. **Requirements**. For each targeted ~~neighborhood~~ community for
9.21 which a city requests state financial assistance under section 469.204, the city must
9.22 prepare a comprehensive revitalization and financing program that includes the following:

9.23 (1) the revitalization objectives of the city for the targeted ~~neighborhood~~ community;

9.24 (2) the specific activities or means by which the city intends to pursue and implement
9.25 the revitalization objectives;

9.26 (3) the extent to which the activities identified in clause (2) will benefit low-
9.27 and moderate-income families, will alleviate the blighted condition of the targeted
9.28 ~~neighborhood~~ community, or will otherwise assist in the revitalization of the targeted
9.29 ~~neighborhood~~ community;

9.30 (4) a statement of the intended outcomes to be achieved by implementation of the
9.31 targeted revitalization program, how the outcomes will be measured both qualitatively and
9.32 quantitatively, and the estimated time over which they will occur; and

9.33 (5) a financing program and budget that identifies the financial resources necessary
9.34 to implement the targeted revitalization program, including:

9.35 (i) the estimated total cost to implement the targeted revitalization program;

10.1 (ii) the estimated cost to implement each activity in the revitalization program
10.2 identified in clause (2);

10.3 (iii) the estimated amount of financial resources that will be available from all
10.4 sources other than from the appropriation available under section 469.204 to implement
10.5 the revitalization program, including the amount of private investment expected to result
10.6 from the use of public money in the targeted ~~neighborhood~~ community;

10.7 (iv) the estimated amount of the appropriation available under section 469.204 that
10.8 will be necessary to implement the targeted revitalization program;

10.9 (v) a description of the activities identified in the targeted revitalization program for
10.10 which the state appropriation will be committed or spent; and

10.11 (vi) a statement of how the city intends to meet the requirement for a financial
10.12 contribution from city matching money in accordance with section 469.204, subdivision 3.

10.13 Sec. 14. Minnesota Statutes 2008, section 469.203, subdivision 2, is amended to read:

10.14 Subd. 2. **Targeted ~~neighborhood~~ community participation in preparing**
10.15 **revitalization program.** A city requesting state financial assistance under section
10.16 469.204 shall ~~adopt~~ follow a process to involve the residents of targeted ~~neighborhoods~~
10.17 communities in the development, drafting, and implementation of the targeted
10.18 revitalization program. The process shall include the use of a citizen participation
10.19 process established by the city. A description of the process must be included in the
10.20 program. The process to involve residents of the targeted ~~neighborhood~~ community
10.21 must include at least one public ~~hearing~~. ~~The city of Minneapolis shall establish the~~
10.22 ~~community-based process as outlined in subdivision 3. The city of St. Paul shall use~~
10.23 ~~the same community-based process the city used in planning, developing, drafting, and~~
10.24 ~~implementing the revitalization program required under Laws 1987, chapter 386, article 6,~~
10.25 ~~section 6. The city of Duluth shall use the same citizen participation process the city used~~
10.26 ~~in planning, developing, and implementing the federal funded community development~~
10.27 ~~program~~ meeting in the targeted community.

10.28 Sec. 15. Minnesota Statutes 2008, section 469.203, subdivision 4, is amended to read:

10.29 Subd. 4. **City approval of program.** (a) Before or after adoption of a revitalization
10.30 program under paragraph (b), the city must submit a preliminary program to the
10.31 commissioner and the Minnesota Housing Finance Agency for their comments. ~~The city~~
10.32 ~~may not adopt the revitalization program until comments have been received from the~~
10.33 ~~state agencies or 30 days have elapsed without response after the program was sent to~~
10.34 ~~them.~~ Comments received by the city from the state agencies within ~~the 30-day period~~ 30

11.1 days after submission of the preliminary program must be responded to in writing by the
11.2 city ~~before adoption of the program by the city.~~

11.3 (b) The city may adopt a targeted revitalization program ~~only after holding a public~~
11.4 ~~hearing after the program has been prepared. Notice of the hearing must be provided in a~~
11.5 ~~newspaper of general circulation in the city and in the most widely circulated community~~
11.6 ~~newspaper in the targeted neighborhoods not less than ten days nor more than 30 days~~
11.7 ~~before the date of the hearing~~ subject to any local public notification requirements
11.8 and consistent with citizen participation process established for identifying targeted
11.9 communities.

11.10 (c) A certification by the city that a targeted revitalization program has been
11.11 approved by the city council for the targeted ~~neighborhood~~ community must be provided
11.12 to the commissioner together with a copy of the program. A copy of the program must
11.13 also be provided to the Minnesota Housing Finance Agency ~~and the commissioner of~~
11.14 ~~employment and economic development.~~

11.15 (d) A targeted revitalization program for the city may be modified at any time by
11.16 the city council after a public hearing, notice of which is published in a newspaper of
11.17 general circulation in the city ~~and in the targeted neighborhood~~ at least ten days nor
11.18 more than 30 days before the date of the hearing. If the city council determines that the
11.19 proposed modification is a significant modification to the program originally certified
11.20 under paragraph (c), the city council shall implement the targeted revitalization program
11.21 approval and certification process of this subdivision for the proposed modification.

11.22 Sec. 16. Minnesota Statutes 2008, section 469.204, subdivision 1, is amended to read:

11.23 Subdivision 1. **Payment of state money.** Upon receipt from a city of a certification
11.24 that a revitalization program has been adopted or modified, the commissioner shall, within
11.25 30 days, pay to the city the amount of state money identified as necessary to implement
11.26 the revitalization program or program modification. State money may be paid to the
11.27 city only to the extent that the appropriation limit for the city specified in subdivision 2
11.28 is not exceeded. Once the state money has been paid to the city, it becomes targeted
11.29 ~~neighborhood~~ community money for use by the city in accordance with an adopted
11.30 revitalization program and subject only to the restrictions on its use in sections 469.201 to
11.31 469.207.

11.32 Sec. 17. Minnesota Statutes 2008, section 469.204, is amended by adding a subdivision
11.33 to read:

12.1 Subd. 4. **Revolving fund.** A targeted community revitalization revolving fund
12.2 is established in the state treasury. The fund consists of all money appropriated to the
12.3 commissioner for the purposes of sections 469.201 to 469.207 and all proceeds received
12.4 by the commissioner as the result of housing activities related to a targeted community
12.5 revitalization program.

12.6 Sec. 18. Minnesota Statutes 2008, section 469.205, is amended to read:

12.7 **469.205 CITY POWERS; USES OF TARGETED ~~NEIGHBORHOOD~~**
12.8 **COMMUNITY MONEY.**

12.9 Subdivision 1. **Consolidation of existing powers in targeted ~~neighborhoods~~**
12.10 **communities.** A city may exercise any of its corporate powers within a targeted
12.11 ~~neighborhood~~ community. Those powers shall include, but not be limited to, all of
12.12 the powers enumerated and granted to any city by chapters 462C, 469, and 474A. For
12.13 the purposes of sections 469.048 to 469.068, a targeted ~~neighborhood~~ community is
12.14 considered an industrial development district. A city may exercise the powers of sections
12.15 469.048 to 469.068 in conjunction with, and in addition to, exercising the powers granted
12.16 by sections 469.001 to 469.047 and chapter 462C, in order to promote and assist housing
12.17 construction and rehabilitation within a targeted ~~neighborhood~~ community. For the
12.18 purposes of section 462C.02, subdivision 9, a targeted ~~neighborhood~~ community is
12.19 considered a "targeted area."

12.20 Subd. 2. **Grants and loans.** In addition to the authority granted by other law, a city
12.21 may make grants, loans, and other forms of public assistance to individuals, for-profit and
12.22 nonprofit corporations, and other organizations to implement a targeted revitalization
12.23 program. The public assistance must contain the terms the city considers proper to
12.24 implement a targeted revitalization program.

12.25 Subd. 3. **Eligible uses of targeted ~~neighborhood~~ community money.** The city may
12.26 spend targeted ~~neighborhood~~ community money for any purpose authorized by subdivision
12.27 1 or 2, except that an amount equal to at least 50 percent of the state payment under section
12.28 469.204 made to the city must be used for housing activities. Use of ~~target~~ ~~neighborhood~~
12.29 targeted community money must be authorized in a targeted revitalization program.

12.30 Sec. 19. Minnesota Statutes 2008, section 469.207, subdivision 2, is amended to read:

12.31 Subd. 2. **Annual report.** A city that begins to implement a revitalization program
12.32 in a calendar year must, by March 1 of the succeeding calendar year, provide a detailed
12.33 report on the revitalization program or programs being implemented in the city. The report
12.34 must describe the status of the program implementation and analyze whether the intended

13.1 outcomes identified in section 469.203, subdivision 1, clause (4), are being achieved. The
13.2 report must include at least the following:

13.3 (1) the number of housing units, including lost units, removed, created, lost,
13.4 replaced, relocated, and assisted as a result of the program. The level of rent of the units
13.5 and the income of the households affected must be included in the report;

13.6 (2) the number and type of commercial establishments removed, created, and
13.7 assisted as a result of a revitalization program. The report must include information
13.8 regarding the number of new jobs created by category, whether the jobs are full time or
13.9 part time, and the salary or wage levels of both new and expanded jobs in the affected
13.10 commercial establishments;

13.11 (3) a description of a statement of the cost of the public improvement projects that
13.12 are part of the program and the number of jobs created for each \$20,000 of money spent
13.13 on commercial projects and applicable public improvement projects;

13.14 (4) the increase in the tax capacity for the city as a result of the assistance to
13.15 commercial and housing assistance; and

13.16 (5) the amount of private investment that is a result of the use of public money
13.17 in a targeted ~~neighborhood~~ community.

13.18 The report must be submitted to the commissioner, the Minnesota housing finance
13.19 agency, and the legislative audit commission, and must be available to the public.

13.20 Sec. 20. Minnesota Statutes 2008, section 580.07, is amended to read:

13.21 **580.07 POSTPONEMENT.**

13.22 Subdivision 1. Postponement by mortgagee. The sale may be postponed, from
13.23 time to time, by the party conducting the foreclosure, by inserting a notice of the
13.24 postponement, as soon as practicable, in the newspaper in which the original advertisement
13.25 was published, at the expense of the party requesting the postponement. The notice shall
13.26 be published only once.

13.27 Subd. 2. Postponement by mortgagor or owner. (a) If all or a part of the property
13.28 to be sold is classified as homestead under section 273.124 and contains one to four
13.29 dwelling units, the mortgagor or owner may postpone the sale to the first date that is not
13.30 a Saturday, Sunday, or legal holiday and is five months after the originally scheduled
13.31 date of sale in the manner provided in this subdivision. To postpone a foreclosure sale
13.32 pursuant to this subdivision, at any time after the first publication of the notice of mortgage
13.33 foreclosure sale under section 580.03 but at least 15 days prior to the scheduled sale date
13.34 specified in that notice, the mortgagor shall: (1) execute a sworn affidavit in the form set
13.35 forth in subdivision 3, (2) record the affidavit in the office of each county recorder and

14.1 registrar of titles where the mortgage was recorded, and (3) file with the sheriff conducting
14.2 the sale and deliver to the attorney foreclosing the mortgage, a copy of the recorded
14.3 affidavit, showing the date and office in which the affidavit was recorded. Recording of
14.4 the affidavit and postponement of the foreclosure sale pursuant to this subdivision shall
14.5 automatically reduce the mortgagor's redemption period under section 580.23 to five
14.6 weeks. The postponement of a foreclosure sale pursuant to this subdivision does not
14.7 require any change in the contents of the notice of sale, service of the notice of sale if the
14.8 occupant was served with the notice of sale prior to postponement under this subdivision,
14.9 or publication of the notice of sale if publication was commenced prior to postponement
14.10 under this subdivision, notwithstanding the service and publication time periods specified
14.11 in section 580.03, but the sheriff's certificate of sale shall indicate the actual date of the
14.12 foreclosure sale and the actual length of the mortgagor's redemption period. No notice
14.13 of postponement need be published. An affidavit complying with subdivision 3 shall be
14.14 prima facie evidence of the facts stated therein, and shall be entitled to be recorded. The
14.15 right to postpone a foreclosure sale pursuant to this subdivision may be exercised only
14.16 once, regardless whether the mortgagor reinstates the mortgage prior to the postponed
14.17 mortgage foreclosure sale.

14.18 (b) If the automatic stay under United States Code, title 11, section 362, applies
14.19 to the mortgage foreclosure after a mortgagor or owner requests postponement of the
14.20 sheriff's sale under this section, then when the automatic stay is no longer applicable, the
14.21 mortgagor's or owner's election to shorten the redemption period to five weeks under this
14.22 section remains applicable to the mortgage foreclosure.

14.23 Subd. 3. **Affidavit form.** The affidavit referred to in subdivision 2 shall be in
14.24 substantially the following form and shall contain all of the following information.

14.25 STATE OF _____

14.26 COUNTY OF _____

14.27 _____ (whether one or more, "Owner"),
14.28 being first duly sworn on oath, states as follows:

14.29 1. (He is) (She is) (They are) the owner(s) or mortgagor(s) of the real property (the
14.30 "Property") situated in _____ (Name of) County, Minnesota, legally described in the
14.31 attached published Notice of Mortgage Foreclosure Sale (the "Notice"), and make this
14.32 affidavit for the purpose of postponing the foreclosure sale of the Property pursuant to
14.33 Minnesota Statutes, section 580.07, subdivision 2, for five months from the date scheduled
14.34 in the attached Notice.

16.1 special purpose district or authority with local jurisdiction in water and related land
16.2 resources management;

16.3 (5) for monitoring wells used as a leak detection device at a single motor fuel retail
16.4 outlet, a single petroleum bulk storage site excluding tank farms, or a single agricultural
16.5 chemical facility site, the construction permit fee is \$215, which includes the state core
16.6 function fee, per site regardless of the number of wells constructed on the site, and
16.7 the annual fee for a maintenance permit for unsealed monitoring wells is \$175 per site
16.8 regardless of the number of monitoring wells located on site;

16.9 ~~(5)~~ (6) for a groundwater thermal exchange device, in addition to the notification fee
16.10 for water supply wells, \$215, which includes the state core function fee;

16.11 ~~(6)~~ (7) for a vertical heat exchanger with less than ten tons of heating/cooling
16.12 capacity, \$215;

16.13 (8) for a vertical heat exchanger with ten to 50 tons of heating/cooling capacity, \$425;

16.14 (9) for a vertical heat exchanger with greater than 50 tons of heating/cooling
16.15 capacity, \$650;

16.16 ~~(7)~~ (10) for a dewatering well that is unsealed under a maintenance permit, \$175
16.17 annually for each dewatering well, except a dewatering project comprising more than five
16.18 dewatering wells shall be issued a single permit for \$875 annually for dewatering wells
16.19 recorded on the permit; and

16.20 ~~(8)~~ (11) for an elevator boring, \$215 for each boring.

16.21 **Sec. 2. [116.9401] DEFINITIONS.**

16.22 (a) For the purposes of sections 116.9401 to 116.9408, the following terms have
16.23 the meanings given them.

16.24 (b) "Agency" means the Pollution Control Agency.

16.25 (c) "Alternative" means a substitute process, product, material, chemical, strategy,
16.26 or combination of these that serves a functionally equivalent purpose to a chemical in a
16.27 children's product.

16.28 (d) "Chemical" means a substance with a distinct molecular composition or a group
16.29 of structurally related substances and includes the breakdown products of the substance or
16.30 substances that form through decomposition, degradation, or metabolism.

16.31 (e) "Chemical of high concern" means a chemical identified on the basis of credible
16.32 scientific evidence by a governmental entity or the United Nations' World Health
16.33 Organization as being known or suspected with a high degree of probability to:

16.34 (1) harm the normal development of a fetus or child or cause other developmental
16.35 toxicity;

- 17.1 (2) cause cancer, genetic damage, or reproductive harm;
17.2 (3) disrupt the endocrine or hormone system;
17.3 (4) damage the nervous system, immune system, or organs, or cause other systemic
17.4 toxicity;
17.5 (5) be persistent, bioaccumulative, and toxic; or
17.6 (6) be very persistent and very bioaccumulative.
17.7 (f) "Child" means a person under 12 years of age.
17.8 (g) "Children's product" means a consumer product intended for use by children,
17.9 such as baby products, toys, car seats, personal care products, and clothing.
17.10 (h) "Commissioner" means the commissioner of the Pollution Control Agency.
17.11 (i) "Department" means the Department of Health.
17.12 (j) "Distributor" means a person who sells consumer products to retail establishments
17.13 on a wholesale basis.
17.14 (k) "Green chemistry" means an approach to designing and manufacturing products
17.15 in ways that minimize the use and generation of toxic substances.
17.16 (l) "Manufacturer" means any person who manufactures a final consumer product
17.17 sold at retail or whose brand name is affixed to the consumer product. In the case of a
17.18 consumer product imported into the United States, manufacturer includes the importer
17.19 or domestic distributor of the consumer product if the person who manufactured or
17.20 assembled the consumer product or whose brand name is affixed to the consumer product
17.21 does not have a presence in the United States.
17.22 (m) "Priority chemical" means a chemical identified by the commissioner as a
17.23 chemical of high concern that is contained in a children's product offered for sale in
17.24 Minnesota and meets the criteria in section 116.9403.
17.25 (n) "Safer alternative" means an alternative whose potential to harm human health is
17.26 less than that of a priority chemical that it could replace.

