

A bill for an act

1.1 relating to legislative enactments; correcting miscellaneous oversights,
1.2 inconsistencies, ambiguities, unintended results, and technical errors; amending
1.3 Minnesota Statutes 2008, sections 103C.305, subdivision 1; 120B.30, as
1.4 amended; 123B.75, subdivision 5; 125B.26, as amended; 126C.41, subdivision 2,
1.5 as amended; 168.33, subdivision 7, as amended if enacted; 169.865, subdivision
1.6 1; 270C.445, subdivision 7, as amended if enacted; 275.065, subdivision 3, as
1.7 amended; 297I.35, subdivision 2, as amended; 332B.09, as added if enacted;
1.8 Laws 2009, chapter 37, article 2, section 3, subdivision 2; Laws 2009, chapter
1.9 78, article 8, section 22, subdivision 3; Laws 2009, chapter 88, article 12, section
1.10 21; 2009 H.F. No. 1231, article 1, section 2, subdivision 5, if enacted; 2009
1.11 H.F. No. 1476, section 16, if enacted.
1.12

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

1.14 Section 1. Minnesota Statutes 2008, section 169.865, subdivision 1, is amended to read:

1.15 Subdivision 1. **Six-axle vehicles.** (a) A road authority may issue an annual permit
1.16 authorizing a vehicle or combination of vehicles with a total of six axles to haul raw or
1.17 unprocessed agricultural products and be operated with a gross vehicle weight of up to:

1.18 (1) 90,000 pounds; and

1.19 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
1.20 subdivision 1.

1.21 (b) Notwithstanding subdivision ~~4~~ 3, paragraph (a), clause (4), a vehicle or
1.22 combination of vehicles operated under this subdivision and transporting only sealed
1.23 intermodal containers may be operated on an interstate highway if allowed by the United
1.24 States Department of Transportation.

1.25 (c) The fee for a permit issued under this subdivision is \$300.

S.F. No. 2135, 1st Engrossment - 86th Legislative Session (2009-2010) [s2135-1]

2.1 Sec. 2. [CORR09-01] Minnesota Statutes 2008, section 270C.445, subdivision 7, as
2.2 amended by 2009 H.F. No. 1298, article 12, section 1, if enacted, is amended to read:

2.3 Subd. 7. **Enforcement; civil actions.** (a) Any violation of this section is an unfair,
2.4 deceptive, and unlawful trade practice within the meaning of section 8.31. An action taken
2.5 under this section ~~8.31~~ is in the public interest.

2.6 (b) A client may bring a civil action seeking redress for a violation of this section in
2.7 the conciliation or the district court of the county in which unlawful action is alleged to
2.8 have been committed or where the respondent resides or has a principal place of business.

2.9 (c) A court finding for the plaintiff must award:

2.10 (1) actual damages;

2.11 (2) incidental and consequential damages;

2.12 (3) statutory damages of twice the sum of: (i) the tax preparation fees; and (ii) if the
2.13 plaintiff violated subdivision 3a, 4, or 5b all interest and fees for a refund anticipation loan;

2.14 (4) reasonable attorney fees;

2.15 (5) court costs; and

2.16 (6) any other equitable relief as the court considers appropriate.

2.17 Sec. 3. [CORR09-02] Minnesota Statutes 2008, section 332B.09, as added by 2009
2.18 H.F. No. 2123, article 4, section 26, if enacted, is amended to read:

2.19 **[332B.09] FEES; WITHDRAWAL OF CREDITORS; NOTIFICATION TO**
2.20 **DEBTOR OF SETTLEMENT OFFER.**

2.21 Subdivision 1. **Choice of fee structure.** A debt settlement services provider may
2.22 calculate fees on a percentage of debt basis or on a percentage of savings basis. The fee
2.23 structure shall be clearly disclosed and explained in the debt settlement services agreement.

