

A bill for an act

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

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

ARTICLE 1

HOUSING FINANCE AGENCY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) home care is appropriate; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) City matching money does not include:

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

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

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

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

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

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

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

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

Subd. 10. **Targeted ~~neighborhood~~ community.** "Targeted ~~neighborhood~~ community" means an area including one or more census tracts, as determined and 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.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 17. Minnesota Statutes 2008, section 469.204, is amended by adding a subdivision 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

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

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

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

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ (whether one or more, "Owner"),  
being first duly sworn on oath, states as follows:

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

2. The Property is classified as homestead under Minnesota Statutes, section 273.124, is occupied by Owner as a homestead, and is improved with not more than four dwelling units.

3. Owner has elected to shorten Owner's redemption period from any foreclosure sale of the Property to five weeks in exchange for the postponement of the foreclosure sale for five months.

\_\_\_\_\_  
(signature(s) of owner)

Signed and sworn to (or affirmed) before me on ..... (date) by ..... (name(s) of person(s) making statement).

\_\_\_\_\_  
(signature of notary public)

Notary Public

**EFFECTIVE DATE.** This section is effective one month after the date of final enactment, and applies to foreclosure sales scheduled to occur on or after said effective date.

Sec. 21. **REPEALER.**

Minnesota Statutes 2008, sections 469.203, subdivision 3; and 469.204, subdivisions 2 and 3, are repealed.

**ARTICLE 2**  
**DEPARTMENT OF HEALTH**

Section 1. Minnesota Statutes 2008, section 103I.208, subdivision 2, is amended to read:

- Subd. 2. **Permit fee.** The permit fee to be paid by a property owner is:
- (1) for a water supply well that is not in use under a maintenance permit, \$175 annually;
  - (2) for construction of a monitoring well, \$215, which includes the state core function fee;
  - (3) for a monitoring well that is unsealed under a maintenance permit, \$175 annually;
  - (4) for a monitoring well owned by a federal agency, state agency, or local unit of government that is unsealed under a maintenance permit, \$50 annually. "Local unit of government" means a statutory or home rule charter city, town, county, or soil and water conservation district, watershed district, an organization formed for the joint exercise of powers under section 471.59, a board of health or community health board, or other

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) meets any of the following criteria:

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

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

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

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

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

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

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

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

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

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

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

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

**Subd. 2. Department designation.** (a) If the department determines that a safer alternative is available and is a technically feasible replacement for a priority chemical, the department shall designate that priority chemical a Level 1 priority chemical. If the department determines that current information does not indicate that a safer alternative is available or is a technically feasible replacement for a priority chemical, the department shall designate that chemical a Level 2 priority chemical. By February 1, 2011, the 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	\$ <del>53</del> <u>100</u>
22.2	(2) dental x-ray equipment	\$ <del>33</del> <u>40</u>
22.3	<del>(3) accelerator</del>	\$ <del>66</del>
22.4	<del>(4) radiation therapy equipment</del>	\$ <del>66</del>
22.5	<del>(5)</del> (3) x-ray equipment not used on	\$ <del>53</del> <u>100</u>
22.6	humans or animals	
22.7	<del>(6)</del> (4) devices with sources of ionizing	\$ <del>53</del> <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~~



~~(2) interim control activities that are not performed as a result of a lead order and that do not disturb painted surfaces that total more than:~~

- ~~(i) (1) 20 square feet (two square meters) on exterior surfaces; or~~
- ~~(ii) two (2) six square feet (0.2 0.6 square meters) in an interior room; or~~
- ~~(iii) ten percent of the total surface area on an interior or exterior type of component with a small surface area.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) The commissioner shall adopt regulated lead work standards and methods for lead in dust in a manner to protect the public health and environment. Dust standards shall use a weight of lead per area measure and include dust on the floor, on the window 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Test Category	Certification Fee
<del>Clean water program bacteriology</del>	<del>\$800</del>

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**157.16 LICENSES REQUIRED; FEES.**

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

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

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



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

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

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

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

(e) A fee of ~~\$350~~ for review of ~~the~~ construction plans must accompany the initial license application for restaurants, hotels, motels, lodging establishments, ~~or resorts with five or more sleeping units,~~ seasonal food stands, and mobile food units. 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>\$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>

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

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

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>

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

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

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

Subd. 4. **Posting requirements.** Every food and beverage service establishment, for-profit youth camp, hotel, motel, lodging establishment, public pool, or resort must have the license posted in a conspicuous place at the establishment. Mobile food units, food carts, and seasonal temporary food stands shall be issued decals with the initial license and each calendar year with license renewals. The current license year decal must be placed on 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.