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

17.28 **Sec. 3. [116.9402] IDENTIFICATION OF CHEMICALS OF HIGH CONCERN.**

- 17.29 (a) By July 1, 2010, the department shall, after consultation with the agency, publish
17.30 in the State Register and on the agency's Web site a list of chemicals of high concern.
17.31 (b) The department must periodically review and revise the list of chemicals of high
17.32 concern at least every three years. The department may add chemicals to the list if the
17.33 chemical meets one or more of the criteria in section 116.9401, paragraph (e).
17.34 (c) The department shall consider, among others, chemicals listed in the following
17.35 sources for possible inclusion on the list of chemicals of high concern:

18.1 (1) chemicals identified as "Group 1 carcinogens" or "Group 2A carcinogens" by the
18.2 United Nations' World Health Organization, International Agency for Research on Cancer;

18.3 (2) chemicals identified as "known to be a human carcinogen" and "reasonably
18.4 anticipated to be a human carcinogen" by the secretary of the United States Department
18.5 of Health and Human Services;

18.6 (3) chemicals identified as "Group A carcinogens" or "Group B carcinogens" by the
18.7 United States Environmental Protection Agency;

18.8 (4) chemicals identified as reproductive or developmental toxicants by:

18.9 (i) the United States Department of Health and Human Services, National
18.10 Toxicology Program, Center for the Evaluation of Risks to Human Reproduction; and

18.11 (ii) the California Environmental Protection Agency, Office of Environmental Health
18.12 Hazard Assessment pursuant to the California Health and Safety Code, Safe Drinking
18.13 Water and Toxic Enforcement Act of 1986, chapter 6.6, section 25249.8;

18.14 (5) chemicals identified as known or likely endocrine disruptors through screening
18.15 or testing conducted in accordance with protocols developed by the United States
18.16 Environmental Protection Agency pursuant to the federal Food, Drug, and Cosmetic Act,
18.17 United States Code, title 21, section 346a(p), as amended by the federal Food Quality
18.18 Protection Act, Public Law 104-170, or the federal Safe Drinking Water Act, United States
18.19 Code, title 42, section 300j-17;

18.20 (6) chemicals listed on the basis of endocrine-disrupting properties in Annex
18.21 XIV, List of Substances Subject to Authorisation, Regulation (EC) No 1907/2006 of
18.22 the European Parliament concerning the Registration, Evaluation, Authorisation, and
18.23 Restriction of Chemicals;

18.24 (7) persistent, bioaccumulative, and toxic chemicals identified by:

18.25 (i) the state of Washington Department of Ecology in Washington Administrative
18.26 Code, Chapter 173-333; or

18.27 (ii) the United States Environmental Protection Agency in Code of Federal
18.28 Regulations, title 40, part 372; and

18.29 (8) a very persistent, very bioaccumulative chemical listed in Annex XIV, List of
18.30 Substances Subject to Authorisation, Regulation (EC) No 1907/2006 of the European
18.31 Parliament concerning the Registration, Evaluation, Authorisation, and Restriction of
18.32 Chemicals.

18.33 (d) The department may consider chemicals listed by another state as harmful to
18.34 human health or the environment for possible inclusion in the list of chemicals of high
18.35 concern.

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

19.1 Sec. 4. [116.9403] IDENTIFICATION OF PRIORITY CHEMICALS.

19.2 The department, after consultation with the agency, may designate a chemical of
19.3 high concern as a priority chemical if the department finds that the chemical:

19.4 (1) has been identified as a high-production volume chemical by the United States
19.5 Environmental Protection Agency; and

19.6 (2) meets any of the following criteria:

19.7 (i) the chemical has been found through biomonitoring to be present in human blood,
19.8 including umbilical cord blood, breast milk, urine, or other bodily tissues or fluids;

19.9 (ii) the chemical has been found through sampling and analysis to be present in
19.10 household dust, indoor air, drinking water, or elsewhere in the home environment; or

19.11 (iii) the chemical has been found through monitoring to be present in fish, wildlife,
19.12 or the natural environment.

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

19.14 Sec. 5. [116.9404] IDENTIFICATION OF SAFER ALTERNATIVES.

19.15 Subdivision 1. **Department determination.** The department shall determine
19.16 whether a safer alternative to a priority chemical is available and is a technically feasible
19.17 replacement for the priority chemical. In making this determination, the department:

19.18 (1) must utilize information from current scientific literature, the Interstate
19.19 Chemicals Clearinghouse, manufacturers of children's products, and other sources it
19.20 deems appropriate;

19.21 (2) may presume that an alternative is a safer alternative if the alternative is not
19.22 a chemical of high concern; and

19.23 (3) may presume that a safer alternative is available if:

19.24 (i) the sale of the children's product containing the priority chemical has been
19.25 prohibited by another state within the United States; or

19.26 (ii) the children's product containing the priority chemical is an item of apparel
19.27 or a novelty; or

19.28 (iii) the alternative is sold in the United States.

19.29 Subd. 2. **Department designation.** (a) If the department determines that a safer
19.30 alternative is available and is a technically feasible replacement for a priority chemical,
19.31 the department shall designate that priority chemical a Level 1 priority chemical. If the
19.32 department determines that current information does not indicate that a safer alternative is
19.33 available or is a technically feasible replacement for a priority chemical, the department
19.34 shall designate that chemical a Level 2 priority chemical. By February 1, 2011, the
19.35 department shall publish a list of Level 1 and Level 2 priority chemicals in the State

20.1 Register and on the department's Web site and shall update the published list whenever a
20.2 new priority chemical is designated.

20.3 (b) The department shall designate at least five priority chemicals as Level 1 or
20.4 Level 2 by July 1, 2011, and at least five additional priority chemicals as Level 1 or Level
20.5 2 by January 1, 2013.

20.6 (c) The department shall, at least every two years:

20.7 (1) review the list of chemicals of high concern and determine, which, if any, should
20.8 be designated Level 1 or Level 2 priority chemicals; and

20.9 (2) review the reports submitted by manufacturers under section 116.9405 to
20.10 determine if any Level 2 priority chemicals should be designated as Level 1 priority
20.11 chemicals.

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

20.13 Sec. 6. **[116.9406] APPLICABILITY.**

20.14 The requirements of sections 116.9401 to 116.9408 do not apply to:

20.15 (1) chemicals in used children's products;

20.16 (2) priority chemicals used in the manufacturing process, but that are not present
20.17 in the final product;

20.18 (3) priority chemicals used in agricultural production;

20.19 (4) motor vehicles as defined in chapter 168 or their component parts, except that the
20.20 use of priority chemicals in detachable car seats is not exempt;

20.21 (5) priority chemicals generated solely as combustion by-products or that are present
20.22 in combustible fuels;

20.23 (6) retailers, unless that retailer knowingly sells a children's product containing
20.24 a priority chemical after the effective date of its prohibition, of which that retailer has
20.25 received prior notification from a manufacturer, distributor, or the state;

20.26 (7) pharmaceutical products or biologics;

20.27 (8) a medical device as defined in the federal Food, Drug, and Cosmetic Act, United
20.28 States Code, title 21, section 321(h);

20.29 (9) food and food or beverage packaging, except a container containing baby food
20.30 or infant formula;

20.31 (10) consumer electronics products and electronic components, including but not
20.32 limited to personal computers; audio and video equipment; calculators; digital displays;
20.33 wireless phones; cameras; game consoles; printers; and handheld electronic and electrical
20.34 devices used to access interactive software or their associated peripherals; or products that

21.1 comply with the provisions of directive 2002/95/EC of the European Union, adopted by
21.2 the European Parliament and Council of the European Union now or hereafter in effect; or

21.3 (11) outdoor sport equipment, including snowmobiles as defined in section 84.81,
21.4 subdivision 3; all-terrain vehicles as defined in section 84.92, subdivision 8; personal
21.5 watercraft as defined in section 86B.005, subdivision 14a; watercraft as defined in section
21.6 86B.005, subdivision 18; and off-highway motorcycles, as defined in section 84.787,
21.7 subdivision 7, and all attachments and repair parts for all of this equipment.

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

21.9 Sec. 7. **[116.9407] DONATIONS TO THE STATE.**

21.10 The commissioners of health and pollution control may accept donations, grants,
21.11 and other funds to carry out the purposes of sections 116.9401 to 116.9408. All such
21.12 donations, grants, and other funds must be accepted without preconditions regarding the
21.13 outcomes of the oversight processes set forth in sections 116.9401 to 116.9408.

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

21.15 Sec. 8. **[116.9408] PARTICIPATION IN INTERSTATE CHEMICALS**
21.16 **CLEARINGHOUSE.**

21.17 The agency may participate in an interstate chemicals clearinghouse to promote
21.18 safer chemicals in consumer products in cooperation with other states, including the
21.19 classification of chemicals in commerce; organizing and managing available data on
21.20 chemicals, including information on uses, hazards, and environmental and health
21.21 concerns; and producing and evaluating information on safer alternatives to specific uses
21.22 of chemicals of concern.

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

21.24 Sec. 9. **IMPLEMENTATION.**

21.25 The activities in sections 2 to 8 shall be implemented only to the extent that existing
21.26 federal, state, and private resources are available.

21.27 Sec. 10. Minnesota Statutes 2008, section 144.121, subdivision 1a, is amended to read:

21.28 Subd. 1a. **Fees for ionizing radiation-producing equipment.** (a) A facility with
21.29 ionizing radiation-producing equipment must pay an annual initial or annual renewal
21.30 registration fee consisting of a base facility fee of ~~\$66~~ \$100 and an additional fee for
21.31 each radiation source, as follows:

22.1	(1) medical or veterinary equipment	\$ 53 <u>100</u>
22.2	(2) dental x-ray equipment	\$ 33 <u>40</u>
22.3	(3) accelerator	\$ 66
22.4	(4) radiation therapy equipment	\$ 66
22.5	(5) (3) x-ray equipment not used on	\$ 53 <u>100</u>
22.6	humans or animals	
22.7	(6) (4) devices with sources of ionizing	\$ 53 <u>100</u>
22.8	radiation not used on humans or	
22.9	animals	

22.10 (b) A facility with radiation therapy and accelerator equipment must pay an annual
22.11 registration fee of \$500. A facility with an industrial accelerator must pay an annual
22.12 registration fee of \$150.

22.13 (c) Electron microscopy equipment is exempt from the registration fee requirements
22.14 of this section.

22.15 Sec. 11. Minnesota Statutes 2008, section 144.121, subdivision 1b, is amended to read:

22.16 Subd. 1b. **Penalty fee for late registration.** Applications for initial or renewal
22.17 registrations submitted to the commissioner after the time specified by the commissioner
22.18 shall be accompanied by a penalty fee of \$20 an amount equal to 25 percent of the fee
22.19 due in addition to the fees prescribed in subdivision 1a.

22.20 Sec. 12. Minnesota Statutes 2008, section 144.1222, subdivision 1a, is amended to
22.21 read:

22.22 Subd. 1a. **Fees.** All plans and specifications for public pool and spa construction,
22.23 installation, or alteration or requests for a variance that are submitted to the commissioner
22.24 according to Minnesota Rules, part 4717.3975, shall be accompanied by the appropriate
22.25 fees. All public pool construction plans submitted for review after January 1, 2009,
22.26 must be certified by a professional engineer registered in the state of Minnesota. If the
22.27 commissioner determines, upon review of the plans, that inadequate fees were paid, the
22.28 necessary additional fees shall be paid before plan approval. For purposes of determining
22.29 fees, a project is defined as a proposal to construct or install a public pool, spa, special
22.30 purpose pool, or wading pool and all associated water treatment equipment and drains,
22.31 gutters, decks, water recreation features, spray pads, and those design and safety features
22.32 that are within five feet of any pool or spa. The commissioner shall charge the following
22.33 fees for plan review and inspection of public pools and spas and for requests for variance
22.34 from the public pool and spa rules:

22.35 (1) each pool, ~~\$800~~ \$1,500;

22.36 (2) each spa pool, ~~\$500~~ \$800;

- 23.1 (3) each slide, ~~\$400~~ \$600;
- 23.2 (4) projects valued at \$250,000 or more, the greater of the sum of the fees in clauses
- 23.3 (1), (2), and (3) or 0.5 percent of the documented estimated project cost to a maximum
- 23.4 fee of ~~\$10,000~~ \$15,000;
- 23.5 (5) alterations to an existing pool without changing the size or configuration of
- 23.6 the pool, ~~\$400~~ \$600;
- 23.7 (6) removal or replacement of pool disinfection equipment only, ~~\$75~~ \$100; and
- 23.8 (7) request for variance from the public pool and spa rules, \$500.

23.9 Sec. 13. Minnesota Statutes 2008, section 144.125, subdivision 1, is amended to read:

23.10 Subdivision 1. **Duty to perform testing.** It is the duty of (1) the administrative

23.11 officer or other person in charge of each institution caring for infants 28 days or less of age,

23.12 (2) the person required in pursuance of the provisions of section 144.215, to register the

23.13 birth of a child, or (3) the nurse midwife or midwife in attendance at the birth, to arrange

23.14 to have administered to every infant or child in its care tests for heritable and congenital

23.15 disorders according to subdivision 2 and rules prescribed by the state commissioner of

23.16 health. Testing and the recording and reporting of test results shall be performed at the

23.17 times and in the manner prescribed by the commissioner of health. The commissioner shall

23.18 charge a fee so that the total of fees collected will approximate the costs of conducting the

23.19 tests and implementing and maintaining a system to follow-up infants with heritable or

23.20 congenital disorders, including hearing loss detected through the early hearing detection

23.21 and intervention program under section 144.966. The fee is ~~\$101~~ \$105 per specimen.

23.22 Costs associated with capital expenditures and the development of new procedures may be

23.23 prorated over a three-year period when calculating the amount of the fees.

23.24 Sec. 14. Minnesota Statutes 2008, section 144.72, subdivision 1, is amended to read:

23.25 Subdivision 1. ~~Permits~~ **License required.** The state commissioner of health is

23.26 authorized to issue ~~permits for the operation of youth camps which are required to obtain~~

23.27 ~~the permits~~ a license according to chapter 157.

23.28 Sec. 15. Minnesota Statutes 2008, section 144.72, subdivision 3, is amended to read:

23.29 Subd. 3. **Issuance of permits license.** If the commissioner should determine from

23.30 the application that the health and safety of the persons using the camp will be properly

23.31 safeguarded, the commissioner may, prior to actual inspection of the camp, issue the

23.32 permit license in writing. ~~No fee shall be charged for the permit.~~ The permit license shall

23.33 be posted in a conspicuous place on the premises occupied by the camp.

24.1 Sec. 16. Minnesota Statutes 2008, section 144.9501, is amended by adding a
24.2 subdivision to read:

24.3 Subd. 8a. **Disclosure pamphlet.** "Disclosure pamphlet" means the EPA pamphlet
24.4 titled "Renovate Right: Important Lead Hazard Information for Families, Child Care
24.5 Providers and Schools" developed under section 406(a) of the Toxic Substance Control
24.6 Act.

24.7 Sec. 17. Minnesota Statutes 2008, section 144.9501, subdivision 22b, is amended to
24.8 read:

24.9 Subd. 22b. **Lead sampling technician.** "Lead sampling technician" means an
24.10 individual who performs clearance inspections for ~~nonabatement or nonorder lead hazard~~
24.11 ~~reduction~~ renovation sites; and lead dust sampling ~~in other settings, or visual assessment~~
24.12 ~~for deteriorated paint~~ for nonabatement sites, and who is registered with the commissioner
24.13 under section 144.9505.

24.14 Sec. 18. Minnesota Statutes 2008, section 144.9501, subdivision 26a, is amended to
24.15 read:

24.16 Subd. 26a. **Regulated lead work.** (a) "Regulated lead work" means:

- 24.17 (1) abatement;
- 24.18 (2) interim controls;
- 24.19 (3) a clearance inspection;
- 24.20 (4) a lead hazard screen;
- 24.21 (5) a lead inspection;
- 24.22 (6) a lead risk assessment;
- 24.23 (7) lead project designer services;
- 24.24 (8) lead sampling technician services; ~~or~~
- 24.25 (9) swab team services; ~~;~~
- 24.26 (10) renovation activities; or
- 24.27 (11) activities performed to comply with lead orders issued by a board of health.

24.28 (b) Regulated lead work does not include abatement, interim controls, swab team
24.29 services, or renovation activities that disturb painted surfaces that total no more than:

- 24.30 ~~(1) activities such as remodeling, renovation, installation, rehabilitation, or~~
24.31 ~~landscaping activities, the primary intent of which is to remodel, repair, or restore a~~
24.32 ~~structure or dwelling, rather than to permanently eliminate lead hazards, even though these~~
24.33 ~~activities may incidentally result in a reduction in lead hazards; or~~

25.1 ~~(2) interim control activities that are not performed as a result of a lead order and~~
25.2 ~~that do not disturb painted surfaces that total more than:~~
25.3 ~~(i) (1) 20 square feet (two square meters) on exterior surfaces; or~~
25.4 ~~(ii) two (2) six square feet (0.2 0.6 square meters) in an interior room; or~~
25.5 ~~(iii) ten percent of the total surface area on an interior or exterior type of component~~
25.6 ~~with a small surface area.~~

25.7 Sec. 19. Minnesota Statutes 2008, section 144.9501, is amended by adding a
25.8 subdivision to read:

25.9 Subd. 26b. **Renovation.** "Renovation" means the modification of any affected
25.10 property that results in the disturbance of painted surfaces, unless that activity is performed
25.11 as an abatement. A renovation performed for the purpose of converting a building or part
25.12 of a building into an affected property is a renovation under this subdivision.

25.13 Sec. 20. Minnesota Statutes 2008, section 144.9504, is amended by adding a
25.14 subdivision to read:

25.15 Subd. 12. **Blood lead level guidelines.** By January 1, 2010, the commissioner
25.16 must revise clinical and case management guidelines to include recommendations
25.17 for health-protective actions and follow-up services when a child's blood lead level
25.18 exceeds five micrograms of lead per deciliter of blood. The revised guidelines must be
25.19 implemented to the extent possible using available resources.

25.20 Sec. 21. Minnesota Statutes 2008, section 144.9505, subdivision 1g, is amended to
25.21 read:

25.22 ~~Subd. 1g. **Certified lead firm.** A person within the state intending to directly~~
25.23 ~~perform or cause to be performed through subcontracting or similar delegation any~~
25.24 ~~regulated lead work shall first obtain certification from the commissioner~~ A person who
25.25 employs individuals to perform regulated lead work outside of the person's property must
25.26 obtain certification as a lead firm. The certificate must be in writing, contain an expiration
25.27 date, be signed by the commissioner, and give the name and address of the person to
25.28 whom it is issued. The certification fee is \$100, is nonrefundable, and must be submitted
25.29 with each application. The certificate or a copy of the certificate must be readily available
25.30 at the worksite for review by the contracting entity, the commissioner, and other public
25.31 health officials charged with the health, safety, and welfare of the state's citizens.

25.32 Sec. 22. Minnesota Statutes 2008, section 144.9505, subdivision 4, is amended to read:

26.1 Subd. 4. **Notice of regulated lead work.** (a) At least five working days before
26.2 starting work at each regulated lead worksite, the person performing the regulated lead
26.3 work shall give written notice to the commissioner and the appropriate board of health.

26.4 (b) This provision does not apply to lead hazard screen, lead inspection, lead risk
26.5 assessment, lead sampling technician, renovation, or lead project design activities.

26.6 Sec. 23. Minnesota Statutes 2008, section 144.9508, subdivision 2, is amended to read:

26.7 Subd. 2. **Regulated lead work standards and methods.** (a) The commissioner
26.8 shall adopt rules establishing regulated lead work standards and methods in accordance
26.9 with the provisions of this section, for lead in paint, dust, drinking water, and soil in
26.10 a manner that protects public health and the environment for all residences, including
26.11 residences also used for a commercial purpose, child care facilities, playgrounds, and
26.12 schools.