2.24 Subd. 2. **Fees as a percentage of debt.** (a) The total amount of the fees claimed,
2.25 demanded, charged, collected, or received under this subdivision shall be calculated as
2.26 15 percent of the aggregate debt. A debt settlement services provider that calculates
2.27 fees as a percentage of debt may:

2.28 (1) charge an origination fee, which may be designated by the debt settlement
2.29 services provider as nonrefundable, of:

2.30 (i) \$200 on aggregate debt of less than \$20,000; or

2.31 (ii) \$400 on aggregate debt of \$20,000 or more;

2.32 (2) charge a monthly fee of:

2.33 (i) no greater than \$50 per month on aggregate debt of less than \$40,000; and

2.34 (ii) no greater than \$60 per month on aggregate debt of \$40,000 or more; and

3.1 (3) charge a settlement fee for the remainder of the allowable fees, which may be
3.2 demanded and collected no earlier than upon delivery to the debt settlement services
3.3 provider by a creditor of a bona fide written settlement offer consistent with the terms of
3.4 the debt settlement services agreement. A settlement fee may be assessed for each debt
3.5 settled, but the sum total of the origination fee, the monthly fee, and the settlement fee
3.6 may not exceed 15 percent of the aggregate debt.

3.7 (b) When a settlement offer is obtained by a debt settlement services provider from a
3.8 creditor, the collection of any monthly fees shall cease beginning the month following the
3.9 month in which the settlement offer was obtained by the debt settlement services provider.

3.10 (c) In no event may more than 40 percent of the total amount of fees allowable be
3.11 claimed, demanded, charged, collected, or received by a debt settlement services provider
3.12 any earlier than upon delivery to the debt settlement services provider by a creditor of
3.13 a bona fide written settlement offer consistent with the terms of the debt settlement
3.14 services agreement.

3.15 **Subd. 3. Fees as a percentage of savings.** (a) The total amount of the fees claimed,
3.16 demanded, charged, collected, or received under this subdivision shall be calculated as 30
3.17 percent of the savings actually negotiated by the debt settlement services provider. The
3.18 savings shall be calculated as the difference between the aggregate debt that is stated
3.19 in the debt settlement services agreement at the time of its execution and total amount
3.20 that the debtor actually pays to settle all the debts stated in the debt settlement services
3.21 agreement, provided that only savings resulting from concessions actually negotiated by
3.22 the debt settlement services provider may be counted. A debt settlement services provider
3.23 that calculates fees as a percentage of ~~debt~~ savings may:

3.24 (1) charge an origination fee, which may be designated by the debt settlement
3.25 services provider as nonrefundable, of:

3.26 (i) \$300 on aggregate debt of less than \$20,000; or

3.27 (ii) \$500 on aggregate debt of \$20,000 or more;

3.28 (2) charge a monthly fee of:

3.29 (i) no greater than \$65 on aggregate debt of less than \$40,000; and

3.30 (ii) no greater than \$75 on aggregate debt of \$40,000 or more; and

3.31 (3) charge a settlement fee for the remainder of the allowable fees, which may be
3.32 demanded and collected no earlier than upon delivery to the debt settlement services
3.33 provider by a creditor of a bona fide, final written settlement offer consistent with the
3.34 terms of the debt settlement services agreement. A settlement fee may be assessed for each
3.35 debt settled, but the sum total of the origination fee, the monthly fee, and the settlement
3.36 fee may not exceed 30 percent of the savings, as calculated under paragraph (a).

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4.1 (b) The collection of monthly fees shall cease under this subdivision when the
4.2 total of monthly fees and the origination fee equals 50 percent of the total fees allowable
4.3 under this subdivision. For the purposes of this subdivision, 50 percent of the total fees
4.4 allowable shall assume a settlement of 50 cents on the dollar.

4.5 (c) In no event may more than 50 percent of the total amount of fees allowable be
4.6 claimed, demanded, charged, collected, or received by a debt settlement services provider
4.7 any earlier than upon delivery to the debt settlement services provider by a creditor of a
4.8 bona fide, final written settlement offer consistent with the terms of the debt settlement
4.9 services agreement.