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

(1) less than 25 sites, \$375;

(2) 25 to less than 100 sites, \$400; and

(3) 100 or more sites, \$500.

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

(1) less than 25 sites, \$250;

(2) 25 but less than 100 sites, \$300; and

(3) 100 or more sites, \$450.

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

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

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

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

(1) less than 25 special event recreational camping sites, \$375;

(2) 25 to less than 100 sites, \$400; and

(3) 100 or more sites, \$500.

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

(1) less than 25 sites, \$250;

(2) 25 but less than 100 sites, \$300; and

(3) 100 or more sites, \$450.

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

**327.16 LICENSE PLAN REVIEW APPLICATION.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subdivision 1. **Rules.** No domestic animals or house pets of occupants of manufactured home parks or recreational camping areas shall be allowed to run at large, or commit any nuisances within the limits of a manufactured home park or recreational camping area. Each manufactured home park or recreational camping area licensed under the provisions of sections 327.10, 327.11, and 327.14 to 327.28 shall, among other things, 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:

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

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

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

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

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

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

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

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

Sec. 61. **REPEALER.**

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

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

**ARTICLE 3**  
**HEALTH-RELATED FEES**

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

**148.108 FEES.**

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

Subd. 2. ~~Annual renewal of inactive acupuncture registration~~ **License and registration fees.** ~~The annual renewal of an inactive acupuncture registration fee is \$25.~~  
License and registration fees are as follows:

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

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

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

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

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

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

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

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

- (1) for a licensed social worker, ~~\$115.20~~ \$81;
- (2) for a licensed graduate social worker, ~~\$201.60~~ \$144;
- (3) for a licensed independent social worker, ~~\$302.40~~ \$216;
- (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.

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

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

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

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

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

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

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

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

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

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

ARTICLE 4

HEALTH APPROPRIATIONS

Section 1. HEALTH APPROPRIATION.

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

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2010                      2011

Sec. 2. COMMISSIONER OF HEALTH

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

Appropriations by Fund

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

Subd. 2. Community and Family Health Promotion

Appropriations by Fund

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

Support Services for Families With

Children Who are Deaf or Have Hearing

Loss. Of the state government special

revenue fund amount, \$289,000 in fiscal

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	<b><u>TANF Carryforward.</u></b> Any unexpended		
65.2	<u>balance of the TANF appropriation in the</u>		
65.3	<u>first year of the biennium does not cancel but</u>		
65.4	<u>is available for the second year.</u>		
65.5	<b><u>Subd. 3. Policy, Quality, and Compliance</u></b>	<u>100,000</u>	<u>0</u>
65.6	<b><u>Rural Pharmacy Planning.</u></b> \$100,000 in		
65.7	<u>fiscal year 2010 is for the rural pharmacy</u>		
65.8	<u>planning and transition grant program under</u>		
65.9	<u>Minnesota Statutes, section 144.1476. The</u>		
65.10	<u>appropriation is available until expended.</u>		
65.11	<b><u>Subd. 4. Health Protection</u></b>		
65.12	<u>Appropriations by Fund</u>		
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	<b><u>Grants Reduction.</u></b> Effective July 1,		
65.17	<u>2009, base-level funding for general fund</u>		
65.18	<u>health protection grants issued under this</u>		
65.19	<u>paragraph shall be reduced by 2.55 percent</u>		
65.20	<u>at the allotment level. Effective July 1,</u>		
65.21	<u>2011, base-level funding for general fund</u>		
65.22	<u>health protection grants issued under this</u>		
65.23	<u>paragraph shall be reduced by 5.5 percent at</u>		
65.24	<u>the allotment level.</u>		
65.25	<b><u>Subd. 5. Administrative Support Services</u></b>	<u>7,190,000</u>	<u>7,190,000</u>
65.26	<b><u>Hennepin County Medical Center Cancer</u></b>		
65.27	<b><u>Registry.</u></b> Of this appropriation, \$100,000		
65.28	<u>in the first year is for a grant from the</u>		
65.29	<u>commissioner of health to Hennepin County</u>		
65.30	<u>Medical Center for expansion of its existing</u>		
65.31	<u>cancer registry. This grant funding must</u>		
65.32	<u>come from the Department of Health's</u>		
65.33	<u>current resources for the Chronic Disease</u>		
65.34	<u>and Environmental Epidemiology Section.</u>		