26.13 (b) In the rules required by this section, the commissioner shall require lead hazard
26.14 reduction of intact paint only if the commissioner finds that the intact paint is on a
26.15 chewable or lead-dust producing surface that is a known source of actual lead exposure to
26.16 a specific individual. The commissioner shall prohibit methods that disperse lead dust into
26.17 the air that could accumulate to a level that would exceed the lead dust standard specified
26.18 under this section. The commissioner shall work cooperatively with the commissioner
26.19 of administration to determine which lead hazard reduction methods adopted under this
26.20 section may be used for lead-safe practices including prohibited practices, preparation,
26.21 disposal, and cleanup. The commissioner shall work cooperatively with the commissioner
26.22 of the Pollution Control Agency to develop disposal procedures. In adopting rules under
26.23 this section, the commissioner shall require the best available technology for regulated
26.24 lead work methods, paint stabilization, and repainting.

26.25 (c) The commissioner of health shall adopt regulated lead work standards and
26.26 methods for lead in bare soil in a manner to protect public health and the environment.
26.27 The commissioner shall adopt a maximum standard of 100 parts of lead per million in
26.28 bare soil. The commissioner shall set a soil replacement standard not to exceed 25 parts
26.29 of lead per million. Soil lead hazard reduction methods shall focus on erosion control
26.30 and covering of bare soil.

26.31 (d) The commissioner shall adopt regulated lead work standards and methods for
26.32 lead in dust in a manner to protect the public health and environment. Dust standards
26.33 shall use a weight of lead per area measure and include dust on the floor, on the window
26.34 sills, and on window wells. Lead hazard reduction methods for dust shall focus on dust

27.1 removal and other practices which minimize the formation of lead dust from paint, soil, or
27.2 other sources.

27.3 (e) The commissioner shall adopt lead hazard reduction standards and methods for
27.4 lead in drinking water both at the tap and public water supply system or private well
27.5 in a manner to protect the public health and the environment. The commissioner may
27.6 adopt the rules for controlling lead in drinking water as contained in Code of Federal
27.7 Regulations, title 40, part 141. Drinking water lead hazard reduction methods may include
27.8 an educational approach of minimizing lead exposure from lead in drinking water.

27.9 (f) The commissioner of the Pollution Control Agency shall adopt rules to ensure that
27.10 removal of exterior lead-based coatings from residences and steel structures by abrasive
27.11 blasting methods is conducted in a manner that protects health and the environment.

27.12 (g) All regulated lead work standards shall provide reasonable margins of safety that
27.13 are consistent with more than a summary review of scientific evidence and an emphasis on
27.14 overprotection rather than underprotection when the scientific evidence is ambiguous.

27.15 (h) No unit of local government shall have an ordinance or regulation governing
27.16 regulated lead work standards or methods for lead in paint, dust, drinking water, or soil
27.17 that require a different regulated lead work standard or method than the standards or
27.18 methods established under this section.

27.19 (i) Notwithstanding paragraph (h), the commissioner may approve the use by a unit
27.20 of local government of an innovative lead hazard reduction method which is consistent
27.21 in approach with methods established under this section.

27.22 (j) The commissioner shall adopt rules for issuing lead orders required under section
27.23 144.9504, rules for notification of abatement or interim control activities requirements,
27.24 and other rules necessary to implement sections 144.9501 to 144.9512.

27.25 (k) The commissioners shall adopt rules consistent with section 402(c)(3) of the
27.26 Toxic Substances Control Act to ensure that renovation in a pre-1978 affected property
27.27 where a child or pregnant female resides is conducted in a manner that protects health
27.28 and the environment.

27.29 (l) The commissioner shall adopt rules consistent with sections 406(a) and 406(b) of
27.30 the Toxic Substances Control Act.

27.31 Sec. 24. Minnesota Statutes 2008, section 144.9508, subdivision 3, is amended to read:

27.32 Subd. 3. **Licensure and certification.** The commissioner shall adopt rules to
27.33 license lead supervisors, lead workers, lead project designers, lead inspectors, ~~and~~ lead
27.34 risk assessors, and lead sampling technicians. The commissioner shall also adopt rules
27.35 requiring certification of firms that perform regulated lead work ~~and rules requiring~~

28.1 ~~registration of lead sampling technicians.~~ The commissioner shall require periodic renewal
28.2 of licenses, and certificates, and registrations and shall establish the renewal periods.

28.3 Sec. 25. Minnesota Statutes 2008, section 144.9508, subdivision 4, is amended to read:

28.4 Subd. 4. **Lead training course.** The commissioner shall establish by rule
28.5 requirements for training course providers and the renewal period for each lead-related
28.6 training course required for certification or licensure. The commissioner shall establish
28.7 criteria in rules for the content and presentation of training courses intended to qualify
28.8 trainees for licensure under subdivision 3. The commissioner shall establish criteria
28.9 in rules for the content and presentation of training courses for lead ~~interim control~~
28.10 ~~workers~~ renovation and lead sampling technicians. Training course permit fees shall be
28.11 nonrefundable and must be submitted with each application in the amount of \$500 for an
28.12 initial training course, \$250 for renewal of a permit for an initial training course, \$250 for
28.13 a refresher training course, and \$125 for renewal of a permit of a refresher training course.

28.14 Sec. 26. Minnesota Statutes 2008, section 144.9512, subdivision 2, is amended to read:

28.15 Subd. 2. **Grants; administration.** Within the limits of the available appropriation,
28.16 the commissioner shall make grants to ~~a nonprofit organization currently operating the~~
28.17 ~~CLEARCorps lead hazard reduction project~~ organizations to train workers to provide lead
28.18 screening, education, outreach, and swab team services for residential property. Projects
28.19 that provide Americorps funding or positions, or leverage matching funds, as part of the
28.20 delivery of the services must be given priority for the grant funds.

28.21 Sec. 27. Minnesota Statutes 2008, section 144.966, is amended by adding a subdivision
28.22 to read:

28.23 Subd. 3a. **Support services to families.** The commissioner shall contract with
28.24 a nonprofit organization to provide support and assistance to families with children
28.25 who are deaf or have a hearing loss. The family support provided must include direct
28.26 parent-to-parent assistance and information on communication, educational, and medical
28.27 options. The commissioner shall give preference to a nonprofit organization that has the
28.28 ability to provide these services throughout the state.

28.29 Sec. 28. Minnesota Statutes 2008, section 144.97, subdivision 2, is amended to read:

28.30 Subd. 2. **Certification Accreditation.** ~~"Certification" means written~~
28.31 ~~acknowledgment of a laboratory's demonstrated capability to perform tests for a specific~~
28.32 ~~purpose~~ "Accreditation" means written acknowledgment that a laboratory has the

29.1 policies, procedures, equipment, and practices to produce reliable data in the analysis of
29.2 environmental samples.

29.3 **EFFECTIVE DATE.** This section is effective July 1, 2009.

29.4 Sec. 29. Minnesota Statutes 2008, section 144.97, subdivision 4, is amended to read:

29.5 Subd. 4. **Contract Commercial laboratory.** "Contract Commercial laboratory"
29.6 means a laboratory that performs tests on samples on a contract or fee-for-service basis.

29.7 **EFFECTIVE DATE.** This section is effective July 1, 2009.

29.8 Sec. 30. Minnesota Statutes 2008, section 144.97, is amended by adding a subdivision
29.9 to read:

29.10 Subd. 5a. **Field of testing.** "Field of testing" means the combination of analyte,
29.11 method, matrix, and test category for which a laboratory may hold accreditation.

29.12 **EFFECTIVE DATE.** This section is effective July 1, 2009.

29.13 Sec. 31. Minnesota Statutes 2008, section 144.97, subdivision 6, is amended to read:

29.14 Subd. 6. **Laboratory.** "Laboratory" means the state, a person, corporation, or other
29.15 entity, including governmental, that examines, analyzes, or tests samples in a specified
29.16 physical location.

29.17 **EFFECTIVE DATE.** This section is effective July 1, 2009.

29.18 Sec. 32. Minnesota Statutes 2008, section 144.97, is amended by adding a subdivision
29.19 to read:

29.20 Subd. 8. **Test category.** "Test category" means the combination of program and
29.21 category as provided by section 144.98, subdivisions 3, paragraph (b), clauses (1) to (10),
29.22 and 3a, paragraph (a), clauses (1) to (5).

29.23 **EFFECTIVE DATE.** This section is effective July 1, 2009.

29.24 Sec. 33. Minnesota Statutes 2008, section 144.98, subdivision 1, is amended to read:

29.25 Subdivision 1. **Authorization.** The commissioner of health ~~may certify~~ shall
29.26 accredit environmental laboratories that test environmental samples according to national
29.27 standards developed using a consensus process as established by Circular A-119,
29.28 published by the United States Office of Management and Budget.

30.1 EFFECTIVE DATE. This section is effective July 1, 2009.

30.2 Sec. 34. Minnesota Statutes 2008, section 144.98, subdivision 2, is amended to read:

30.3 Subd. 2. **Rules and standards.** The commissioner may adopt rules to ~~implement~~
30.4 ~~this section, including:~~ carry out the commissioner's responsibilities under the national
30.5 standards specified in subdivisions 1 and 2a.

30.6 ~~(1) procedures, requirements, and fee adjustments for laboratory certification,~~
30.7 ~~including provisional status and recertification;~~

30.8 ~~(2) standards and fees for certificate approval, suspension, and revocation;~~

30.9 ~~(3) standards for environmental samples;~~

30.10 ~~(4) analysis methods that assure reliable test results;~~

30.11 ~~(5) laboratory quality assurance, including internal quality control, proficiency~~
30.12 ~~testing, and personnel training; and~~

30.13 ~~(6) criteria for recognition of certification programs of other states and the federal~~
30.14 ~~government.~~

30.15 EFFECTIVE DATE. This section is effective July 1, 2009.

30.16 Sec. 35. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
30.17 to read:

30.18 Subd. 2a. Standards. The commissioner shall accredit laboratories according to
30.19 the most current environmental laboratory accreditation standards under subdivision 1
30.20 and as accepted by the accreditation bodies recognized by the National Environmental
30.21 Laboratory Accreditation Program (NELAP) of the NELAC Institute.

30.22 EFFECTIVE DATE. This section is effective July 1, 2009.

30.23 Sec. 36. Minnesota Statutes 2008, section 144.98, subdivision 3, is amended to read:

30.24 Subd. 3. **Annual fees.** (a) An application for ~~certification accreditation~~ under
30.25 subdivision ~~4~~ 6 must be accompanied by the ~~biennial fee~~ annual fees specified in this
30.26 subdivision. The ~~fees are for~~ annual fees include:

30.27 (1) base ~~certification accreditation~~ fee, ~~\$1,600~~ \$1,500;

30.28 (2) sample preparation techniques ~~fees~~ fee, ~~\$100~~ \$200 per technique; ~~and~~

30.29 (3) an administrative fee for laboratories located outside this state, \$3,750; and

30.30 (4) test category ~~certification~~ fees.

30.31 Test Category	Certification Fee
30.32 Clean water program bacteriology	\$800

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31.1	Safe drinking water program bacteriology	\$800
31.2	Clean water program inorganic chemistry	\$800
31.3	Safe drinking water program inorganic chemistry	\$800
31.4	Clean water program chemistry metals	\$1,200
31.5	Safe drinking water program chemistry metals	\$1,200
31.6	Resource conservation and recovery program chemistry metals	\$1,200
31.7	Clean water program volatile organic compounds	\$1,500
31.8	Safe drinking water program volatile organic compounds	\$1,500
31.9	Resource conservation and recovery program volatile organic	
31.10	compounds	\$1,500
31.11	Underground storage tank program volatile organic compounds	\$1,500
31.12	Clean water program other organic compounds	\$1,500
31.13	Safe drinking water program other organic compounds	\$1,500
31.14	Resource conservation and recovery program other organic compounds	\$1,500
31.15	Clean water program radiochemistry	\$2,500
31.16	Safe drinking water program radiochemistry	\$2,500
31.17	Resource conservation and recovery program agricultural contaminants	\$2,500
31.18	Resource conservation and recovery program emerging contaminants	\$2,500

31.19 (b) ~~Laboratories located outside of this state that require an on-site inspection shall be~~
31.20 ~~assessed an additional \$3,750 fee. For the programs in subdivision 3a, the commissioner~~
31.21 ~~may accredit laboratories for fields of testing under the categories listed in clauses (1) to~~
31.22 ~~(10) upon completion of the application requirements provided by subdivision 6 and~~
31.23 ~~receipt of the fees for each category under each program that accreditation is requested.~~

31.24 The categories offered and related fees include:

- 31.25 (1) microbiology, \$450;
31.26 (2) inorganics, \$450;
31.27 (3) metals, \$1,000;
31.28 (4) volatile organics, \$1,300;
31.29 (5) other organics, \$1,300;
31.30 (6) radiochemistry, \$1,500;
31.31 (7) emerging contaminants, \$1,500;
31.32 (8) agricultural contaminants, \$1,250;
31.33 (9) toxicity (bioassay), \$1,000; and
31.34 (10) physical characterization, \$250.

31.35 (c) The total ~~biennial certification~~ annual fee includes the base fee, the sample
31.36 preparation techniques fees, the test category fees per program, and, when applicable, ~~the~~
31.37 ~~on-site inspection fee~~ an administrative fee for out-of-state laboratories.

32.1 ~~(d) Fees must be set so that the total fees support the laboratory certification program.~~
32.2 ~~Direct costs of the certification service include program administration, inspections, the~~
32.3 ~~agency's general support costs, and attorney general costs attributable to the fee function.~~

32.4 ~~(e) A change fee shall be assessed if a laboratory requests additional analytes~~
32.5 ~~or methods at any time other than when applying for or renewing its certification. The~~
32.6 ~~change fee is equal to the test category certification fee for the analyte.~~

32.7 ~~(f) A variance fee shall be assessed if a laboratory requests and is granted a variance~~
32.8 ~~from a rule adopted under this section. The variance fee is \$500 per variance.~~

32.9 ~~(g) Refunds or credits shall not be made for analytes or methods requested but~~
32.10 ~~not approved.~~

32.11 ~~(h) Certification of a laboratory shall not be awarded until all fees are paid.~~

32.12 Sec. 37. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
32.13 to read:

32.14 Subd. 3a. Available programs, categories, and analytes. (a) The commissioner
32.15 shall accredit laboratories that test samples under the following programs:

32.16 (1) the clean water program, such as compliance monitoring under the federal Clean
32.17 Water Act, and ambient monitoring of surface and groundwater, or analysis of biological
32.18 tissue;

32.19 (2) the safe drinking water program, including compliance monitoring under the
32.20 federal Safe Drinking Water Act, and the state requirements for monitoring private wells;

32.21 (3) the resource conservation and recovery program, including federal and state
32.22 requirements for monitoring solid and hazardous wastes, biological tissue, leachates, and
32.23 groundwater monitoring wells not intended as drinking water sources;

32.24 (4) the underground storage tank program; and

32.25 (5) the clean air program, including air and emissions testing under the federal Clean
32.26 Air Act, and state and federal requirements for vapor intrusion monitoring.

32.27 (b) The commissioner shall maintain and publish a list of analytes available for
32.28 accreditation. The list must be reviewed at least once every six months and the changes
32.29 published in the State Register and posted on the program's Web site. The commissioner
32.30 shall publish the notification of changes and review comments on the changes no less than
32.31 30 days from the date the list is published.

32.32 Sec. 38. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
32.33 to read:

33.1 Subd. 3b. **Additional fees.** (a) Laboratories located outside of this state that require
33.2 an on-site assessment more frequent than once every two years must pay an additional
33.3 assessed fee of \$3,000 per assessment for each additional on-site assessment conducted.
33.4 The laboratory must pay the fee within 15 business days of receiving the commissioner's
33.5 notification that an on-site assessment is required. The commissioner may conduct
33.6 additional on-site assessments to determine a laboratory's continued compliance with
33.7 the standards provided in subdivision 2a.

33.8 (b) A late fee of \$200 shall be added to the annual fee for accredited laboratories
33.9 submitting renewal applications to the commissioner after November 1.

33.10 (c) A change fee shall be assessed if a laboratory requests additional fields of testing
33.11 at any time other than when initially applying for or renewing its accreditation. A change
33.12 fee does not apply for applications to add fields of testing for new analytes in response
33.13 to the published notice under subdivision 3a, paragraph (b), if the laboratory holds valid
33.14 accreditation for the changed test category and applies for additional analytes within the
33.15 same test category. The change fee is equal to the applicable test category fee for the
33.16 field of testing requested. An application that requests accreditation of multiple fields of
33.17 testing within a test category requires a single payment of the applicable test category fee
33.18 per application submitted.

33.19 (d) A variance fee shall be assessed if a laboratory requests a variance from a
33.20 standard provided in subdivision 2a. The variance fee is \$500 per variance.

33.21 (e) The commissioner shall assess a fee for changes to laboratory information
33.22 regarding ownership, name, address, or personnel. Laboratories must submit changes
33.23 through the application process under subdivision 6. The information update fee is \$250
33.24 per application.

33.25 (f) Fees must be set so that the total fees support the laboratory accreditation
33.26 program. Direct costs of the accreditation service include program administration,
33.27 assessments, the agency's general support costs, and attorney general costs attributable
33.28 to the fee function.

33.29 Sec. 39. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
33.30 to read:

33.31 Subd. 3c. **Refunds and nonpayment.** Refunds or credits shall not be made for
33.32 applications received but not approved. Accreditation of a laboratory shall not be awarded
33.33 until all fees are paid.

34.1 Sec. 40. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
34.2 to read:

34.3 Subd. 6. **Application.** (a) Laboratories seeking accreditation must apply on a form
34.4 provided by the commissioner, include the laboratory's procedures and quality manual,
34.5 and pay the applicable fees.

34.6 (b) Laboratories may be fixed-base or mobile. The commissioner shall accredit
34.7 mobile laboratories individually and require a vehicle identification number, license
34.8 plate number, or other uniquely identifying information in addition to the application
34.9 requirements of paragraph (a).

34.10 (c) Laboratories maintained on separate properties, even though operated under the
34.11 same management or ownership, must apply separately. Laboratories with more than one
34.12 building on the same or adjoining properties do not need to submit a separate application.