4.10 Subd. 4. **Fees exclusive.** No fees, charges, assessments, or any other compensation
4.11 may be claimed, demanded, charged, collected, or received other than the fees allowed
4.12 under this section. Any fees collected in excess of those allowed under this section must
4.13 be immediately returned to the debtor.

4.14 Subd. 5. **Withdrawal of creditor.** Whenever a creditor withdraws from a debt
4.15 settlement services plan, the debt settlement services provider must promptly notify the
4.16 debtor of the withdrawal, identify the creditor, and inform the debtor of the right to modify
4.17 the debt settlement services agreement, unless at least 50 percent of the listed creditors
4.18 withdraw, in which case the debt settlement services provider must notify the debtor of the
4.19 debtor's right to cancel. In no case may this notice be provided more than 15 days after the
4.20 debt settlement services provider learns of the creditor's decision to withdraw from a plan.

4.21 Subd. 6. **Timely notification of settlement offer.** A debt settlement services
4.22 provider must make all reasonable efforts to notify the debtor within 24 hours of a
4.23 settlement offer made by a creditor.

4.24 Sec. 4. [CORR09-03] Laws 2009, chapter 37, article 2, section 3, subdivision 2, is
4.25 amended to read:

4.26 Subd. 2. **Financial Institutions** 6,638,000 6,638,000
4.27 \$1,000 each year is for consumer small loan
4.28 regulation modifications in article 7~~3~~. This
4.29 appropriation is added to the department's
4.30 base.

4.31 Sec. 5. [CORR09-04] 2009 H.F. No. 1476, section 16, if enacted, is amended to read:

4.32 Sec. 16. **CITY OF MINNEAPOLIS; LIQUOR LICENSE.**

5.1 Notwithstanding any law, ordinance, or charter provision to the contrary, the city of
5.2 Minneapolis may issue an on-sale intoxicating liquor license to an establishment located
5.3 at 2124 Como Avenue Southeast.

5.4 Sec. 6. [CORR09-05A] Minnesota Statutes 2008, section 120B.30, as amended by
5.5 Laws 2009, chapter 96, article 2, section 8, is amended to read:

5.6 **120B.30 STATEWIDE TESTING AND REPORTING SYSTEM.**

5.7 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts
5.8 with appropriate technical qualifications and experience and stakeholders, consistent with
5.9 subdivision 1a, shall include in the comprehensive assessment system, for each grade
5.10 level to be tested, state-constructed tests developed from and aligned with the state's
5.11 required academic standards under section 120B.021, include multiple choice questions,
5.12 and be administered annually to all students in grades 3 through 8. State-developed high
5.13 school tests aligned with the state's required academic standards under section 120B.021
5.14 and administered to all high school students in a subject other than writing must include
5.15 multiple choice questions. The commissioner shall establish one or more months during
5.16 which schools shall administer the tests to students each school year. For students enrolled
5.17 in grade 8 before the 2005-2006 school year, Minnesota basic skills tests in reading,
5.18 mathematics, and writing shall fulfill students' basic skills testing requirements for a
5.19 passing state notation. The passing scores of basic skills tests in reading and mathematics
5.20 are the equivalent of 75 percent correct for students entering grade 9 based on the first
5.21 uniform test administered in February 1998. Students who have not successfully passed
5.22 a Minnesota basic skills test by the end of the 2011-2012 school year must pass the
5.23 graduation-required assessments for diploma under paragraph ~~(b)~~ (c).

5.24 (b) The state assessment system must be aligned to the most recent revision of
5.25 academic standards as described in section 120B.023 in the following manner:

5.26 (1) mathematics;

5.27 (i) grades 3 through 8 beginning in the 2010-2011 school year; and

5.28 (ii) high school level beginning in the 2013-2014 school year;

5.29 (2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012
5.30 school year; and

5.31 (3) language arts and reading; grades 3 through 8 and high school level beginning in
5.32 the 2012-2013 school year.

