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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE No. 3512

March 8, 2010

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The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

March 15, 2010

Committee Recommendation and Adoption of Report:

Re-referred to the Committee on Finance without further recommendation

May 12, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to indoor air quality; requiring indoor ice arenas to have electronic
1.3 air monitoring devices; requiring that grants to construct and renovate indoor
1.4 ice arenas require an electronic air monitoring device in the facility; requiring
1.5 reports; amending Minnesota Statutes 2008, section 240A.09.

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

1.7 Section 1. Minnesota Statutes 2008, section 240A.09, is amended to read:

1.8 240A.09 PLAN DEVELOPMENT; CRITERIA.

1.9 The Minnesota Amateur Sports Commission shall develop a plan to promote the
1.10 development of proposals for new statewide public ice facilities including proposals for
1.11 ice centers and matching grants based on the criteria in this section.

1.12 (a) For ice center proposals, the commission will give priority to proposals that
1.13 come from more than one local government unit. Institutions of higher education are not
1.14 eligible to receive a grant.

1.15 (b) In the metropolitan area as defined in section 473.121, subdivision 2, the
1.16 commission is encouraged to give priority to the following proposals:

1.17 (1) proposals for renovation and indoor air quality improvements at an existing
1.18 indoor ice arena;

1.19 (2) proposals for construction of two or more ice sheets in a single new facility;

1.20 (2) (3) proposals for construction of an additional sheet of ice at an existing ice
1.21 center;

1.22 (3) (4) proposals for construction of a new, single sheet of ice as part of a sports
1.23 complex with multiple sports facilities; and

2.1 ~~(4)~~ (5) proposals for construction of a new, single sheet of ice that will be expanded
2.2 to a two-sheet facility in the future.

2.3 (c) The commission shall administer a site selection process for the ice centers. The
2.4 commission shall invite proposals from cities or counties or consortia of cities. A proposal
2.5 for an ice center must include matching contributions including in-kind contributions of
2.6 land, access roadways and access roadway improvements, and necessary utility services,
2.7 landscaping, and parking.

2.8 (d) Proposals for ice centers and matching grants must provide for meeting the
2.9 demand for ice time for female groups by offering up to 50 percent of prime ice time, as
2.10 needed, to female groups. For purposes of this section, prime ice time means the hours
2.11 of 4:00 p.m. to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays
2.12 and Sundays.

2.13 (e) The location for all proposed facilities must be in areas of maximum
2.14 demonstrated interest and must maximize accessibility to an arterial highway.

2.15 (f) To the extent possible, all proposed facilities must be dispersed equitably, must
2.16 be located to maximize potential for full utilization and profitable operation, and must
2.17 accommodate noncompetitive family and community skating for all ages.

2.18 (g) The commission may also use the money to upgrade current facilities, purchase
2.19 girls' ice time, or conduct amateur women's hockey and other ice sport tournaments.

2.20 (h) To the extent possible, 50 percent of all grants must be awarded to communities
2.21 in greater Minnesota.

2.22 (i) To the extent possible, technical assistance shall be provided to Minnesota
2.23 communities by the commission on ice arena planning, design, redesign, renovation of air
2.24 handling systems, and operation, including the marketing of ice time.

2.25 (j) A grant for new facilities may not exceed \$250,000.

2.26 (k) The commission may make grants for rehabilitation and renovation. A
2.27 rehabilitation or renovation grant may not exceed ~~\$100,000~~ \$200,000. Priority must be
2.28 given to grant applications for indoor air quality improvements, including zero emission
2.29 ice resurfacing equipment and upgrading ventilation systems that include electronic indoor
2.30 air monitoring and recording devices. After January 1, 2013, no grant may be made under
2.31 this paragraph unless the application includes capital expenditures for indoor air quality
2.32 improvements that will enable the facility to comply with indoor air quality standards and
2.33 any associated rules, or the applicant provides documentation from the commissioner of
2.34 health that the facility is in compliance with those requirements at the time of application
2.35 and will continue to be in compliance after the rehabilitation or renovation is completed.

3.1 The provisions of this paragraph also apply to grants made to upgrade current facilities
3.2 under paragraph (g).

3.3 (l) Grant money may be used for ice centers designed for sports other than hockey.

3.4 (m) Grant money may be used to upgrade existing facilities to comply with the
3.5 bleacher safety requirements of section 326B.112.

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

3.7 Sec. 2. **INDOOR ICE ARENAS; RULEMAKING.**

3.8 The Department of Health must incorporate the following items into its current
3.9 rulemaking governing air quality in indoor ice arenas:

3.10 (1) standards limiting the concentration of carbon monoxide and nitrogen dioxide
3.11 must address both acute and chronic exposure, must include a one-hour limit, and must be
3.12 reviewed every five years;

3.13 (2) recorded monitoring data from electronic indoor air monitoring devices must be
3.14 available to the Department of Health upon request; and

3.15 (3) requirements for indoor ice arenas to take specified corrective measures to
3.16 protect public health in response to elevated concentration levels of carbon monoxide
3.17 and nitrogen dioxide, as determined by the Department of Health, including operating
3.18 ventilation equipment at increased levels or more frequently, evacuating the arena, and
3.19 establishing conditions for re-occupancy of the arena.

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

3.21 Sec. 3. **REPORTS.**

3.22 By August 1, 2012, and each year thereafter, the Department of Health must
3.23 submit a report to the chairs and ranking minority members of the senate and house of
3.24 representatives committees with primary jurisdiction over public health that contains the
3.25 following information with respect to indoor air quality in ice arenas for the preceding
3.26 calendar year:

3.27 (1) a list of on-site inspections of ice arenas made by the department, including the
3.28 date of each inspection;

3.29 (2) the list of violations of indoor air quality standards, reporting requirements, or
3.30 other requirements of Minnesota Rules, chapter 4620, by ice arenas;

3.31 (3) a list of enforcement actions taken against violators listed in clause (2), or any
3.32 other actions taken to return violators to compliance;

4.1 (4) the number of certificates of approval the commissioner of health refused to issue
4.2 due to insufficient documentation of maintenance of acceptable air quality conditions;

4.3 (5) the number of certificates of approval suspended, revoked, or reinstated by the
4.4 commissioner due to violations of air quality rules; and

4.5 (6) the number of variances to air quality rules granted to ice arenas by the
4.6 commissioner of health.

4.7 The department must also post the information in clauses (1) to (6) on its Web site.

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