34.13 (d) The commissioner may accredit laboratories located out-of-state. Accreditation
34.14 for out-of-state laboratories may be obtained directly from the commissioner following
34.15 the requirements in paragraph (a), or out-of-state laboratories may be accredited through
34.16 a reciprocal agreement if the laboratory:

34.17 (1) is accredited by a NELAP-recognized accreditation body for those fields of
34.18 testing in which the laboratory requests accreditation from the commissioner;

34.19 (2) submits an application and documentation according to this subdivision; and

34.20 (3) submits a current copy of the laboratory's unexpired accreditation from a
34.21 NELAP-recognized accreditation body showing the fields of accreditation for which the
34.22 laboratory is currently accredited.

34.23 (e) Under the conflict of interest determinations provided in section 43A.38,
34.24 subdivision 6, clause (a), the commissioner shall not accredit governmental laboratories
34.25 operated by agencies of the executive branch of the state. If accreditation is required,
34.26 laboratories operated by agencies of the executive branch of the state must apply for
34.27 accreditation through any other NELAP-recognized accreditation body.

34.28 **EFFECTIVE DATE.** This section is effective July 1, 2009.

34.29 Sec. 41. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
34.30 to read:

34.31 Subd. 6a. **Implementation and effective date.** All laboratories must comply with
34.32 standards under this section by July 1, 2009. Fees under subdivisions 3 and 3b apply to
34.33 applications received and accreditations issued after June 30, 2009. Accreditations issued
34.34 on or before June 30, 2009, shall expire upon their current expiration date.

35.1 Sec. 42. Minnesota Statutes 2008, section 144.98, is amended by adding a subdivision
35.2 to read:

35.3 Subd. 7. **Initial accreditation and annual accreditation renewal.** (a) The
35.4 commissioner shall issue or renew accreditation after receipt of the completed application
35.5 and documentation required in this section, provided the laboratory maintains compliance
35.6 with the standards specified in subdivision 2a, and attests to the compliance on the
35.7 application form.

35.8 (b) The commissioner shall prorate the fees in subdivision 3 for laboratories
35.9 applying for accreditation after December 31. The fees are prorated on a quarterly basis
35.10 beginning with the quarter in which the commissioner receives the completed application
35.11 from the laboratory.

35.12 (c) Applications for renewal of accreditation must be received by November 1 and
35.13 no earlier than October 1 of each year. The commissioner shall send annual renewal
35.14 notices to laboratories 90 days before expiration. Failure to receive a renewal notice does
35.15 not exempt laboratories from meeting the annual November 1 renewal date.

35.16 (d) The commissioner shall issue all accreditations for the calendar year for which
35.17 the application is made, and the accreditation shall expire on December 31 of that year.

35.18 (e) The accreditation of any laboratory that fails to submit a renewal application
35.19 and fees to the commissioner expires automatically on December 31 without notice or
35.20 further proceeding. Any person who operates a laboratory as accredited after expiration of
35.21 accreditation or without having submitted an application and paid the fees is in violation
35.22 of the provisions of this section and is subject to enforcement action under sections
35.23 144.989 to 144.993, the Health Enforcement Consolidation Act. A laboratory with expired
35.24 accreditation may reapply under subdivision 6.

35.25 **EFFECTIVE DATE.** This section is effective July 1, 2009.

35.26 Sec. 43. Minnesota Statutes 2008, section 144.99, subdivision 1, is amended to read:

35.27 Subdivision 1. **Remedies available.** The provisions of chapters 103I and 157 and
35.28 sections 115.71 to 115.77; 144.12, subdivision 1, paragraphs (1), (2), (5), (6), (10), (12),
35.29 (13), (14), and (15); 144.1201 to 144.1204; 144.121; 144.1222; 144.35; 144.381 to
35.30 144.385; 144.411 to 144.417; 144.495; 144.71 to 144.74; 144.9501 to 144.9512; 144.97;
35.31 144.98; 144.992; 326.70 to 326.785; 327.10 to 327.131; and 327.14 to 327.28 and all
35.32 rules, orders, stipulation agreements, settlements, compliance agreements, licenses,
35.33 registrations, certificates, and permits adopted or issued by the department or under any
35.34 other law now in force or later enacted for the preservation of public health may, in
35.35 addition to provisions in other statutes, be enforced under this section.

36.1 EFFECTIVE DATE. This section is effective July 1, 2009.

36.2 Sec. 44. [145.958] YOUTH VIOLENCE PREVENTION.

36.3 Subdivision 1. Findings. The legislature finds that the Minneapolis Blueprint for
36.4 Action on Youth Violence has had some remarkable success, leading to a 43 percent
36.5 reduction in juvenile violent crime in certain neighborhoods. The legislature further
36.6 finds that it would be beneficial for the state to recognize youth violence as a public
36.7 health problem and to use public health methodologies in preventing youth violence.

36.8 This approach should focus on:

36.9 (1) creating connections between at-risk youth and trusted adults;

36.10 (2) intervening at the first signs that a youth may be at risk; and

36.11 (3) rehabilitating youth who have been involved in violence.

36.12 Subd. 2. Definition. For purposes of this section, "at-risk youth" means adolescents
36.13 and teenagers who are likely to be a threat to the health and well-being of themselves or
36.14 others through gang involvement, alcohol and drug use, unsafe sexual activity, dropping
36.15 out of school, or through violence and other criminal activity.

36.16 Subd. 3. Violence prevention programs for at-risk youth. (a) Community-based
36.17 violence prevention programs may apply to the commissioner of health for technical
36.18 assistance. The programs must be community-based efforts serving at-risk youth and must
36.19 work in collaboration with local schools, law enforcement agencies, faith communities,
36.20 and community groups to provide a comprehensive approach to reducing youth violence
36.21 by addressing the needs of at-risk youth.

36.22 (b) The programs must:

36.23 (1) ensure that there are trusted adults serving as role models and mentors for
36.24 at-risk youth;

36.25 (2) intervene at the first signs that a youth may be at risk and strive to rehabilitate
36.26 youth who are already involved in violence;

36.27 (3) work to strengthen families;

36.28 (4) work with schools in order to keep students engaged and help them prepare
36.29 for higher education or job training; and

36.30 (5) teach self-respect and respect of others so that unsafe and unhealthy behaviors
36.31 may be avoided.

36.32 (c) Violence prevention programs may include, but are not limited to:

36.33 (1) mentorship;

36.34 (2) job placement and support;

36.35 (3) youth violence prevention training;

- 37.1 (4) parent and family intervention and teaching parenting skills;
37.2 (5) school-related initiative involving police liaison officers, youth leadership, peer
37.3 mediation systems, after-school activities, and intervention in truancy cases;
37.4 (6) chemical dependency and mental health intervention, screening, and assessment;
37.5 (7) assisting juvenile offenders in reconnecting with families and reintegrating
37.6 into the community;
37.7 (8) working with youth to prevent sexual violence;
37.8 (9) working with youth to prevent pregnancy and sexually transmitted diseases; and
37.9 (10) a youth helpline and street outreach workers to connect youth with needed
37.10 services.

37.11 **Subd. 4. Coordination of prevention and intervention for programs for at-risk**
37.12 **youth.** (a) The commissioner of health, in collaboration with the commissioners of public
37.13 safety, human services, and education, shall identify five community-based violence
37.14 prevention programs that meet the criteria described in this section. One of these programs
37.15 identified must be serving the youth in Minneapolis, one program must be serving the
37.16 youth in St. Paul, and the remaining three programs must be serving youth in outstate
37.17 communities.

37.18 (b) The commissioner of health shall provide technical support, within existing
37.19 department resources, to these community programs including, but not limited to,
37.20 assistance in seeking and applying for federal grants and private foundation funding.

37.21 (c) The commissioner of health shall monitor the progress of these programs in
37.22 terms of the impact on public health and reducing juvenile violent crime, and shall identify
37.23 the effective aspects of each program in order to assist other programs in replicating
37.24 these successful aspects.

37.25 (d) The commissioner of health must apply for private, state, or federal funding to
37.26 support the activities described in this subdivision. This subdivision is effective upon
37.27 receipt of funding to support these activities.

37.28 Sec. 45. Minnesota Statutes 2008, section 157.15, is amended by adding a subdivision
37.29 to read:

37.30 **Subd. 20. Youth camp.** "Youth camp" has the meaning given in section 144.71,
37.31 subdivision 2.

37.32 Sec. 46. Minnesota Statutes 2008, section 157.16, is amended to read:

37.33 **157.16 LICENSES REQUIRED; FEES.**

38.1 Subdivision 1. **License required annually.** A license is required annually for every
38.2 person, firm, or corporation engaged in the business of conducting a food and beverage
38.3 service establishment, for-profit youth camp, hotel, motel, lodging establishment, public
38.4 pool, or resort. Any person wishing to operate a place of business licensed in this
38.5 section shall first make application, pay the required fee specified in this section, and
38.6 receive approval for operation, including plan review approval. ~~Seasonal and temporary~~
38.7 ~~food stands and~~ Special event food stands are not required to submit plans. Nonprofit
38.8 organizations operating a special event food stand with multiple locations at an annual
38.9 one-day event shall be issued only one license. Application shall be made on forms
38.10 provided by the commissioner and shall require the applicant to state the full name and
38.11 address of the owner of the building, structure, or enclosure, the lessee and manager of the
38.12 food and beverage service establishment, hotel, motel, lodging establishment, public pool,
38.13 or resort; the name under which the business is to be conducted; and any other information
38.14 as may be required by the commissioner to complete the application for license.

38.15 Subd. 2. **License renewal.** Initial and renewal licenses for all food and beverage
38.16 service establishments, for-profit youth camps, hotels, motels, lodging establishments,
38.17 public pools, and resorts shall be issued ~~for the calendar year for which application is~~
38.18 ~~made and shall expire on December 31 of such year~~ on an annual basis. Any person
38.19 who operates a place of business after the expiration date of a license or without having
38.20 submitted an application and paid the fee shall be deemed to have violated the provisions
38.21 of this chapter and shall be subject to enforcement action, as provided in the Health
38.22 Enforcement Consolidation Act, sections 144.989 to 144.993. In addition, a penalty of
38.23 ~~\$50~~ \$60 shall be added to the total of the license fee for any food and beverage service
38.24 establishment operating without a license as a mobile food unit, a seasonal temporary
38.25 or seasonal permanent food stand, or a special event food stand, and a penalty of ~~\$100~~
38.26 \$120 shall be added to the total of the license fee for all restaurants, food carts, hotels,
38.27 motels, lodging establishments, for-profit youth camps, public pools, and resorts operating
38.28 without a license for a period of up to 30 days. A late fee of ~~\$300~~ \$360 shall be added to
38.29 the license fee for establishments operating more than 30 days without a license.

38.30 Subd. 2a. **Food manager certification.** An applicant for certification or certification
38.31 renewal as a food manager must submit to the commissioner a ~~\$28~~ \$35 nonrefundable
38.32 certification fee payable to the Department of Health. The commissioner shall issue a
38.33 duplicate certificate to replace a lost, destroyed, or mutilated certificate if the applicant
38.34 submits a completed application on a form provided by the commissioner for a duplicate
38.35 certificate and pays \$20 to the department for the cost of duplication.

39.1 Subd. 3. **Establishment fees; definitions.** (a) The following fees are required for
39.2 food and beverage service establishments, for-profit youth camps, hotels, motels, lodging
39.3 establishments, public pools, and resorts licensed under this chapter. Food and beverage
39.4 service establishments must pay the highest applicable fee under paragraph (d), clause
39.5 (1), (2), (3), or (4), and establishments serving alcohol must pay the highest applicable
39.6 fee under paragraph (d), clause (6) or (7). The license fee for new operators previously
39.7 licensed under this chapter for the same calendar year is one-half of the appropriate annual
39.8 license fee, plus any penalty that may be required. The license fee for operators opening
39.9 on or after October 1 is one-half of the appropriate annual license fee, plus any penalty
39.10 that may be required.

39.11 (b) All food and beverage service establishments, except special event food stands,
39.12 and all hotels, motels, lodging establishments, public pools, and resorts shall pay an
39.13 annual base fee of \$150.

39.14 (c) A special event food stand shall pay a flat fee of ~~\$40~~ \$50 annually. "Special event
39.15 food stand" means a fee category where food is prepared or served in conjunction with
39.16 celebrations, county fairs, or special events from a special event food stand as defined
39.17 in section 157.15.

39.18 (d) In addition to the base fee in paragraph (b), each food and beverage service
39.19 establishment, other than a special event food stand, and each hotel, motel, lodging
39.20 establishment, public pool, and resort shall pay an additional annual fee for each fee
39.21 category, additional food service, or required additional inspection specified in this
39.22 paragraph:

39.23 (1) Limited food menu selection, ~~\$50~~ \$60. "Limited food menu selection" means a
39.24 fee category that provides one or more of the following:

39.25 (i) prepackaged food that receives heat treatment and is served in the package;

39.26 (ii) frozen pizza that is heated and served;

39.27 (iii) a continental breakfast such as rolls, coffee, juice, milk, and cold cereal;

39.28 (iv) soft drinks, coffee, or nonalcoholic beverages; or

39.29 (v) cleaning for eating, drinking, or cooking utensils, when the only food served
39.30 is prepared off site.

39.31 (2) Small establishment, including boarding establishments, ~~\$100~~ \$120. "Small
39.32 establishment" means a fee category that has no salad bar and meets one or more of
39.33 the following:

39.34 (i) possesses food service equipment that consists of no more than a deep fat fryer, a
39.35 grill, two hot holding containers, and one or more microwave ovens;

39.36 (ii) serves dipped ice cream or soft serve frozen desserts;

40.1 (iii) serves breakfast in an owner-occupied bed and breakfast establishment;

40.2 (iv) is a boarding establishment; or

40.3 (v) meets the equipment criteria in clause (3), item (i) or (ii), and has a maximum
40.4 patron seating capacity of not more than 50.

40.5 (3) Medium establishment, ~~\$260~~ \$310. "Medium establishment" means a fee
40.6 category that meets one or more of the following:

40.7 (i) possesses food service equipment that includes a range, oven, steam table, salad
40.8 bar, or salad preparation area;

40.9 (ii) possesses food service equipment that includes more than one deep fat fryer,
40.10 one grill, or two hot holding containers; or

40.11 (iii) is an establishment where food is prepared at one location and served at one or
40.12 more separate locations.

40.13 Establishments meeting criteria in clause (2), item (v), are not included in this fee
40.14 category.

40.15 (4) Large establishment, ~~\$460~~ \$540. "Large establishment" means either:

40.16 (i) a fee category that (A) meets the criteria in clause (3), items (i) or (ii), for a
40.17 medium establishment, (B) seats more than 175 people, and (C) offers the full menu
40.18 selection an average of five or more days a week during the weeks of operation; or

40.19 (ii) a fee category that (A) meets the criteria in clause (3), item (iii), for a medium
40.20 establishment, and (B) prepares and serves 500 or more meals per day.

40.21 (5) Other food and beverage service, including food carts, mobile food units,
40.22 seasonal temporary food stands, and seasonal permanent food stands, ~~\$50~~ \$60.

40.23 (6) Beer or wine table service, ~~\$50~~ \$60. "Beer or wine table service" means a fee
40.24 category where the only alcoholic beverage service is beer or wine, served to customers
40.25 seated at tables.

40.26 (7) Alcoholic beverage service, other than beer or wine table service, ~~\$135~~ \$165.

40.27 "Alcohol beverage service, other than beer or wine table service" means a fee
40.28 category where alcoholic mixed drinks are served or where beer or wine are served from
40.29 a bar.

40.30 (8) Lodging per sleeping accommodation unit, ~~\$8~~ \$10, including hotels, motels,
40.31 lodging establishments, and resorts, up to a maximum of ~~\$800~~ \$1,000. "Lodging per
40.32 sleeping accommodation unit" means a fee category including the number of guest rooms,
40.33 cottages, or other rental units of a hotel, motel, lodging establishment, or resort; or the
40.34 number of beds in a dormitory.

40.35 (9) First public pool, ~~\$180~~ \$325; each additional public pool, ~~\$100~~ \$175. "Public
40.36 pool" means a fee category that has the meaning given in section 144.1222, subdivision 4.

41.1 (10) First spa, ~~\$110~~ \$175; each additional spa, ~~\$50~~ \$100. "Spa pool" means a fee
41.2 category that has the meaning given in Minnesota Rules, part 4717.0250, subpart 9.

41.3 (11) Private sewer or water, ~~\$50~~ \$60. "Individual private water" means a fee
41.4 category with a water supply other than a community public water supply as defined in
41.5 Minnesota Rules, chapter 4720. "Individual private sewer" means a fee category with an
41.6 individual sewage treatment system which uses subsurface treatment and disposal.

41.7 (12) Additional food service, ~~\$130~~ \$150. "Additional food service" means a location
41.8 at a food service establishment, other than the primary food preparation and service area,
41.9 used to prepare or serve food to the public.

41.10 (13) Additional inspection fee, ~~\$300~~ \$360. "Additional inspection fee" means a
41.11 fee to conduct the second inspection each year for elementary and secondary education
41.12 facility school lunch programs when required by the Richard B. Russell National School
41.13 Lunch Act.