5.33 (c) For students enrolled in grade 8 in the 2005-2006 school year and later, only the
5.34 following options shall fulfill students' state graduation test requirements:

5.35 (1) for reading and mathematics:

6.1 (i) obtaining an achievement level equivalent to or greater than proficient as
6.2 determined through a standard setting process on the Minnesota comprehensive
6.3 assessments in grade 10 for reading and grade 11 for mathematics or achieving a passing
6.4 score as determined through a standard setting process on the graduation-required
6.5 assessment for diploma in grade 10 for reading and grade 11 for mathematics or
6.6 subsequent retests;

6.7 (ii) achieving a passing score as determined through a standard setting process on the
6.8 state-identified language proficiency test in reading and the mathematics test for English
6.9 language learners or the graduation-required assessment for diploma equivalent of those
6.10 assessments for students designated as English language learners;

6.11 (iii) achieving an individual passing score on the graduation-required assessment
6.12 for diploma as determined by appropriate state guidelines for students with an individual
6.13 education plan or 504 plan;

6.14 (iv) obtaining achievement level equivalent to or greater than proficient as
6.15 determined through a standard setting process on the state-identified alternate assessment
6.16 or assessments in grade 10 for reading and grade 11 for mathematics for students with
6.17 an individual education plan; or

6.18 (v) achieving an individual passing score on the state-identified alternate assessment
6.19 or assessments as determined by appropriate state guidelines for students with an
6.20 individual education plan; and

6.21 (2) for writing:

6.22 (i) achieving a passing score on the graduation-required assessment for diploma;

6.23 (ii) achieving a passing score as determined through a standard setting process on
6.24 the state-identified language proficiency test in writing for students designated as English
6.25 language learners;

6.26 (iii) achieving an individual passing score on the graduation-required assessment
6.27 for diploma as determined by appropriate state guidelines for students with an individual
6.28 education plan or 504 plan; or

6.29 (iv) achieving an individual passing score on the state-identified alternate assessment
6.30 or assessments as determined by appropriate state guidelines for students with an
6.31 individual education plan.

6.32 (d) Students enrolled in grade 8 in any school year from the 2005-2006 school
6.33 year to the 2009-2010 school year who do not pass the mathematics graduation-required
6.34 assessment for diploma under paragraph ~~(b)~~ (c) are eligible to receive a high school
6.35 diploma ~~with a passing state notation~~ if they:

7.1 (1) complete with a passing score or grade all state and local coursework and credits
7.2 required for graduation by the school board granting the students their diploma;

7.3 (2) participate in district-prescribed academic remediation in mathematics; and

7.4 (3) fully participate in at least two retests of the mathematics GRAD test or until
7.5 they pass the mathematics GRAD test, whichever comes first. A school, district, or
7.6 charter school must place a student's highest assessment score for each of the following
7.7 assessments on the student's high school transcript: the mathematics Minnesota
7.8 Comprehensive Assessment, reading Minnesota Comprehensive Assessment, and writing
7.9 Graduation-Required Assessment for Diploma, and when applicable, the mathematics
7.10 Graduation-Required Assessment for Diploma and reading Graduation-Required
7.11 Assessment for Diploma.

7.12 In addition, the school board granting the students their diplomas may formally
7.13 decide to include a notation of high achievement on the high school diplomas of those
7.14 graduating seniors who, according to established school board criteria, demonstrate
7.15 exemplary academic achievement during high school.

7.16 (e) The 3rd through 8th grade and high school test results shall be available to
7.17 districts for diagnostic purposes affecting student learning and district instruction and
7.18 curriculum, and for establishing educational accountability. The commissioner must
7.19 disseminate to the public the high school test results upon receiving those results.

7.20 (f) The 3rd through 8th grade and high school tests must be aligned with state
7.21 academic standards. The commissioner shall determine the testing process and the order
7.22 of administration. The statewide results shall be aggregated at the site and district level,
7.23 consistent with subdivision 1a.