66.1	Sec. 3. <u>HEALTH RELATED BOARDS</u>		
66.2	Subdivision 1. <u>Total Appropriation</u>	\$ <u>14,753,000</u>	\$ <u>15,036,000</u>
66.3	<u>This appropriation is from the state</u>		
66.4	<u>government special revenue fund.</u>		
66.5	<u>Transfer From Special Revenue Fund.</u>		
66.6	<u>During the fiscal year beginning July 1, 2011,</u>		
66.7	<u>the commissioner of finance shall transfer</u>		
66.8	<u>\$10,000,000 from the state government</u>		
66.9	<u>special revenue fund to the general fund. The</u>		
66.10	<u>boards must allocate this reduction to boards</u>		
66.11	<u>carrying a positive balance as of July 1, 2011.</u>		
66.12	<u>The amounts that may be spent for each</u>		
66.13	<u>purpose are specified in the following</u>		
66.14	<u>subdivisions.</u>		
66.15	Subd. 2. <u>Board of Chiropractic Examiners</u>	<u>492,000</u>	<u>509,000</u>
66.16	Subd. 3. <u>Board of Dentistry</u>	<u>1,100,000</u>	<u>1,136,000</u>
66.17	Subd. 4. <u>Board of Dietetic and Nutrition</u>		
66.18	<u>Practice</u>	<u>105,000</u>	<u>105,000</u>
66.19	Subd. 5. <u>Board of Marriage and Family</u>		
66.20	<u>Therapy</u>	<u>159,000</u>	<u>167,000</u>
66.21	Subd. 6. <u>Board of Medical Practice</u>	<u>3,682,000</u>	<u>3,682,000</u>
66.22	Subd. 7. <u>Board of Nursing</u>	<u>3,368,000</u>	<u>3,521,000</u>
66.23	Subd. 8. <u>Board of Nursing Home</u>		
66.24	<u>Administrators</u>	<u>1,358,000</u>	<u>1,262,000</u>
66.25	<u>Administrative Services Unit - Operating</u>		
66.26	<u>Costs. Of this appropriation, \$524,000</u>		
66.27	<u>in fiscal year 2010 and \$526,000 in</u>		
66.28	<u>fiscal year 2011 are for operating costs</u>		
66.29	<u>of the administrative services unit. The</u>		
66.30	<u>administrative services unit may receive</u>		
66.31	<u>and expend reimbursements for services</u>		
66.32	<u>performed by other agencies.</u>		

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	Subd. 9. <u>Board of Optometry</u>	<u>105,000</u>	<u>108,000</u>
68.2	Subd. 10. <u>Board of Pharmacy</u>	<u>1,509,000</u>	<u>1,579,000</u>
68.3	Subd. 11. <u>Board of Physical Therapy</u>	<u>346,000</u>	<u>356,000</u>
68.4	Subd. 12. <u>Board of Podiatry</u>	<u>61,000</u>	<u>64,000</u>
68.5	Subd. 13. <u>Board of Psychology</u>	<u>876,000</u>	<u>907,000</u>
68.6	Subd. 14. <u>Board of Social Work</u>	<u>958,000</u>	<u>996,000</u>
68.7	Subd. 15. <u>Board of Veterinary Medicine</u>	<u>240,000</u>	<u>250,000</u>
68.8	Subd. 16. <u>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	<u>Longevity Award and Incentive Program.</u>		
68.21	<u>Of the general fund appropriation, \$700,000</u>		
68.22	<u>in fiscal year 2010 and \$700,000 in fiscal</u>		
68.23	<u>year 2011 are to the board for the ambulance</u>		
68.24	<u>service personnel longevity award and</u>		
68.25	<u>incentive program, under Minnesota Statutes,</u>		
68.26	<u>section 144E.40.</u>		
68.27	<u>Transfer. In fiscal year 2010, \$100,000</u>		
68.28	<u>is transferred from the Cooper/Sams</u>		
68.29	<u>volunteer ambulance trust, established under</u>		
68.30	<u>Minnesota Statutes, section 144E.42, to the</u>		
68.31	<u>general fund.</u>		
68.32	<u>Health Professional Services Program.</u>		
68.33	<u>\$736,000 in fiscal year 2010 and \$766,000 in</u>		
68.34	<u>fiscal year 2011 from the state government</u>		