41.14 (e) A fee of ~~\$350~~ for review of ~~the~~ construction plans must accompany the initial
41.15 license application for restaurants, hotels, motels, lodging establishments, ~~or resorts with~~
41.16 ~~five or more sleeping units~~, seasonal food stands, and mobile food units. The fee for
41.17 this construction plan review is as follows:

<u>Service Area</u>	<u>Type</u>	<u>Fee</u>
<u>Food</u>	<u>limited food menu</u>	<u>\$275</u>
	<u>small establishment</u>	<u>\$400</u>
	<u>medium establishment</u>	<u>\$450</u>
	<u>large food establishment</u>	<u>\$500</u>
	<u>additional food service</u>	<u>\$150</u>
<u>Transient food service</u>	<u>food cart</u>	<u>\$250</u>
	<u>seasonal permanent food stand</u>	<u>\$250</u>
	<u>seasonal temporary food stand</u>	<u>\$250</u>
	<u>mobile food unit</u>	<u>\$350</u>
<u>Alcohol</u>	<u>beer or wine table service</u>	<u>\$150</u>
	<u>alcohol service from bar</u>	<u>\$250</u>
<u>Lodging</u>	<u>less than 25 rooms</u>	<u>\$375</u>
	<u>25 to less than 100 rooms</u>	<u>\$400</u>
	<u>100 rooms or more</u>	<u>\$500</u>
	<u>less than five cabins</u>	<u>\$350</u>
	<u>five to less than ten cabins</u>	<u>\$400</u>
	<u>ten cabins or more</u>	<u>\$450</u>

41.36 (f) When existing food and beverage service establishments, hotels, motels, lodging
41.37 establishments, ~~or resorts~~, seasonal food stands, and mobile food units are extensively
41.38 remodeled, a fee of ~~\$250~~ must be submitted with the remodeling plans. ~~A fee of \$250~~
41.39 ~~must be submitted for new construction or remodeling for a restaurant with a limited food~~

42.1 ~~menu selection, a seasonal permanent food stand, a mobile food unit, or a food cart, or for~~
 42.2 ~~a hotel, motel, resort, or lodging establishment addition of less than five sleeping units.~~

42.3 The fee for this construction plan review is as follows:

<u>Service Area</u>	<u>Type</u>	<u>Fee</u>
<u>Food</u>	<u>limited food menu</u>	<u>\$250</u>
	<u>small establishment</u>	<u>\$300</u>
	<u>medium establishment</u>	<u>\$350</u>
	<u>large food establishment</u>	<u>\$400</u>
	<u>additional food service</u>	<u>\$150</u>
<u>Transient food service</u>	<u>food cart</u>	<u>\$250</u>
	<u>seasonal permanent food stand</u>	<u>\$250</u>
	<u>seasonal temporary food stand</u>	<u>\$250</u>
	<u>mobile food unit</u>	<u>\$250</u>
<u>Alcohol</u>	<u>beer or wine table service</u>	<u>\$150</u>
	<u>alcohol service from bar</u>	<u>\$250</u>
<u>Lodging</u>	<u>less than 25 rooms</u>	<u>\$250</u>
	<u>25 to less than 100 rooms</u>	<u>\$300</u>
	<u>100 rooms or more</u>	<u>\$450</u>
	<u>less than five cabins</u>	<u>\$250</u>
	<u>five to less than ten cabins</u>	<u>\$350</u>
	<u>ten cabins or more</u>	<u>\$400</u>

42.22 (g) ~~Seasonal temporary food stands and~~ Special event food stands are not required to
 42.23 submit construction or remodeling plans for review.

42.24 (h) For-profit youth camp fee, \$500.

42.25 Subd. 3a. **Statewide hospitality fee.** Every person, firm, or corporation that
 42.26 operates a licensed boarding establishment, food and beverage service establishment,
 42.27 seasonal temporary or permanent food stand, special event food stand, mobile food unit,
 42.28 food cart, resort, hotel, motel, or lodging establishment in Minnesota must submit to the
 42.29 commissioner a \$35 annual statewide hospitality fee for each licensed activity. The fee
 42.30 for establishments licensed by the Department of Health is required at the same time the
 42.31 licensure fee is due. For establishments licensed by local governments, the fee is due by
 42.32 July 1 of each year.

42.33 Subd. 4. **Posting requirements.** Every food and beverage service establishment,
 42.34 for-profit youth camp, hotel, motel, lodging establishment, public pool, or resort must have
 42.35 the license posted in a conspicuous place at the establishment. Mobile food units, food
 42.36 carts, and seasonal temporary food stands shall be issued decals with the initial license and
 42.37 each calendar year with license renewals. The current license year decal must be placed on
 42.38 the unit or stand in a location determined by the commissioner. Decals are not transferable.

43.1 Sec. 47. Minnesota Statutes 2008, section 157.22, is amended to read:

43.2 **157.22 EXEMPTIONS.**

43.3 This chapter ~~shall not be construed to~~ does not apply to:

43.4 (1) interstate carriers under the supervision of the United States Department of
43.5 Health and Human Services;

43.6 (2) any building constructed and primarily used for religious worship;

43.7 (3) any building owned, operated, and used by a college or university in accordance
43.8 with health regulations promulgated by the college or university under chapter 14;

43.9 (4) any person, firm, or corporation whose principal mode of business is licensed
43.10 under sections 28A.04 and 28A.05, is exempt at that premises from licensure as a food
43.11 or beverage establishment; provided that the holding of any license pursuant to sections
43.12 28A.04 and 28A.05 shall not exempt any person, firm, or corporation from the applicable
43.13 provisions of this chapter or the rules of the state commissioner of health relating to
43.14 food and beverage service establishments;

43.15 (5) family day care homes and group family day care homes governed by sections
43.16 245A.01 to 245A.16;

43.17 (6) nonprofit senior citizen centers for the sale of home-baked goods;

43.18 (7) fraternal or patriotic organizations that are tax exempt under section 501(c)(3),
43.19 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(10), or 501(c)(19) of the Internal Revenue Code of
43.20 1986, or organizations related to or affiliated with such fraternal or patriotic organizations.
43.21 Such organizations may organize events at which home-prepared food is donated by
43.22 organization members for sale at the events, provided:

43.23 (i) the event is not a circus, carnival, or fair;

43.24 (ii) the organization controls the admission of persons to the event, the event agenda,
43.25 or both; and

43.26 (iii) the organization's licensed kitchen is not used in any manner for the event;

43.27 (8) food not prepared at an establishment and brought in by individuals attending a
43.28 potluck event for consumption at the potluck event. An organization sponsoring a potluck
43.29 event under this clause may advertise the potluck event to the public through any means.
43.30 Individuals who are not members of an organization sponsoring a potluck event under this
43.31 clause may attend the potluck event and consume the food at the event. Licensed food
43.32 establishments other than schools cannot be sponsors of potluck events. A school may
43.33 sponsor and hold potluck events in areas of the school other than the school's kitchen,
43.34 provided that the school's kitchen is not used in any manner for the potluck event. For
43.35 purposes of this clause, "school" means a public school as defined in section 120A.05,
43.36 subdivisions 9, 11, 13, and 17, or a nonpublic school, church, or religious organization

44.1 at which a child is provided with instruction in compliance with sections 120A.22 and
44.2 120A.24. Potluck event food shall not be brought into a licensed food establishment
44.3 kitchen; ~~and~~

44.4 (9) a home school in which a child is provided instruction at home; and

44.5 (10) concession stands operated in conjunction with school-sponsored events on
44.6 school property are exempt from the 21-day restriction.

44.7 Sec. 48. Minnesota Statutes 2008, section 327.14, is amended by adding a subdivision
44.8 to read:

44.9 Subd. 9. **Special event recreational camping area.** "Special event recreational
44.10 camping area" means a recreational camping area which operates no more than two times
44.11 annually and for no more than 14 consecutive days.

44.12 Sec. 49. Minnesota Statutes 2008, section 327.15, is amended to read:

44.13 **327.15 LICENSE REQUIRED; RENEWAL; ~~PLANS FOR EXPANSION FEES.~~**

44.14 Subdivision 1. **License required; plan review.** No person, firm or corporation shall
44.15 establish, maintain, conduct or operate a manufactured home park or recreational camping
44.16 area within this state without first obtaining ~~a~~ an annual license therefor from the state
44.17 Department of Health. Any person wishing to obtain a license shall first make application,
44.18 pay the required fee specified in this section, and receive approval for operation, including
44.19 plan review approval. Application shall be made on forms provided by the commissioner
44.20 and shall require the applicant to state the full name and address of the owner of the
44.21 manufactured home park or recreational camping area, the name under which the business
44.22 is to be conducted, and any other information as may be required by the commissioner
44.23 to complete the application for license. Any person, firm, or corporation desiring to
44.24 operate either a manufactured home park or a recreational camping area on the same site
44.25 in connection with the other, need only obtain one license. ~~A license shall expire and be~~
44.26 ~~renewed as prescribed by the commissioner pursuant to section 144.122.~~ The license shall
44.27 state the number of manufactured home sites and recreational camping sites allowed
44.28 according to state commissioner of health approval. ~~No renewal license shall be issued if~~
44.29 ~~the number of sites specified in the application exceeds those of the original application~~
44.30 The number of licensed sites shall not be increased unless the plans for expansion ~~or~~
44.31 ~~the construction for expansion~~ are submitted and the expansion first approved by the
44.32 Department of Health. ~~Any manufactured home park or recreational camping area located~~
44.33 ~~in more than one municipality shall be dealt with as two separate manufactured home~~
44.34 ~~parks or camping areas.~~ The license shall be conspicuously displayed in the office of the

45.1 manufactured home park or camping area. The license is not transferable as to person
45.2 or place.

45.3 Subd. 2. License renewal. Initial and renewal licenses for all manufactured home
45.4 parks and recreational camping areas shall be issued annually and shall have an expiration
45.5 date included on the license. Any person who operates a manufactured home park or
45.6 recreational camping area after the expiration date of a license or without having submitted
45.7 an application and paid the fee shall be deemed to have violated the provisions of this
45.8 chapter and shall be subject to enforcement action, as provided in the Health Enforcement
45.9 Consolidation Act, sections 144.989 to 144.993. In addition, a penalty of \$120 shall
45.10 be added to the total of the license fee for any manufactured home park or recreational
45.11 camping area operating without a license for a period of up to 30 days. A late fee of \$360
45.12 shall be added to the license fee for any manufactured home park or recreational camping
45.13 area operating more than 30 days without a license.

45.14 Subd. 3. Fees; manufactured home parks; recreational camping areas. (a) The
45.15 following fees are required for manufactured home parks and recreational camping areas
45.16 licensed under this chapter. Recreational camping areas and manufactured home parks
45.17 must pay the highest applicable fee under paragraph (c). The license fee for new operators
45.18 of a manufactured home park or recreational camping area previously licensed under this
45.19 chapter for the same calendar year is one-half of the appropriate annual license fee, plus
45.20 any penalty that may be required. The license fee for operators opening on or after October
45.21 1 is one-half of the appropriate annual license fee, plus any penalty that may be required.

45.22 (b) All manufactured home parks and recreational camping areas, except special
45.23 event recreational camping areas, shall pay an annual base fee of \$150 plus \$4 for each
45.24 licensed site, except that any operator of a manufactured home park or recreational
45.25 camping area who is licensed under section 157.16 for the same location shall not be
45.26 required to pay the base fee.

45.27 (c) In addition to the fee in paragraph (b), each manufactured home park or
45.28 recreational camping area shall pay an additional annual fee for each fee category
45.29 specified in this paragraph:

45.30 (1) manufactured home parks and recreational camping areas with public swimming
45.31 pools and spas shall pay the appropriate fees specified in section 157.16; and

45.32 (2) individual private sewer or water, \$60. "Individual private water" means a fee
45.33 category with a water supply other than a community public water supply as defined in
45.34 Minnesota Rules, chapter 4720. "Individual private sewer" means a fee category with an
45.35 individual sewage treatment system which uses subsurface treatment and disposal.

46.1 (d) The following fees must accompany a plan review application for initial
46.2 construction of a manufactured home park or recreational camping area for initial
46.3 construction of:

- 46.4 (1) less than 25 sites, \$375;
46.5 (2) 25 to less than 100 sites, \$400; and
46.6 (3) 100 or more sites, \$500.

46.7 (e) The following fees must accompany a plan review application when an existing
46.8 manufactured home park or recreational camping area is expanded for expansion of:

- 46.9 (1) less than 25 sites, \$250;
46.10 (2) 25 but less than 100 sites, \$300; and
46.11 (3) 100 or more sites, \$450.

46.12 Subd. 4. Fees; special event recreational camping areas. (a) The following fees
46.13 are required for special event recreational camping areas licensed under this chapter.

46.14 (b) All special event recreational camping areas shall pay an annual fee of \$150 plus
46.15 \$1 for each licensed site.

46.16 (c) A special event recreational camping area shall pay a late fee of \$360 for failing
46.17 to obtain a license prior to operating.

46.18 (d) The following fees must accompany a plan review application for initial
46.19 construction of a special event recreational camping area for initial construction of:

- 46.20 (1) less than 25 special event recreational camping sites, \$375;
46.21 (2) 25 to less than 100 sites, \$400; and
46.22 (3) 100 or more sites, \$500.

46.23 (e) The following fees must accompany a plan review application for expansion of a
46.24 special event recreational camping area for expansion of:

- 46.25 (1) less than 25 sites, \$250;
46.26 (2) 25 but less than 100 sites, \$300; and
46.27 (3) 100 or more sites, \$450.

46.28 Sec. 50. Minnesota Statutes 2008, section 327.16, is amended to read:

46.29 **327.16 LICENSE PLAN REVIEW APPLICATION.**

46.30 Subdivision 1. **Made to state Department of Health.** The plan review application
46.31 for license to operate and maintain a manufactured home park or recreational camping
46.32 area shall be made to the state Department of Health, at such office and in such manner
46.33 as may be prescribed by that department.

47.1 Subd. 2. **Contents.** The ~~applicant for a primary license or annual license shall make~~
47.2 ~~application in writing~~ plan review application shall be made upon a form provided by the
47.3 state Department of Health setting forth:

47.4 (1) The full name and address of the applicant or applicants, or names and addresses
47.5 of the partners if the applicant is a partnership, or the names and addresses of the officers
47.6 if the applicant is a corporation.

47.7 (2) A legal description of the site, lot, field, or tract of land upon which the applicant
47.8 proposes to operate and maintain a manufactured home park or recreational camping area.

47.9 (3) The proposed and existing facilities on and about the site, lot, field, or tract of
47.10 land for the proposed construction or alteration and maintaining of a sanitary community
47.11 building for toilets, urinals, sinks, wash basins, slop-sinks, showers, drains, laundry
47.12 facilities, source of water supply, sewage, garbage and waste disposal; except that no
47.13 toilet facilities shall be required in any manufactured home park which permits only
47.14 manufactured homes equipped with toilet facilities discharging to water carried sewage
47.15 disposal systems; and method of fire and storm protection.

47.16 (4) The proposed method of lighting the structures and site, lot, field, or tract of land
47.17 upon which the manufactured home park or recreational camping area is to be located.

47.18 (5) The calendar months of the year which the applicant will operate the
47.19 manufactured home park or recreational camping area.

47.20 (6) Plans and drawings for new construction or alteration, including buildings, wells,
47.21 plumbing and sewage disposal systems.

47.22 Subd. 3. **Fees; Approval.** The application for the ~~primary license~~ plan review shall
47.23 be submitted with all plans and specifications enumerated in subdivision 2, ~~and payment~~
47.24 ~~of a fee in an amount prescribed by the state commissioner of health pursuant to section~~
47.25 ~~144.122~~ and shall be accompanied by an approved zoning permit from the municipality or
47.26 county wherein the park is to be located, or a statement from the municipality or county
47.27 that it does not require an approved zoning permit. ~~The fee for the annual license shall be~~
47.28 ~~in an amount prescribed by the state commissioner of health pursuant to section 144.122.~~
47.29 ~~All license fees paid to the commissioner of health shall be turned over to the state~~
47.30 ~~treasury.~~ The fee submitted for the primary license plan review shall be retained by the
47.31 state even though the proposed project is not approved and a license is denied.

47.32 When construction has been completed in accordance with approved plans and
47.33 specifications the state commissioner of health shall promptly cause the manufactured
47.34 home park or recreational camping area and appurtenances thereto to be inspected. When
47.35 the inspection and report has been made and the state commissioner of health finds that
47.36 all requirements of sections 327.10, 327.11, 327.14 to 327.28, and such conditions of

48.1 health and safety as the state commissioner of health may require, have been met by
48.2 the applicant, the state commissioner of health shall forthwith issue the ~~primary~~ license
48.3 in the name of the state.

48.4 Subd. 4. ~~Sanitary facilities~~ **Compliance with current state law.** ~~During the~~
48.5 ~~pendency of the application for such primary license any change in the sanitary or safety~~
48.6 ~~facilities of the intended manufactured home park or recreational camping area shall be~~
48.7 ~~immediately reported in writing to the state Department of Health through the office~~
48.8 ~~through which the application was made. If no objection is made by the state Department~~
48.9 ~~of Health to such change in such sanitary or safety facilities within 60 days of the date~~
48.10 ~~such change is reported, it shall be deemed to have the approval of the state Department of~~
48.11 ~~Health.~~ Any manufactured home park or recreational camping area must be constructed
48.12 and operated according to all applicable state electrical, fire, plumbing, and building codes.

48.13 Subd. 5. **Permit.** When the plans and specifications have been approved, the state
48.14 Department of Health shall issue an approval report permitting the applicant to construct
48.15 or make alterations upon a manufactured home park or recreational camping area and the
48.16 appurtenances thereto according to the plans and specifications presented.

48.17 Such approval does not relieve the applicant from securing building permits in
48.18 municipalities that require permits or from complying with any other municipal ordinance
48.19 or ordinances, applicable thereto, not in conflict with this statute.

48.20 Subd. 6. **Denial of construction.** If the application to construct or make alterations
48.21 upon a manufactured home park or recreational camping area and the appurtenances
48.22 thereto or a ~~primary~~ license to operate and maintain the same is denied by the state
48.23 commissioner of health, the commissioner shall so state in writing giving the reason
48.24 or reasons for denying the application. If the objections can be corrected the applicant
48.25 may amend the application and resubmit it for approval, and if denied the applicant may
48.26 appeal from the decision of the state commissioner of health as provided in section
48.27 144.99, subdivision 10.

48.28 Sec. 51. Minnesota Statutes 2008, section 327.20, subdivision 1, is amended to read:

48.29 Subdivision 1. **Rules.** No domestic animals or house pets of occupants of
48.30 manufactured home parks or recreational camping areas shall be allowed to run at large,
48.31 or commit any nuisances within the limits of a manufactured home park or recreational
48.32 camping area. Each manufactured home park or recreational camping area licensed under
48.33 the provisions of sections 327.10, 327.11, and 327.14 to 327.28 shall, among other things,
48.34 provide for the following, ~~in the manner hereinafter specified:~~

49.1 (1) A responsible attendant or caretaker shall be in charge of every manufactured
49.2 home park or recreational camping area at all times, who shall maintain the park or
49.3 area, and its facilities and equipment in a clean, orderly and sanitary condition. In any
49.4 manufactured home park containing more than 50 lots, the attendant, caretaker, or other
49.5 responsible park employee, shall be readily available at all times in case of emergency.

49.6 (2) All manufactured home parks shall be well drained and be located so that the
49.7 drainage of the park area will not endanger any water supply. No wastewater from
49.8 manufactured homes or recreational camping vehicles shall be deposited on the surface of
49.9 the ground. All sewage and other water carried wastes shall be discharged into a municipal
49.10 sewage system whenever available. When a municipal sewage system is not available, a
49.11 sewage disposal system acceptable to the state commissioner of health shall be provided.