7.24 (g) In addition to the testing and reporting requirements under this section, the
7.25 commissioner shall include the following components in the statewide public reporting
7.26 system:

7.27 (1) uniform statewide testing of all students in grades 3 through 8 and at the high
7.28 school level that provides appropriate, technically sound accommodations or alternate
7.29 assessments;

7.30 (2) educational indicators that can be aggregated and compared across school
7.31 districts and across time on a statewide basis, including average daily attendance, high
7.32 school graduation rates, and high school drop-out rates by age and grade level;

7.33 (3) state results on the American College Test; and

7.34 (4) state results from participation in the National Assessment of Educational
7.35 Progress so that the state can benchmark its performance against the nation and other

8.1 states, and, where possible, against other countries, and contribute to the national effort
8.2 to monitor achievement.

8.3 Subd. 1a. **Statewide and local assessments; results.** (a) For purposes
8.4 of conforming with existing federal educational accountability requirements, the
8.5 commissioner must develop reading and mathematics assessments for grades 3 through 8,
8.6 state-developed high school reading and mathematics tests aligned with state academic
8.7 standards, and science assessments under clause (2) that districts and sites must use to
8.8 monitor student growth toward achieving those standards. The commissioner must
8.9 not develop statewide assessments for academic standards in social studies, health and
8.10 physical education, and the arts. The commissioner must require:

8.11 (1) annual reading and mathematics assessments in grades 3 through 8, and high
8.12 school reading and mathematics tests; and

8.13 (2) annual science assessments in one grade in the grades 3 through 5 span, the
8.14 grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span,
8.15 and the commissioner must not require students to achieve a passing score on high school
8.16 science assessments as a condition of receiving a high school diploma.

8.17 (b) The commissioner must ensure that all statewide tests administered to elementary
8.18 and secondary students measure students' academic knowledge and skills and not students'
8.19 values, attitudes, and beliefs.

8.20 (c) Reporting of assessment results must:

8.21 (1) provide timely, useful, and understandable information on the performance of
8.22 individual students, schools, school districts, and the state;

8.23 (2) include a value-added growth indicator of student achievement under section
8.24 120B.35, subdivision 3, paragraph (b); and

8.25 (3)(i) for students enrolled in grade 8 before the 2005-2006 school year, determine
8.26 whether students have met the state's basic skills requirements; and

8.27 (ii) for students enrolled in grade 8 in the 2005-2006 school year and later, determine
8.28 whether students have met the state's academic standards.

8.29 (d) Consistent with applicable federal law and subdivision 1, paragraph (d), clause
8.30 (1), the commissioner must include appropriate, technically sound accommodations or
8.31 alternative assessments for the very few students with disabilities for whom statewide
8.32 assessments are inappropriate and for students with limited English proficiency.

8.33 (e) A school, school district, and charter school must administer statewide
8.34 assessments under this section, as the assessments become available, to evaluate student
8.35 proficiency in the context of the state's grade level academic standards. If a state
8.36 assessment is not available, a school, school district, and charter school must determine

9.1 locally if a student has met the required academic standards. A school, school district,
9.2 or charter school may use a student's performance on a statewide assessment as one of
9.3 multiple criteria to determine grade promotion or retention. A school, school district, or
9.4 charter school may use a high school student's performance on a statewide assessment
9.5 as a percentage of the student's final grade in a course, or place a student's assessment
9.6 score on the student's transcript.

9.7 Subd. 2. **Department of Education assistance.** The Department of Education
9.8 shall contract for professional and technical services according to competitive bidding
9.9 procedures under chapter 16C for purposes of this section.

9.10 Subd. 3. **Reporting.** The commissioner shall report test data publicly and to
9.11 stakeholders, including the performance achievement levels developed from students'
9.12 unweighted test scores in each tested subject and a listing of demographic factors that
9.13 strongly correlate with student performance. The commissioner shall also report data that
9.14 compares performance results among school sites, school districts, Minnesota and other
9.15 states, and Minnesota and other nations. The commissioner shall disseminate to schools
9.16 and school districts a more comprehensive report containing testing information that
9.17 meets local needs for evaluating instruction and curriculum.