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	Subdivision 1. <u>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	Subd. 2. <u>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. Beginning July 1, 2011,</u>		
72.28	<u>the base is reduced by \$1,150,000.</u>		
72.29	Subd. 3. <u>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	Subd. 4. <u>Rental Assistance for Mentally Ill</u>	<u>2,638,000</u>	<u>2,638,000</u>



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	<b><u>Subd. 5. Family Homeless Prevention</u></b>	<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	<b><u>Subd. 6. Home Ownership Assistance Fund</u></b>	<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	<b><u>Subd. 7. Affordable Rental Investment Fund</u></b>	<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	<u>among comparable federally assisted rental</u>		
74.2	<u>properties to properties with the longest</u>		
74.3	<u>remaining term under an agreement for</u>		
74.4	<u>federal assistance. Priority must also be</u>		
74.5	<u>given among comparable rental housing</u>		
74.6	<u>developments to developments that are or</u>		
74.7	<u>will be owned by local government units, a</u>		
74.8	<u>housing and redevelopment authority, or a</u>		
74.9	<u>nonprofit housing organization.</u>		
74.10	<u>The appropriation also may be used to finance</u>		
74.11	<u>the acquisition, rehabilitation, and debt</u>		
74.12	<u>restructuring of existing supportive housing</u>		
74.13	<u>properties. For purposes of this subdivision,</u>		
74.14	<u>"supportive housing" means affordable rental</u>		
74.15	<u>housing with links to services necessary for</u>		
74.16	<u>individuals, youth, and families with children</u>		
74.17	<u>to maintain housing stability.</u>		
74.18	<b><u>Subd. 8. Housing Rehabilitation</u></b>	<u>4,287,000</u>	<u>4,287,000</u>
74.19	<u>For the housing rehabilitation program</u>		
74.20	<u>under Minnesota Statutes, section 462A.05,</u>		
74.21	<u>subdivision 14, for rental housing</u>		
74.22	<u>developments.</u>		
74.23	<b><u>Subd. 9. Homeownership Education,</u></b>		
74.24	<b><u>Counseling, and Training</u></b>	<u>865,000</u>	<u>865,000</u>
74.25	<u>For the homeownership education,</u>		
74.26	<u>counseling, and training program under</u>		
74.27	<u>Minnesota Statutes, section 462A.209.</u>		
74.28	<b><u>Subd. 10. Capacity Building Grants</u></b>	<u>250,000</u>	<u>250,000</u>
74.29	<u>For nonprofit capacity building grants</u>		
74.30	<u>under Minnesota Statutes, section 462A.21,</u>		
74.31	<u>subdivision 3b.</u>		
74.32	<b><u>Subd. 11. Transfer of Disaster Relief</u></b>		
74.33	<b><u>Contingency Funds</u></b>		



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

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

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

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

		<b>APPROPRIATIONS</b>	
		<b>Available for the Year</b>	
		<b>Ending June 30</b>	
		<b>2010</b>	<b>2011</b>
Sec. 3.	<b>HUMAN SERVICES</b>		
Subdivision 1.	<b>Total Appropriation</b>	<b>\$ 15,993,000</b>	<b>\$ 14,990,000</b>
<b>Appropriations by Fund</b>			
		<b>2010</b>	<b>2011</b>
General		10,993,000	14,990,000
Federal Fiscal Stabilization Account		5,000,000	0
Subd. 2.	<b>Other Children and Economic Assistance Grants</b>	15,993,000	14,990,000
<b>Federal Funding.</b> \$5,000,000 in fiscal year 2010 is from the federal fiscal stabilization 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.