49.12 (3) No manufactured home shall be located closer than three feet to the side lot lines
49.13 of a manufactured home park, if the abutting property is improved property, or closer than
49.14 ten feet to a public street or alley. Each individual site shall abut or face on a driveway
49.15 or clear unoccupied space of not less than 16 feet in width, which space shall have
49.16 unobstructed access to a public highway or alley. There shall be an open space of at least
49.17 ten feet between the sides of adjacent manufactured homes including their attachments
49.18 and at least three feet between manufactured homes when parked end to end. The space
49.19 between manufactured homes may be used for the parking of motor vehicles and other
49.20 property, if the vehicle or other property is parked at least ten feet from the nearest
49.21 adjacent manufactured home position. The requirements of this paragraph shall not apply
49.22 to recreational camping areas and variances may be granted by the state commissioner
49.23 of health in manufactured home parks when the variance is applied for in writing and in
49.24 the opinion of the commissioner the variance will not endanger the health, safety, and
49.25 welfare of manufactured home park occupants.

49.26 (4) An adequate supply of water of safe, sanitary quality shall be furnished at each
49.27 manufactured home park or recreational camping area. The source of the water supply
49.28 shall first be approved by the state Department of Health.

49.29 (5) All plumbing shall be installed in accordance with the rules of the state
49.30 commissioner of labor and industry and the provisions of the Minnesota Plumbing Code.

49.31 (6) In the case of a manufactured home park with less than ten manufactured homes,
49.32 a plan for the sheltering or the safe evacuation to a safe place of shelter of the residents of
49.33 the park in times of severe weather conditions, such as tornadoes, high winds, and floods.
49.34 The shelter or evacuation plan shall be developed with the assistance and approval of
49.35 the municipality where the park is located and shall be posted at conspicuous locations
49.36 throughout the park. The park owner shall provide each resident with a copy of the

50.1 approved shelter or evacuation plan, as provided by section 327C.01, subdivision 1c.
50.2 Nothing in this paragraph requires the Department of Health to review or approve any
50.3 shelter or evacuation plan developed by a park. Failure of a municipality to approve a plan
50.4 submitted by a park shall not be grounds for action against the park by the Department of
50.5 Health if the park has made a good faith effort to develop the plan and obtain municipal
50.6 approval.

50.7 (7) A manufactured home park with ten or more manufactured homes, licensed prior
50.8 to March 1, 1988, shall provide a safe place of shelter for park residents or a plan for the
50.9 evacuation of park residents to a safe place of shelter within a reasonable distance of the
50.10 park for use by park residents in times of severe weather, including tornadoes and high
50.11 winds. The shelter or evacuation plan must be approved by the municipality by March 1,
50.12 1989. The municipality may require the park owner to construct a shelter if it determines
50.13 that a safe place of shelter is not available within a reasonable distance from the park. A
50.14 copy of the municipal approval and the plan shall be submitted by the park owner to the
50.15 Department of Health. The park owner shall provide each resident with a copy of the
50.16 approved shelter or evacuation plan, as provided by section 327C.01, subdivision 1c.

50.17 (8) A manufactured home park with ten or more manufactured homes, receiving
50.18 ~~a primary~~ an initial license after March 1, 1988, must provide the type of shelter required
50.19 by section 327.205, except that for manufactured home parks established as temporary,
50.20 emergency housing in a disaster area declared by the President of the United States or
50.21 the governor, an approved evacuation plan may be provided in lieu of a shelter for a
50.22 period not exceeding 18 months.

50.23 (9) For the purposes of this subdivision, "park owner" and "resident" have the
50.24 ~~meaning~~ meanings given them in section 327C.01.

50.25 Sec. 52. Minnesota Statutes 2008, section 327.20, is amended by adding a subdivision
50.26 to read:

50.27 **Subd. 4. Special event recreational camping areas.** Each special event camping
50.28 area licensed under sections 327.10, 327.11, and 327.14 to 327.28 is subject to this section.

50.29 (1) Recreational camping vehicles and tents, including attachments, must be
50.30 separated from each other and other structures by at least seven feet.

50.31 (2) A minimum area of 300 square feet per site must be provided and the total
50.32 number of sites must not exceed one site for every 300 square feet of usable land area.

50.33 (3) Each site must abut or face a driveway or clear unoccupied space of at least 16
50.34 feet in width, which space must have unobstructed access to a public roadway.

51.1 (4) If no approved on-site water supply system is available, hauled water may be
51.2 used, provided that persons using hauled water comply with Minnesota Rules, parts
51.3 4720.4000 to 4720.4600.

51.4 (5) Nonburied sewer lines may be permitted provided they are of approved materials,
51.5 watertight, and properly maintained.

51.6 (6) If a sanitary dumping station is not provided on-site, arrangements must be
51.7 made with a licensed sewage pumper to service recreational camping vehicle holding
51.8 tanks as needed.

51.9 (7) Toilet facilities must be provided consisting of toilets connected to an approved
51.10 sewage disposal system, portable toilets, or approved, properly constructed privies.

51.11 (8) Toilets must be provided in the ratio of one toilet for each sex for each 150 sites.

51.12 (9) Toilets must be not more than 400 feet from any site.

51.13 (10) If a central building or buildings are provided with running water, then toilets
51.14 and handwashing lavatories must be provided in the building or buildings that meet the
51.15 requirements of this subdivision.

51.16 (11) Showers, if provided, must be provided in the ratio of one shower for each sex
51.17 for each 250 sites. Showerheads must be provided, where running water is available, for
51.18 each camping event exceeding two nights.

51.19 (12) Central toilet and shower buildings, if provided, must be constructed with
51.20 adequate heating, ventilation, and lighting, and floors of impervious material sloped
51.21 to drain. Walls must be of a washable material. Permanent facilities must meet the
51.22 requirements of the Americans with Disabilities Act.

51.23 (13) An adequate number of durable, covered, watertight containers must be
51.24 provided for all garbage and refuse. Garbage and refuse must be collected as often as
51.25 necessary to prevent nuisance conditions.

51.26 (14) Campgrounds must be located in areas free of poison ivy or other noxious
51.27 weeds considered detrimental to health. Sites must not be located in areas of tall grass or
51.28 weeds and sites must be adequately drained.

51.29 (15) Campsites for recreational vehicles may not be located on inclines of greater
51.30 than eight percent grade or one inch drop per lineal foot.

51.31 (16) A responsible attendant or caretaker must be available on-site at all times during
51.32 the operation of any special event recreational camping area that has 50 or more sites.

51.33 **Sec. 53. MINNESOTA COLORECTAL CANCER PREVENTION ACT.**

51.34 Subdivision 1. **Purpose.** Colon cancer is one of Minnesota's leading causes of
51.35 death and one of the most preventable forms of cancer. The Minnesota Colorectal

52.1 Cancer Prevention Act creates a demonstration project and public-private partnership
52.2 that leverages business, nonprofit, and government sectors to reduce the incidence of
52.3 colon cancer, reduce future health care expenditures, and address health disparities by
52.4 emphasizing prevention in a manner consistent with Minnesota's health care reform goals.

52.5 Subd. 2. **Establishment.** The commissioner of health shall award grants to
52.6 Hennepin County Medical Center and MeritCare Bemidji for a colorectal screening
52.7 demonstration project to provide screening to uninsured and underinsured women and
52.8 men.

52.9 Subd. 3. **Eligibility.** To be eligible for colorectal screening under this demonstration
52.10 project, an applicant must:

52.11 (1) be at least 50 years of age, or under the age of 50 and at high risk for colon cancer;

52.12 (2) be uninsured, or if insured, has coverage that does not cover the full cost of
52.13 colorectal cancer screenings;

52.14 (3) not eligible for medical assistance, general assistance medical care, or
52.15 MinnesotaCare programs; and

52.16 (4) have a gross family income at or below 250 percent of the federal poverty level.

52.17 Subd. 4. **Services.** Services provided under this project shall include:

52.18 (1) colorectal cancer screening, according to standard practices of medicine, or
52.19 guidelines provided by the Institute for Clinical Systems Improvement or the American
52.20 Cancer Society;

52.21 (2) follow-up services for abnormal tests; and

52.22 (3) diagnostic services to determine the extent and proper course of treatment.

52.23 Subd. 5. **Project evaluation.** The commissioner of health, in consultation with the
52.24 University of Minnesota School of Public Health, shall evaluate the demonstration project
52.25 and make recommendations for increasing the number of persons in Minnesota who
52.26 receive recommended colon cancer screening. The commissioner of health shall submit
52.27 the evaluation and recommendations to the legislature by January 1, 2011.

52.28 Sec. 54. **WOMEN'S HEART HEALTH PILOT PROJECT.**

52.29 Subdivision 1. **Establishment.** The commissioner of health shall develop and
52.30 implement a women's heart health pilot project to provide heart disease risk screening
52.31 to uninsured and underinsured women, who are low-income, American Indian, or other
52.32 minority.

52.33 Subd. 2. **Services.** Under this project, the commissioner must contract with health
52.34 care clinics to provide heart disease risk screenings to eligible women. The clinics may
52.35 also provide follow-up services to women found to be at risk for heart disease.

53.1 Subd. 3. **Eligibility.** To be eligible for screening under this program, an applicant
53.2 must:

53.3 (1) be between the ages of 40 and 64 years;

53.4 (2) receive breast and cervical cancer screening services under the Department of
53.5 Health's Sage program;

53.6 (3) be uninsured, or have insurance that does not cover heart disease risk screenings;
53.7 and

53.8 (4) have a gross family income at or below 150 percent of the federal poverty level.

53.9 **Sec. 55. REPORTS.**

53.10 By January 15, 2010, the Department of Health, in consultation with the Pollution
53.11 Control Agency, shall report to the chairs and ranking minority members of the senate
53.12 and house of representatives committees with primary jurisdiction over environment
53.13 and natural resources policy, commerce, and public health regarding the progress on
53.14 implementing Minnesota Statutes, sections 116.9401 to 116.9408.

53.15 The activities in this section shall be implemented only to the extent that existing
53.16 federal, state, and private resources are available.

53.17 **Sec. 56. BLOOD LEAD LEVEL GUIDELINES REVISION; CONSULTATION**
53.18 **REQUIRED.**

53.19 In revising the clinical and case management guidelines for blood lead levels greater
53.20 than five micrograms of lead per deciliter of blood under Minnesota Statutes, section
53.21 144.9504, subdivision 12, the commissioner of health must consult with a statewide
53.22 organization representing physicians, the public health department of Minneapolis and
53.23 other public health departments, and a nonprofit organization with expertise in lead
53.24 abatement.

53.25 **Sec. 57. EXPOSURE LEVELS STUDY.**

53.26 The commissioner of health shall work with appropriate local, state, and federal
53.27 agencies to determine whether the levels of exposure to pentachlorophenol (PCP) in
53.28 Minneapolis neighborhoods where utility poles treated with PCP or creosote, probable
53.29 human carcinogens, are installed, exceed human health risk limits or maximum
53.30 contaminant levels for residents, utility workers, and others who handle the treated poles.

53.31 **Sec. 58. FEASIBILITY PILOT PROJECT FOR CANCER SURVEILLANCE.**

54.1 The commissioner of health must provide a grant to the Hennepin County Medical
54.2 Center for a one-year feasibility pilot project to collect occupational history and residential
54.3 history data from newly diagnosed cancer patients at the Hennepin County Medical
54.4 Center's cancer center. Funding for this grant shall come from the Department of Health's
54.5 current resources for the Chronic Disease and Environmental Epidemiology Section.
54.6 Under this pilot project, Hennepin County Medical Center will design an expansion of its
54.7 existing cancer registry to include the collection of additional data, including the cancer
54.8 patient's occupational history, residential history, and military service history. Patient
54.9 consent is required for collection of these additional data. The data collection expansion
54.10 may also include the cancer patient's possible toxic environmental exposure history, if
54.11 known. The purpose of this pilot project is to determine the following:

- 54.12 (1) the feasibility of collecting these data on a statewide scale;
54.13 (2) the potential design of a self-administered patient questionnaire template; and
54.14 (3) necessary qualifications for staff who will collect these data.

54.15 Sec. 59. **SMOKING CESSATION.**

54.16 The commissioner of health must prioritize smoking prevention and smoking
54.17 cessation activities in low-income, indigenous, and minority communities in their
54.18 collaborations with the ClearWay organization.

54.19 Sec. 60. **MEDICAL RESPONSE UNIT REIMBURSEMENT PILOT PROGRAM.**

54.20 (a) The Department of Public Safety or its contract designee shall collaborate
54.21 with the Minnesota Ambulance Association to create the parameters of the medical
54.22 response unit reimbursement pilot program, including determining criteria for baseline
54.23 data reporting.

54.24 (b) In conducting the pilot program, the Department of Public Safety must consult
54.25 with the Minnesota Ambulance Association, Minnesota Fire Chiefs Association,
54.26 Emergency Services Regulatory Board, and the Minnesota Council of Health Plans to:

- 54.27 (1) identify no more than five medical response units registered as medical response
54.28 units with the Minnesota Emergency Medical Services Regulatory Board according to
54.29 Minnesota Statutes, chapter 144E, to participate in the program;
54.30 (2) outline and develop criteria for reimbursement;
54.31 (3) determine the amount of reimbursement for each unit response; and
54.32 (4) collect program data to be analyzed for a final report.

54.33 (c) Further criteria for the medical response unit reimbursement pilot program
54.34 shall include:

55.1 (1) the pilot program will expire on December 31, 2010, or when the appropriation
55.2 is extended, whichever occurs first;

55.3 (2) a report shall be made to the legislature by March 1, 2011, by the Department
55.4 of Public Safety or its contractor as to the effectiveness and value of this reimbursement
55.5 pilot program to the emergency medical services delivery system, any actual or potential
55.6 savings to the health care system, and impact on patient outcomes;

55.7 (3) participating medical response units must adhere to the requirements of this
55.8 pilot program outlined in an agreement between the Department of Public Safety and
55.9 the medical response unit, including but not limited to, requirements relating to data
55.10 collection, response criteria, and patient outcomes and disposition;

55.11 (4) individual entities licensed to provide ambulance care under Minnesota Statutes,
55.12 chapter 144E, are not eligible for participation in this pilot program;

55.13 (5) if a participating medical response unit withdraws from the pilot program, the
55.14 Department of Public Safety in consultation with the Minnesota Ambulance Association
55.15 may choose another pilot site if funding is available;

55.16 (6) medical response units must coordinate their operations under this pilot project
55.17 with the ambulance service or services licensed to provide care in their first response
55.18 geographic areas;

55.19 (7) licensed ambulance services that participate with the medical response unit in
55.20 the pilot program assume no financial or legal liability for the actions of the participating
55.21 medical response unit; and

55.22 (8) the Department of Public Safety and its pilot program partners have no ongoing
55.23 responsibility to reimburse medical response units beyond the parameters of the pilot
55.24 program.

55.25 Sec. 61. **REPEALER.**

55.26 (a) Minnesota Statutes 2008, sections 103I.112; 144.9501, subdivision 17b; and
55.27 327.14, subdivisions 5 and 6, are repealed.

55.28 (b) Minnesota Rules, part 4626.2015, subpart 9, is repealed.

ARTICLE 3

HEALTH-RELATED FEES

55.31 Section 1. Minnesota Statutes 2008, section 148.108, is amended to read:

55.32 **148.108 FEES.**

56.1 Subdivision 1. **Fees.** In addition to the fees established in Minnesota Rules, chapter
56.2 2500, and according to sections 148.05, 148.06, 148.07, and 148.10, subdivisions 2 and 3,
56.3 the board is authorized to charge the fees in this section.

56.4 Subd. 2. ~~Annual renewal of inactive acupuncture registration~~ **License and**
56.5 **registration fees.** ~~The annual renewal of an inactive acupuncture registration fee is \$25.~~

56.6 License and registration fees are as follows:

- 56.7 (1) for a license application fee, \$300;
56.8 (2) for a license active renewal fee, \$220;
56.9 (3) for a license inactive renewal fee, \$165;
56.10 (4) for an acupuncture initial registration fee, \$125;
56.11 (5) for an acupuncture active registration renewal fee, \$75;
56.12 (6) for an acupuncture registration reinstatement fee, \$50;
56.13 (7) for an acupuncture inactive registration renewal fee, \$25;
56.14 (8) for an animal chiropractic registration fee, \$125;
56.15 (9) for an animal chiropractic active registration renewal fee, \$75; and
56.16 (10) for an animal chiropractic inactive registration renewal fee, \$25.

56.17 ~~Subd. 3. Acupuncture reinstatement. The acupuncture reinstatement fee is \$50.~~

56.18 Sec. 2. Minnesota Statutes 2008, section 148D.180, subdivision 1, is amended to read:

56.19 Subdivision 1. **Application fees.** Application fees for licensure are as follows:

- 56.20 (1) for a licensed social worker, \$45;
56.21 (2) for a licensed graduate social worker, \$45;
56.22 (3) for a licensed independent social worker, ~~\$90~~ \$45;
56.23 (4) for a licensed independent clinical social worker, ~~\$90~~ \$45;
56.24 (5) for a temporary license, \$50; and
56.25 (6) for a licensure by endorsement, ~~\$150~~ \$85.

56.26 The fee for criminal background checks is the fee charged by the Bureau of Criminal
56.27 Apprehension. The criminal background check fee must be included with the application
56.28 fee as required pursuant to section 148D.055.

56.29 Sec. 3. Minnesota Statutes 2008, section 148D.180, subdivision 2, is amended to read:

56.30 Subd. 2. **License fees.** License fees are as follows:

- 56.31 (1) for a licensed social worker, ~~\$115.20~~ \$81;
56.32 (2) for a licensed graduate social worker, ~~\$201.60~~ \$144;
56.33 (3) for a licensed independent social worker, ~~\$302.40~~ \$216;
56.34 (4) for a licensed independent clinical social worker, ~~\$331.20~~ \$238.50;

57.1 (5) for an emeritus license, \$43.20; and
57.2 (6) for a temporary leave fee, the same as the renewal fee specified in subdivision 3.
57.3 If the licensee's initial license term is less or more than 24 months, the required
57.4 license fees must be prorated proportionately.

57.5 Sec. 4. Minnesota Statutes 2008, section 148D.180, subdivision 3, is amended to read:

57.6 Subd. 3. **Renewal fees.** Renewal fees for licensure are as follows:

- 57.7 (1) for a licensed social worker, ~~\$115.20~~ \$81;
- 57.8 (2) for a licensed graduate social worker, ~~\$201.60~~ \$144;
- 57.9 (3) for a licensed independent social worker, ~~\$302.40~~ \$216; and
- 57.10 (4) for a licensed independent clinical social worker, ~~\$331.20~~ \$238.50.