9.18 Subd. 4. **Access to tests.** The commissioner must adopt and publish a policy
9.19 to provide public and parental access for review of basic skills tests, Minnesota
9.20 Comprehensive Assessments, or any other such statewide test and assessment. Upon
9.21 receiving a written request, the commissioner must make available to parents or guardians
9.22 a copy of their student's actual responses to the test questions for their review.

9.23 Sec. 7. [CORR09-05B] Minnesota Statutes 2008, section 125B.26, as amended by
9.24 Laws 2009, chapter 96, article 4, section 11, is amended to read:

9.25 **125B.26 TELECOMMUNICATIONS/INTERNET ACCESS EQUITY AID.**

9.26 Subdivision 1. **Costs to be submitted.** (a) A district, or charter school, ~~or~~
9.27 ~~intermediate school district~~ shall submit its actual telecommunications/Internet access
9.28 costs for the previous fiscal year, adjusted for any e-rate revenue received, to the
9.29 department by August 15 of each year as prescribed by the commissioner. A school
9.30 district may include in its reported data a proportionate share of the costs and e-rate
9.31 revenues of an intermediate school district of which it is a member. Costs eligible for
9.32 reimbursement under this program are limited to the following:

9.33 (1) ongoing or recurring telecommunications/Internet access costs associated with
9.34 Internet access, data lines, and video links providing:

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10.1 (i) the equivalent of one data line, video link, or integrated data/video link that relies
10.2 on a transport medium that operates at a minimum speed of 1.544 megabytes per second
10.3 (T1) for each elementary school, middle school, or high school under section 120A.05,
10.4 subdivisions 9, 11, and 13, including the recurring telecommunications line lease costs
10.5 and ongoing Internet access service fees; or

10.6 (ii) the equivalent of one data line or video circuit, or integrated data/video link that
10.7 relies on a transport medium that operates at a minimum speed of 1.544 megabytes per
10.8 second (T1) for each district, including recurring telecommunications line lease costs
10.9 and ongoing Internet access service fees;

10.10 (2) recurring costs of contractual or vendor-provided maintenance on the school
10.11 district's wide area network to the point of presence at the school building up to the router,
10.12 codec, or other service delivery equipment located at the point of presence termination
10.13 at the school or school district;

10.14 (3) recurring costs of cooperative, shared arrangements for regional delivery of
10.15 telecommunications/Internet access between school districts, postsecondary institutions,
10.16 and public libraries including network gateways, peering points, regional network
10.17 infrastructure, Internet2 access, and network support, maintenance, and coordination; and

10.18 (4) service provider installation fees for installation of new telecommunications lines
10.19 or increased bandwidth.

10.20 (b) Costs not eligible for reimbursement under this program include:

10.21 (1) recurring costs of school district staff providing network infrastructure support;

10.22 (2) recurring costs associated with voice and standard telephone service;

10.23 (3) costs associated with purchase of network hardware, telephones, computers, or
10.24 other peripheral equipment needed to deliver telecommunications access to the school or
10.25 school district;

10.26 (4) costs associated with laying fiber for telecommunications access;

10.27 (5) costs associated with wiring school or school district buildings;

10.28 (6) costs associated with purchase, installation, or purchase and installation of
10.29 Internet filtering; and

10.30 (7) costs associated with digital content, including online learning or distance
10.31 learning programming, and information databases.

10.32 Subd. 2. **E-rates.** To be eligible for aid under this section, a district, ~~or~~ or charter
10.33 school, ~~or intermediate school district~~ is required to file an e-rate application either
10.34 separately or through its telecommunications access cluster and have a current technology
10.35 plan on file with the department. An intermediate school district shall file an e-rate
10.36 application and member districts shall report a proportional share of e-rate revenues

11.1 received by the intermediate district. Discounts received on telecommunications
11.2 expenditures shall be reflected in the costs submitted to the department for aid under
11.3 this section.

11.4 Subd. 3. **Reimbursement criteria.** The commissioner shall develop criteria
11.5 for approving costs submitted by organized school districts, and charter schools, ~~and~~
11.6 ~~intermediate school districts~~ under subdivision 1.

11.7 Subd. 4. **District aid.** For fiscal year 2006 and later, a district, or charter school,
11.8 ~~or intermediate school district's~~ school's Internet access equity aid equals the district, or
11.9 charter school, ~~or intermediate school district's~~ school's approved cost for the previous
11.10 fiscal year according to subdivision 1 exceeding \$15 times the district's adjusted marginal
11.11 cost pupil units for the previous fiscal year or no reduction if the district is part of an
11.12 organized telecommunications access cluster. Equity aid must be distributed to the
11.13 telecommunications access cluster for districts, or charter schools, ~~or intermediate school~~
11.14 ~~districts~~ that are members of the cluster or to individual districts, or charter schools, ~~or~~
11.15 ~~intermediate school districts~~ not part of a telecommunications access cluster.

11.16 Subd. 5. **Telecommunications/Internet access services for nonpublic schools.**

11.17 (a) Districts shall provide each year upon formal request by or on behalf of a nonpublic
11.18 school, not including home schools, located in that district or area, ongoing or recurring
11.19 telecommunications access services to the nonpublic school either through existing district
11.20 providers or through separate providers.

11.21 (b) The amount of district aid for telecommunications access services for each
11.22 nonpublic school under this subdivision equals the lesser of:

11.23 (1) 90 percent of the nonpublic school's approved cost for the previous fiscal year
11.24 according to subdivision 1 exceeding \$10 for fiscal year 2006 and later times the number
11.25 of weighted pupils enrolled at the nonpublic school as of October 1 of the previous
11.26 school year; or

11.27 (2) the product of the district's aid per pupil unit according to subdivision 4 times
11.28 the number of weighted pupils enrolled at the nonpublic school as of October 1 of the
11.29 previous school year.

11.30 (c) For purposes of this subdivision, nonpublic school pupils shall be weighted by
11.31 grade level using the weighting factors defined in section 126C.05, subdivision 1.

11.32 (d) Each year, a district providing services under paragraph (a) may claim up to five
11.33 percent of the aid determined in paragraph (b) for costs of administering this subdivision.
11.34 No district may expend an amount for these telecommunications access services which
11.35 exceeds the amount allocated under this subdivision. The nonpublic school is responsible
11.36 for the Internet access costs not covered by this section.

12.1 (e) At the request of a nonpublic school, districts may allocate the amount
12.2 determined in paragraph (b) directly to the nonpublic school to pay for or offset the
12.3 nonpublic school's costs for telecommunications access services; however, the amount
12.4 allocated directly to the nonpublic school may not exceed the actual amount of the school's
12.5 ongoing or recurring telecommunications access costs.

12.6 Subd. 6. **Severability.** If any portion of this section is found by a court to be
12.7 unconstitutional, the remaining portions of the section shall remain in effect.

12.8 Sec. 8. [CORR09-05C] Minnesota Statutes 2008, section 126C.41, subdivision 2, as
12.9 amended by Laws 2009, chapter 96, article 1, section 16, is amended to read:

12.10 Subd. 2. **Retired employee health benefits.** (a) A district may levy an amount up
12.11 to the amount the district is required by the collective bargaining agreement in effect
12.12 on March 30, 1992, to pay for health insurance or unreimbursed medical expenses for
12.13 licensed and nonlicensed employees who have terminated services in the employing
12.14 district and withdrawn from active teaching service or other active service, as applicable,
12.15 either (1) before July 1, 1992, and to pay for health insurance or unreimbursed medical
12.16 expenses for licensed and nonlicensed employees who have terminated services in the
12.17 employing district and withdrawn from active teaching service or other active service, as
12.18 applicable or (2) before July 1, 1998, but for employees retiring after June 30, 1992, and
12.19 before July 1, 1998, only if a sunset clause is in effect for the current collective bargaining
12.20 agreement. The total amount of the levy each year may not exceed \$600,000.