57.11 Sec. 5. Minnesota Statutes 2008, section 148D.180, subdivision 5, is amended to read:

57.12 Subd. 5. **Late fees.** Late fees are as follows:

- 57.13 (1) renewal late fee, ~~one-half~~ one-fourth of the renewal fee specified in subdivision
57.14 3; and
- 57.15 (2) supervision plan late fee, \$40.

57.16 Sec. 6. Minnesota Statutes 2008, section 148E.180, subdivision 1, is amended to read:

57.17 Subdivision 1. **Application fees.** Application fees for licensure are as follows:

- 57.18 (1) for a licensed social worker, \$45;
- 57.19 (2) for a licensed graduate social worker, \$45;
- 57.20 (3) for a licensed independent social worker, ~~\$90~~ \$45;
- 57.21 (4) for a licensed independent clinical social worker, ~~\$90~~ \$45;
- 57.22 (5) for a temporary license, \$50; and
- 57.23 (6) for a licensure by endorsement, ~~\$150~~ \$85.

57.24 The fee for criminal background checks is the fee charged by the Bureau of Criminal
57.25 Apprehension. The criminal background check fee must be included with the application
57.26 fee as required according to section 148E.055.

57.27 Sec. 7. Minnesota Statutes 2008, section 148E.180, subdivision 2, is amended to read:

57.28 Subd. 2. **License fees.** License fees are as follows:

- 57.29 (1) for a licensed social worker, ~~\$115.20~~ \$81;
- 57.30 (2) for a licensed graduate social worker, ~~\$201.60~~ \$144;
- 57.31 (3) for a licensed independent social worker, ~~\$302.40~~ \$216;
- 57.32 (4) for a licensed independent clinical social worker, ~~\$331.20~~ \$238.50;

58.1 (5) for an emeritus license, \$43.20; and
58.2 (6) for a temporary leave fee, the same as the renewal fee specified in subdivision 3.
58.3 If the licensee's initial license term is less or more than 24 months, the required
58.4 license fees must be prorated proportionately.

58.5 Sec. 8. Minnesota Statutes 2008, section 148E.180, subdivision 3, is amended to read:

58.6 Subd. 3. **Renewal fees.** Renewal fees for licensure are as follows:

- 58.7 (1) for a licensed social worker, ~~\$115.20~~ \$81;
- 58.8 (2) for a licensed graduate social worker, ~~\$201.60~~ \$144;
- 58.9 (3) for a licensed independent social worker, ~~\$302.40~~ \$216; and
- 58.10 (4) for a licensed independent clinical social worker, ~~\$331.20~~ \$238.50.

58.11 Sec. 9. Minnesota Statutes 2008, section 148E.180, subdivision 5, is amended to read:

58.12 Subd. 5. **Late fees.** Late fees are as follows:

- 58.13 (1) renewal late fee, ~~one-half~~ one-fourth of the renewal fee specified in subdivision
58.14 3; and
- 58.15 (2) supervision plan late fee, \$40.

58.16 Sec. 10. Minnesota Statutes 2008, section 153A.17, is amended to read:

58.17 **153A.17 EXPENSES; FEES.**

58.18 (a) The expenses for administering the certification requirements including the
58.19 complaint handling system for certified hearing aid dispensers in sections 153A.14 and
58.20 153A.15 and the Consumer Information Center under section 153A.18 must be paid
58.21 from initial application and examination fees, renewal fees, penalties, and fines. ~~All~~
58.22 ~~fees are nonrefundable.~~

58.23 (b) The certificate application fee is \$350, the examination fee is \$250 for the
58.24 written portion and \$250 for the practical portion each time one or the other is taken,
58.25 and the trainee application fee is \$200. The penalty fee for late submission of a renewal
58.26 application is \$200. The fee for verification of certification to other jurisdictions or entities
58.27 is \$25. All fees are nonrefundable.

58.28 (c) All fees, penalties, and fines received must be deposited in the state government
58.29 special revenue fund. The commissioner may prorate the certification fee for new
58.30 applicants based on the number of quarters remaining in the annual certification period.

58.31 (d) The fees charged by the commissioner must reflect the actual costs of
58.32 administering the program under paragraph (a). Fees must not be increased to cover the
58.33 costs associated with investigating allegations against uncertified hearing aid dispensers.

59.1 Sec. 11. [156.011] LICENSE, APPLICATION, AND EXAMINATION FEES.

59.2 Subdivision 1. **Application fee.** A person applying for a license to practice
59.3 veterinary medicine in Minnesota or applying for a permit to take the national veterinary
59.4 medical examination must pay a \$60 nonrefundable application fee to the board. Persons
59.5 submitting concurrent applications for licensure and a national examination permit shall
59.6 pay only one application fee.

59.7 Subd. 2. **Examination fees.** (a) An applicant for veterinary licensure in Minnesota
59.8 must successfully pass the Minnesota Veterinary Jurisprudence Examination. The fee for
59.9 this examination is \$60, payable to the board.

59.10 (b) An applicant participating in the national veterinary licensing examination must
59.11 complete a separate application for the national examination and submit the application
59.12 to the board for approval. Payment for the national examination must be made by the
59.13 applicant to the national board examination committee.

59.14 Sec. 12. [156.012] INITIAL AND RENEWAL FEE.

59.15 Subdivision 1. **Required for licensure.** A person now licensed to practice
59.16 veterinary medicine in this state, or who becomes licensed by the Board of Veterinary
59.17 Medicine to engage in the practice, shall pay an initial fee or a biennial license renewal
59.18 fee if the person wishes to practice veterinary medicine in the coming two-year period
59.19 or remain licensed as a veterinarian. A licensure period begins on March 1 and expires
59.20 the last day of February two years later. A licensee with an even-numbered license shall
59.21 renew by March 1 of even-numbered years and a licensee with an odd-numbered license
59.22 shall renew by March 1 of odd-numbered years.

59.23 Subd. 2. **Amount.** The initial licensure fee and the biennial renewal fee is \$280
59.24 and must be paid to the executive director of the board. By January 1 of the first year
59.25 for which the biennial renewal fee is due, the board shall issue a renewal application to
59.26 a current licensee to the last address maintained in the board file. Failure to receive this
59.27 notice does not relieve the licensee of the obligation to pay renewal fees so that they are
59.28 received by the board on or before the renewal date of March 1.

59.29 Initial licenses issued after the start of the licensure renewal period are valid only
59.30 until the end of the period.

59.31 Subd. 3. **Date due.** A licensee must apply for a renewal license on or before March
59.32 1 of the first year of the biennial license renewal period. A renewal license is valid
59.33 from March 1 through the last day of February of the last year of the two-year license
59.34 renewal period. An application postmarked no later than the last day of February must be
59.35 considered to have been received on March 1.

60.1 Subd. 4. **Late renewal penalty.** An applicant for renewal must pay a late renewal
60.2 penalty of \$140 in addition to the renewal fee if the application for renewal is received
60.3 after March 1 of the licensure renewal period. A renewed license issued after March 1 of
60.4 the licensure renewal period is valid only to the end of the period regardless of when the
60.5 renewal fee is received.

60.6 Subd. 5. **Reinstatement fee.** An applicant for license renewal whose license
60.7 has previously been suspended by official board action for nonrenewal must pay a
60.8 reinstatement fee of \$60 in addition to the \$280 renewal fee and the \$140 late renewal
60.9 penalty.

60.10 Subd. 6. **Penalty for failure to pay.** Within 30 days after the renewal date, a
60.11 licensee who has not renewed the license must be notified by letter sent to the last known
60.12 address of the licensee in the file of the board that the renewal is overdue and that failure
60.13 to pay the current fee and current late fee within 60 days after the renewal date will result
60.14 in suspension of the license. A second notice must be sent by registered or certified mail at
60.15 least seven days before a board meeting occurring 60 days or more after the renewal date
60.16 to a licensee who has not paid the renewal fee and late fee.

60.17 Subd. 7. **Suspension.** The board, by means of a roll call vote, shall suspend the
60.18 license of a licensee whose license renewal is at least 60 days overdue and to whom
60.19 notification has been sent as provided in Minnesota Rules, part 9100.0500, subpart 5.
60.20 Failure of a licensee to receive notification is not grounds for later challenge by the
60.21 licensee of the suspension. The former licensee must be notified by registered or certified
60.22 letter within seven days of the board action. The suspended status placed on a license may
60.23 be removed only on payment of renewal fees and late penalty fees for each licensure
60.24 period or part of a period that the license was not renewed. A licensee who fails to renew a
60.25 license for five years or more must meet the criteria of section 156.071 for relicensure.

60.26 Subd. 8. **Inactive license.** (a) A person holding a current active license to practice
60.27 veterinary medicine in Minnesota may, at the time of the person's next biennial license
60.28 renewal date, renew the license as an inactive license at one-half the renewal fee of an
60.29 active license. The license may be continued in an inactive status by renewal on a biennial
60.30 basis at one-half the regular license fee.

60.31 (b) A person holding an inactive license is not permitted to practice veterinary
60.32 medicine in Minnesota and remains under the disciplinary authority of the board.

60.33 (c) A person may convert a current inactive license to an active license upon
60.34 application to and approval by the board. The application must include:

60.35 (1) documentation of licensure in good standing and of having met continuing
60.36 education requirements of current state of practice, or documentation of having met

61.1 Minnesota continuing education requirements retroactive to the date of licensure
61.2 inactivation;

61.3 (2) certification by the applicant that the applicant is not currently under disciplinary
61.4 orders or investigation for acts that could result in disciplinary action in any other
61.5 jurisdiction; and

61.6 (3) payment of a fee equal to the full difference between an inactive and active
61.7 license if converting during the first year of the biennial license cycle or payment of a fee
61.8 equal to one-half the difference between an inactive and an active license if converting
61.9 during the second year of the license cycle.

61.10 (d) Deadline for renewal of an inactive license is March 1 of the first year of the
61.11 biennial license renewal period. A late renewal penalty of one-half the inactive renewal
61.12 fee must be paid if renewal is received after March 1.

61.13 Sec. 13. Minnesota Statutes 2008, section 156.015, is amended to read:

61.14 **156.015 MISCELLANEOUS FEES.**

61.15 Subdivision 1. **Verification of licensure.** The board may charge a fee of \$25 per
61.16 license verification to a licensee for verification of licensure status provided to other
61.17 veterinary licensing boards.

61.18 Subd. 2. **Continuing education review.** The board may charge a fee of \$50 per
61.19 submission to a sponsor for review and approval of individual continuing education
61.20 seminars, courses, wet labs, and lectures. This fee does not apply to continuing education
61.21 sponsors that already meet the criteria for preapproval under Minnesota Rules, part
61.22 9100.1000, subpart 3, item A.

61.23 Subd. 3. **Temporary license fee.** A person meeting the requirements for issuance
61.24 of a temporary permit to practice veterinary medicine under section 156.073, pending
61.25 examination, who desires a temporary permit shall pay a fee of \$60 to the board.

61.26 Subd. 4. **Duplicate license.** A person requesting issuance of a duplicate or
61.27 replacement license shall pay a fee of \$15 to the board.

61.28 Subd. 5. **Mailing examination and reference materials.** An applicant who resides
61.29 outside the Twin Cities metropolitan area may request to take the Minnesota Veterinary
61.30 Jurisprudence Examination by mail. The fee for mailing the examination and reference
61.31 materials is \$15.

61.32 Sec. 14. **REPEALER.**

61.33 (a) Minnesota Rules, parts 9100.0400, subparts 1 and 3; 9100.0500; and 9100.0600,
61.34 are repealed.

62.1 (b) Minnesota Statutes 2008, section 148D.180, subdivision 8, is repealed.

62.2 **ARTICLE 4**

62.3 **HEALTH APPROPRIATIONS**

62.4 Section 1. **HEALTH APPROPRIATION.**

62.5 The sums shown in the columns marked "Appropriations" are appropriated to the
 62.6 agencies and for the purposes specified in this article. The appropriations are from the
 62.7 general fund, or another named fund, and are available for the fiscal years indicated
 62.8 for each purpose. The figures "2010" and "2011" used in this article mean that the
 62.9 appropriations listed under them are available for the fiscal year ending June 30, 2010, or
 62.10 June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal
 62.11 year 2011. "The biennium" is fiscal years 2010 and 2011. Appropriations for the fiscal
 62.12 year ending June 30, 2009, are effective the day following final enactment.

62.13 **APPROPRIATIONS**
 62.14 **Available for the Year**
 62.15 **Ending June 30**
 62.16 **2010 2011**

62.17 Sec. 2. **COMMISSIONER OF HEALTH**

62.18 **Subdivision 1. Total Appropriation** \$ **103,645,000** \$ **98,574,000**

62.19 **Appropriations by Fund**

	<u>2010</u>	<u>2011</u>
62.20 <u>General</u>	<u>60,670,000</u>	<u>55,310,000</u>
62.21 <u>State Government</u>		
62.22 <u>Special Revenue</u>	<u>31,531,000</u>	<u>31,242,000</u>
62.23 <u>Federal TANF</u>	<u>11,733,000</u>	<u>11,733,000</u>

62.25 **Subd. 2. Community and Family Health**
 62.26 **Promotion**

62.27 **Appropriations by Fund**

62.28 <u>General</u>	<u>43,701,000</u>	<u>38,441,000</u>
62.29 <u>State Government</u>		
62.30 <u>Special Revenue</u>	<u>1,033,000</u>	<u>1,322,000</u>
62.31 <u>Federal TANF</u>	<u>11,733,000</u>	<u>11,733,000</u>

62.32 **Support Services for Families With**
 62.33 **Children Who are Deaf or Have Hearing**
 62.34 **Loss.** Of the state government special
 62.35 revenue fund amount, \$289,000 in fiscal
 62.36 year 2011 is for support services to families

63.1 with children who are deaf or have hearing
63.2 loss. Of this amount, in fiscal year 2011,
63.3 \$192,000 is for grants, and in fiscal year
63.4 2012, \$212,000 is for grants and the balance
63.5 is for administrative costs.

63.6 **Funding Usage.** Up to 75 percent of the
63.7 fiscal year 2012 appropriation for local public
63.8 health grants may be used to fund calendar
63.9 year 2011 allocations for this program. The
63.10 general fund reduction of \$5,060,000 in
63.11 fiscal year 2011 for local public health grants
63.12 is onetime and the base funding for local
63.13 public health grants for fiscal year 2012 is
63.14 increased by \$5,060,000.

63.15 **Grants Reduction.** Effective July 1,
63.16 2009, base-level funding for general fund
63.17 community and family health grants issued
63.18 under this paragraph shall be reduced by 2.55
63.19 percent at the allotment level. Effective July
63.20 1, 2011, base-level funding for general fund
63.21 community and family health grants issued
63.22 under this paragraph shall be reduced by 5.5
63.23 percent at the allotment level.

63.24 **Colorectal Screening.** \$100,000 in
63.25 fiscal year 2010 is for grants to the
63.26 Hennepin County Medical Center and
63.27 MeritCare Bemidji for colorectal screening
63.28 demonstration projects.

63.29 **Women's Heart Health Pilot Project.**
63.30 \$100,000 in fiscal year 2010 is for the
63.31 women's heart health pilot project. This is a
63.32 onetime appropriation and is available until
63.33 expended.

63.34 **TANF Appropriations.** (1) \$1,156,000 of
63.35 the TANF funds are appropriated each year to

64.1 the commissioner for family planning grants
64.2 under Minnesota Statutes, section 145.925.

64.3 (2) \$3,579,000 of the TANF funds are
64.4 appropriated each year to the commissioner
64.5 for home visiting and nutritional services
64.6 listed under Minnesota Statutes, section
64.7 145.882, subdivision 7, clauses (6) and (7).
64.8 Funds must be distributed to community
64.9 health boards according to Minnesota
64.10 Statutes, section 145A.131, subdivision 1.

64.11 (3) \$2,000,000 of the TANF funds are
64.12 appropriated each year to the commissioner
64.13 for decreasing racial and ethnic disparities
64.14 in infant mortality rates under Minnesota
64.15 Statutes, section 145.928, subdivision 7.

64.16 (4) \$4,998,000 of the TANF funds are
64.17 appropriated each year to the commissioner
64.18 for the family home visiting grant program
64.19 according to Minnesota Statutes, section
64.20 145A.17. \$4,000,000 of the funding must
64.21 be distributed to community health boards
64.22 according to Minnesota Statutes, section
64.23 145A.131, subdivision 1. \$998,000 of
64.24 the funding must be distributed to tribal
64.25 governments according to Minnesota
64.26 Statutes, section 145A.14, subdivision 2a.
64.27 The commissioner may use five percent of
64.28 the funds appropriated each fiscal year to
64.29 conduct the ongoing evaluations required
64.30 under Minnesota Statutes, section 145A.17,
64.31 subdivision 7, and may use ten percent of
64.32 the funds appropriated each fiscal year to
64.33 provide training and technical assistance as
64.34 required under Minnesota Statutes, section
64.35 145A.17, subdivisions 4 and 5.

65.1 **TANF Carryforward.** Any unexpended
 65.2 balance of the TANF appropriation in the
 65.3 first year of the biennium does not cancel but
 65.4 is available for the second year.

65.5 **Subd. 3. Policy, Quality, and Compliance** 100,000 0

65.6 **Rural Pharmacy Planning.** \$100,000 in
 65.7 fiscal year 2010 is for the rural pharmacy
 65.8 planning and transition grant program under
 65.9 Minnesota Statutes, section 144.1476. The
 65.10 appropriation is available until expended.

65.11 **Subd. 4. Health Protection**

	<u>Appropriations by Fund</u>	
65.12		
65.13	<u>General</u>	<u>9,679,000</u>
		<u>9,679,000</u>
65.14	<u>State Government</u>	
65.15	<u>Special Revenue</u>	<u>30,209,000</u>
		<u>30,209,000</u>

65.16 **Grants Reduction.** Effective July 1,
 65.17 2009, base-level funding for general fund
 65.18 health protection grants issued under this
 65.19 paragraph shall be reduced by 2.55 percent
 65.20 at the allotment level. Effective July 1,
 65.21 2011, base-level funding for general fund
 65.22 health protection grants issued under this
 65.23 paragraph shall be reduced by 5.5 percent at
 65.24 the allotment level.

65.25 **Subd. 5. Administrative Support Services** 7,190,000 7,190,000

65.26 **Hennepin County Medical Center Cancer**
 65.27 **Registry.** Of this appropriation, \$100,000
 65.28 in the first year is for a grant from the
 65.29 commissioner of health to Hennepin County
 65.30 Medical Center for expansion of its existing
 65.31 cancer registry. This grant funding must
 65.32 come from the Department of Health's
 65.33 current resources for the Chronic Disease
 65.34 and Environmental Epidemiology Section.

67.1 **Administrative Services Unit - Retirement**

67.2 **Costs.** Of this appropriation in fiscal year
67.3 2010, \$201,000 is for onetime retirement
67.4 costs in the health-related boards. This
67.5 funding may be transferred to the health
67.6 boards incurring those costs for their
67.7 payment. These funds are available either
67.8 year of the biennium.

67.9 **Administrative Services Unit - Volunteer**

67.10 **Health Care Provider Program.** Of this
67.11 appropriation, \$79,000 in fiscal year 2010
67.12 and \$89,000 in fiscal year 2011 are to pay
67.13 for medical professional liability coverage
67.14 required under Minnesota Statutes, section
67.15 214.40.

67.16 **Administrative Services Unit - Contested**

67.17 **Cases and Other Legal Proceedings.** Of
67.18 this appropriation, \$200,000 in fiscal year
67.19 2010 and \$200,000 in fiscal year 2011
67.20 are for costs of contested case hearings
67.21 and other unanticipated costs of legal
67.22 proceedings involving health-related
67.23 boards funded under this section. Upon
67.24 certification of a health-related board to the
67.25 administrative services unit that the costs
67.26 will be incurred and that there is insufficient
67.27 money available to pay for the costs out of
67.28 money currently available to that board, the
67.29 administrative services unit is authorized
67.30 to transfer money from this appropriation
67.31 to the board for payment of those costs
67.32 with the approval of the commissioner of
67.33 finance. This appropriation does not cancel.
67.34 Any unencumbered and unspent balances
67.35 remain available for these expenditures in
67.36 subsequent fiscal years.

68.1	<u>Subd. 9. Board of Optometry</u>	<u>105,000</u>	<u>108,000</u>
68.2	<u>Subd. 10. Board of Pharmacy</u>	<u>1,509,000</u>	<u>1,579,000</u>
68.3	<u>Subd. 11. Board of Physical Therapy</u>	<u>346,000</u>	<u>356,000</u>
68.4	<u>Subd. 12. Board of Podiatry</u>	<u>61,000</u>	<u>64,000</u>
68.5	<u>Subd. 13. Board of Psychology</u>	<u>876,000</u>	<u>907,000</u>
68.6	<u>Subd. 14. Board of Social Work</u>	<u>958,000</u>	<u>996,000</u>
68.7	<u>Subd. 15. Board of Veterinary Medicine</u>	<u>240,000</u>	<u>250,000</u>
68.8	<u>Subd. 16. Board of Behavioral Health and</u>		
68.9	<u>Therapy</u>	<u>394,000</u>	<u>394,000</u>

68.10	Sec. 4. <u>EMERGENCY MEDICAL SERVICES</u>		
68.11	<u>BOARD</u>	<u>\$ 4,024,000</u>	<u>\$ 4,054,000</u>

68.12	<u>Appropriations by Fund</u>		
68.13		<u>2010</u>	<u>2011</u>
68.14	<u>General</u>	<u>3,288,000</u>	<u>3,288,000</u>
68.15	<u>State Government</u>		
68.16	<u>Special Revenue</u>	<u>736,000</u>	<u>766,000</u>
68.17	<u>Cooper/Sams</u>		
68.18	<u>Volunteer</u>		
68.19	<u>Ambulance Trust</u>	<u>625,000</u>	<u>0</u>

68.20 **Longevity Award and Incentive Program.**
 68.21 Of the general fund appropriation, \$700,000
 68.22 in fiscal year 2010 and \$700,000 in fiscal
 68.23 year 2011 are to the board for the ambulance
 68.24 service personnel longevity award and
 68.25 incentive program, under Minnesota Statutes,
 68.26 section 144E.40.

68.27 **Transfer.** In fiscal year 2010, \$100,000
 68.28 is transferred from the Cooper/Sams
 68.29 volunteer ambulance trust, established under
 68.30 Minnesota Statutes, section 144E.42, to the
 68.31 general fund.

68.32 **Health Professional Services Program.**
 68.33 \$736,000 in fiscal year 2010 and \$766,000 in
 68.34 fiscal year 2011 from the state government

69.1 special revenue fund are for the health

69.2 professional services program.

69.3 **Regional Medical Services Program. (a)**

69.4 \$400,000 in the first year is transferred from

69.5 the Cooper/Sams volunteer ambulance trust

69.6 to the emergency medical services system

69.7 fund.

69.8 (b) \$400,000 in the first year from the

69.9 emergency medical services system fund is

69.10 for the regional emergency medical services

69.11 programs. This amount shall be distributed

69.12 equally to the eight emergency medical

69.13 service regions. Notwithstanding Minnesota

69.14 Statutes, section 144E.50, 100 percent of

69.15 the appropriation shall be passed on to the

69.16 emergency medical service regions.

69.17 **Comprehensive Advanced Life-Support**

69.18 **Educational (CALs) Program. \$100,000 in**

69.19 the first year from the Cooper/Sams volunteer

69.20 ambulance trust is for the comprehensive

69.21 advanced life-support educational (CALs)

69.22 program established under Minnesota

69.23 Statutes, section 144E.37. This appropriation

69.24 is to extend availability and affordability

69.25 of the CALs program for rural emergency

69.26 medical personnel and to assist hospital staff

69.27 in attaining the credentialing levels necessary

69.28 for implementation of the statewide trauma

69.29 system.

69.30 **Emergency Medical Services for Children**

69.31 **(EMS-C) Program. \$25,000 in the first**

69.32 year from the Cooper/Sams volunteer

69.33 ambulance trust is for the emergency medical

69.34 services for children (EMS-C) program.

69.35 This appropriation is to meet increased need

70.1 for medical training specific to pediatric
70.2 emergencies.

70.3 **Sec. 5. DEPARTMENT OF VETERANS**
70.4 **AFFAIRS** \$ 200,000 \$ 0

70.5 **Veterans Paramedic Apprenticeship**
70.6 **Program.** \$200,000 in the first year is from
70.7 the Cooper/Sams volunteer ambulance trust
70.8 to the commissioner of veterans affairs
70.9 for a grant to the Minnesota Ambulance
70.10 Association to implement a veterans
70.11 paramedic apprenticeship program to
70.12 reintegrate returning military medics into
70.13 Minnesota's workforce in the field of
70.14 paramedic and emergency services, thereby
70.15 guaranteeing returning military medics
70.16 gainful employment with livable wages and
70.17 benefits. This appropriation is available until
70.18 expended.

70.19 **Sec. 6. DEPARTMENT OF PUBLIC SAFETY** \$ 250,000 \$ 0

70.20 **Medical Response Unit Reimbursement**
70.21 **Pilot Program.** (a) \$250,000 in the first
70.22 year is from the Cooper/Sams volunteer
70.23 ambulance trust to the Department of
70.24 Public Safety for a medical response unit
70.25 reimbursement pilot program. Of this
70.26 appropriation, \$75,000 is for administrative
70.27 costs to the Department of Public Safety,
70.28 including providing contract staff support
70.29 and technical assistance to the pilot program
70.30 partners if necessary.
70.31 (b) Of the amount in paragraph (a), \$175,000
70.32 is to the Department of Public Safety
70.33 to be used to provide a predetermined
70.34 reimbursement amount to the participating

71.1 medical response units. The Department
71.2 of Public Safety or its contract designee
71.3 will develop an agreement with the medical
71.4 response units outlining reimbursement and
71.5 program requirements to include HIPAA
71.6 compliance while participating in the pilot
71.7 program.

71.8 Sec. 7. **COUNCIL ON DISABILITY** \$ **524,000** \$ **524,000**

71.9 Sec. 8. **OMBUDSMAN FOR MENTAL**
71.10 **HEALTH AND DEVELOPMENTAL**
71.11 **DISABILITIES** \$ **1,655,000** \$ **1,580,000**

71.12 Sec. 9. **OMBUDSPERSON FOR FAMILIES** \$ **265,000** \$ **265,000**

71.13 Sec. 10. **FEDERAL STIMULUS FUNDS; REPORT.**

71.14 By February 15, 2010, the commissioner of health shall submit to the chairs and
71.15 ranking minority members of the house of representatives and senate committees with
71.16 jurisdiction over public health and public safety finance a report on how funds from the
71.17 American Recovery and Reinvestment Act of 2009 are used: (1) to support advancing
71.18 the objectives of the Minnesota Department of Health's Sexual Violence Prevention Plan;
71.19 and (2) to support any pilot programs that might demonstrate and evaluate how use of
71.20 community-based prevention grants might serve as a model for future investment of state
71.21 resources to help advance the department's Sexual Violence Prevention Plan.

71.22 **ARTICLE 5**

71.23 **HOUSING APPROPRIATIONS**

71.24 Section 1. **HOUSING APPROPRIATIONS.**

71.25 The sums shown in the columns marked "Appropriations" are appropriated to the
71.26 agencies and for the purposes specified in this act. The appropriations are from the general
71.27 fund, or another named fund, and are available for the fiscal years indicated for each
71.28 purpose. The figures "2010" and "2011" used in this act mean that the appropriations
71.29 listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011,
71.30 respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011.
71.31 "The biennium" is fiscal years 2010 and 2011. Appropriations for the fiscal year ending
71.32 June 30, 2009, are effective the day following final enactment.

72.1	<u>APPROPRIATIONS</u>		
72.2	<u>Available for the Year</u>		
72.3	<u>Ending June 30</u>		
72.4	<u>2010</u>	<u>2011</u>	
72.5	Sec. 2. <u>HOUSING FINANCE AGENCY</u>		
72.6	<u>Subdivision 1. Total Appropriation</u>	\$ <u>45,208,000</u>	\$ <u>45,208,000</u>
72.7	<u>The amounts that may be spent for each</u>		
72.8	<u>purpose are specified in the following</u>		
72.9	<u>subdivisions.</u>		
72.10	<u>This appropriation is for transfer to the</u>		
72.11	<u>housing development fund for the programs</u>		
72.12	<u>specified. Except as otherwise indicated, this</u>		
72.13	<u>transfer is part of the agency's permanent</u>		
72.14	<u>budget base.</u>		
72.15	<u>Subd. 2. Challenge Program</u>	<u>9,517,000</u>	<u>9,517,000</u>
72.16	<u>For the economic development and housing</u>		
72.17	<u>challenge program under Minnesota Statutes,</u>		
72.18	<u>section 462A.33. Of this amount, \$1,395,000</u>		
72.19	<u>each year shall be made available during the</u>		
72.20	<u>first 11 months of the fiscal year exclusively</u>		
72.21	<u>for housing projects for American Indians.</u>		
72.22	<u>Any funds not committed to housing projects</u>		
72.23	<u>for American Indians in the first 11 months</u>		
72.24	<u>of the fiscal year shall be available for any</u>		
72.25	<u>eligible activity under Minnesota Statutes,</u>		
72.26	<u>section 462A.33.</u>		
72.27	<u>Base Adjustment.</u> Beginning July 1, 2011,		
72.28	<u>the base is reduced by \$1,150,000.</u>		
72.29	<u>Subd. 3. Housing Trust Fund</u>	<u>10,555,000</u>	<u>10,555,000</u>
72.30	<u>For deposit in the housing trust fund account</u>		
72.31	<u>created under Minnesota Statutes, section</u>		
72.32	<u>462A.201, and used for the purposes</u>		
72.33	<u>provided in that section.</u>		
72.34	<u>Subd. 4. Rental Assistance for Mentally Ill</u>	<u>2,638,000</u>	<u>2,638,000</u>

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[Ceh2150-1]

73.1	<u>For a rental housing assistance program for</u>		
73.2	<u>persons with a mental illness or families with</u>		
73.3	<u>an adult member with a mental illness under</u>		
73.4	<u>Minnesota Statutes, section 462A.2097.</u>		
73.5	<u>Subd. 5. Family Homeless Prevention</u>	<u>7,465,000</u>	<u>7,465,000</u>
73.6	<u>For the family homeless prevention and</u>		
73.7	<u>assistance programs under Minnesota</u>		
73.8	<u>Statutes, section 462A.204.</u>		
73.9	<u>Subd. 6. Home Ownership Assistance Fund</u>	<u>385,000</u>	<u>385,000</u>
73.10	<u>For the home ownership assistance program</u>		
73.11	<u>under Minnesota Statutes, section 462A.21,</u>		
73.12	<u>subdivision 8. In fiscal years 2012 and 2013,</u>		
73.13	<u>the base shall be \$885,000 each year.</u>		
73.14	<u>Subd. 7. Affordable Rental Investment Fund</u>	<u>8,996,000</u>	<u>8,996,000</u>
73.15	<u>For the affordable rental investment fund</u>		
73.16	<u>program under Minnesota Statutes, section</u>		
73.17	<u>462A.21, subdivision 8b. The appropriation</u>		
73.18	<u>is to finance the acquisition, rehabilitation,</u>		
73.19	<u>and debt restructuring of federally assisted</u>		
73.20	<u>rental property and for making equity</u>		
73.21	<u>take-out loans under Minnesota Statutes,</u>		
73.22	<u>section 462A.05, subdivision 39.</u>		
73.23	<u>The owner of federally assisted rental</u>		
73.24	<u>property must agree to participate in</u>		
73.25	<u>the applicable federally assisted housing</u>		
73.26	<u>program and to extend any existing</u>		
73.27	<u>low-income affordability restrictions on the</u>		
73.28	<u>housing for the maximum term permitted.</u>		
73.29	<u>The owner must also enter into an agreement</u>		
73.30	<u>that gives local units of government,</u>		
73.31	<u>housing and redevelopment authorities,</u>		
73.32	<u>and nonprofit housing organizations the</u>		
73.33	<u>right of first refusal if the rental property</u>		
73.34	<u>is offered for sale. Priority must be given</u>		

74.1 among comparable federally assisted rental
74.2 properties to properties with the longest
74.3 remaining term under an agreement for
74.4 federal assistance. Priority must also be
74.5 given among comparable rental housing
74.6 developments to developments that are or
74.7 will be owned by local government units, a
74.8 housing and redevelopment authority, or a
74.9 nonprofit housing organization.

74.10 The appropriation also may be used to finance
74.11 the acquisition, rehabilitation, and debt
74.12 restructuring of existing supportive housing
74.13 properties. For purposes of this subdivision,
74.14 "supportive housing" means affordable rental
74.15 housing with links to services necessary for
74.16 individuals, youth, and families with children
74.17 to maintain housing stability.

74.18 **Subd. 8. Housing Rehabilitation** 4,287,000 4,287,000

74.19 For the housing rehabilitation program
74.20 under Minnesota Statutes, section 462A.05,
74.21 subdivision 14, for rental housing
74.22 developments.

74.23 **Subd. 9. Homeownership Education,**
74.24 **Counseling, and Training** 865,000 865,000

74.25 For the homeownership education,
74.26 counseling, and training program under
74.27 Minnesota Statutes, section 462A.209.

74.28 **Subd. 10. Capacity Building Grants** 250,000 250,000

74.29 For nonprofit capacity building grants
74.30 under Minnesota Statutes, section 462A.21,
74.31 subdivision 3b.

74.32 **Subd. 11. Transfer of Disaster Relief**
74.33 **Contingency Funds**

76.1 To the extent permitted under federal law, the commissioner of human services, when
 76.2 determining the uses of the emergency services shelter grants provided under the American
 76.3 Recovery and Reinvestment Act, shall give priority to programs that serve the following:

- 76.4 (1) homeless youth;
 76.5 (2) American Indian women who are victims of trafficking;
 76.6 (3) high-risk adult males considered to be very likely to enter or re-enter state or
 76.7 county correctional programs, or chemical and mental health programs;
 76.8 (4) battered women; and
 76.9 (5) families affected by foreclosure.

76.10 **Sec. 2. HUMAN SERVICES APPROPRIATIONS.**

76.11 The sums shown in the columns marked "Appropriations" are appropriated to the
 76.12 agencies and for the purposes specified in this article. The appropriations are from the
 76.13 general fund, or another named fund, and are available for the fiscal years indicated
 76.14 for each purpose. The figures "2010" and "2011" used in this article mean that the
 76.15 appropriations listed under them are available for the fiscal year ending June 30, 2010, or
 76.16 June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal
 76.17 year 2011. "The biennium" is fiscal years 2010 and 2011. Appropriations for the fiscal
 76.18 year ending June 30, 2009, are effective the day following final enactment.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2010</u>	<u>2011</u>

76.23 **Sec. 3. HUMAN SERVICES**

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>15,993,000</u>	<u>\$</u>	<u>14,990,000</u>
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	<u>Appropriations by Fund</u>	
	<u>2010</u>	<u>2011</u>
<u>General</u>	<u>10,993,000</u>	<u>14,990,000</u>
<u>Federal Fiscal</u>		
<u>Stabilization</u>		
<u>Account</u>	<u>5,000,000</u>	<u>0</u>

<u>Subd. 2. Other Children and Economic Assistance Grants</u>		<u>15,993,000</u>		<u>14,990,000</u>
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76.33 **Federal Funding. \$5,000,000 in fiscal year**
 76.34 **2010 is from the federal fiscal stabilization**
 76.35 **account.**

77.1 **Homeless and Runaway Youth.** \$238,000
77.2 in fiscal year 2010 is for the Runaway
77.3 and Homeless Youth Act under Minnesota
77.4 Statutes, section 256K.45. Funds shall be
77.5 spent in each area of the continuum of care
77.6 to ensure that programs are meeting the
77.7 greatest need. Any unexpended balance in
77.8 the first year is available in the second year.
77.9 Beginning July 1, 2011, the base is increased
77.10 by \$119,000 each year.

77.11 **Foodshelf Programs.** \$275,000 in fiscal
77.12 year 2010 is for foodshelf programs under
77.13 Minnesota Statutes, section 256E.34. This
77.14 is a onetime appropriation and is available
77.15 until expended. This appropriation is to
77.16 complement the federal funding under the
77.17 American Recovery and Reinvestment Act.

77.18 **Supportive Housing Services.** \$1,500,000
77.19 each year is for supportive services under
77.20 Minnesota Statutes, section 256K.26. This is
77.21 a onetime appropriation. Beginning in fiscal
77.22 year 2012, the base is increased by \$68,000
77.23 per year.

77.24 **Community Action Grants.** Community
77.25 action grants are reduced one time by
77.26 \$1,764,000 each year. This reduction is due
77.27 to the availability of federal funds under the
77.28 American Recovery and Reinvestment Act.