12.21 (b) In addition to the levy authority granted under paragraph (a), a school district
12.22 may levy for other postemployment benefits expenses actually paid during the previous
12.23 fiscal year. For purposes of this subdivision "postemployment benefits" means benefits
12.24 giving rise to a liability under Statement No. 45 of the Government Accounting Standards
12.25 Board. A district seeking levy authority under this subdivision must:

12.26 (1) create or have created an actuarial liability to pay postemployment benefits to
12.27 employees or officers after their termination of service;

12.28 (2) have a sunset clause in effect for the current collective bargaining agreement as
12.29 required by paragraph (a); and

12.30 (3) apply for the authority in the form and manner required by the commissioner
12.31 of education.

12.32 If the total levy authority requested under this paragraph exceeds the amount established
12.33 in paragraph (c), the commissioner must proportionately reduce each district's maximum
12.34 levy authority under this subdivision. The commissioner may subsequently adjust each

13.1 district's levy authority under this subdivision so long as the total levy authority does not
13.2 exceed the maximum levy authority for that year.

13.3 (c) The maximum levy authority under paragraph (b) must not exceed the following
13.4 amounts:

13.5 (1) \$9,242,000 for taxes payable in 2010;

13.6 (2) \$29,863,000 for taxes payable in 2011; and

13.7 (3) for taxes payable in 2012 and later, the maximum levy authority must not exceed
13.8 the sum of the previous year's authority and \$14,000,000.

13.9 Sec. 9. [CORR09-06A] Minnesota Statutes 2008, section 297I.35, subdivision 2, as
13.10 amended by Laws 2009, chapter 88, article 9, section 14, is amended to read:

13.11 Subd. 2. **Electronic payments.** If the aggregate amount of tax and surcharges
13.12 due under this chapter during a ~~calendar~~ fiscal year ending June 30 is equal to or
13.13 exceeds \$10,000, or if the taxpayer is required to make payment of any other tax to the
13.14 commissioner by electronic means, then all tax and surcharge payments in the subsequent
13.15 calendar year must be paid by electronic means.

13.16 Sec. 10. [CORR09-06B] Laws 2009, chapter 88, article 12, section 21, is amended to
13.17 read:

13.18 Sec. 21. **SPECIAL ACCOUNT; TIMING DIFFERENCES.**

13.19 (a) Notwithstanding the provisions of Minnesota Statutes, section 290.62, the
13.20 commissioner of revenue shall deposit the additional income tax and corporate franchise
13.21 tax revenues collected as a result of the combination of: (1) the additions under Minnesota
13.22 Statutes, section 290.01, subdivision 19a, clauses (7) and (8), and subdivision 19c,
13.23 clauses (15) and (16); and (2) adopting the provisions of American Recovery and
13.24 Reinvestment Act of 2009, in a special timing account in the general fund, but not to
13.25 exceed \$10,149,000. On July 11, 2011, the commissioner of revenue shall transfer the
13.26 money in the account to the general fund to offset the reduction in revenues resulting from
13.27 the subtractions under Minnesota Statutes, section 290.01, subdivision 19b, clauses (9)
13.28 and (14), and subdivision 19d, clauses (18) and (19).

13.29 (b) If the commissioner determines it is impractical to determine the amount to be
13.30 deposited under paragraph (a) based on actual collections, the commissioner of finance
13.31 may, in lieu of paragraph (a), transfer \$10,149,000 on January 15, 2011, from the general
13.32 fund to the special timing account. This amount is based on the revenue estimate for H.F.
13.33 No. 2323, dated April 17, 2009.

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14.1 Sec. 11. [CORR09-07] Laws 2009, chapter 78, article 8, section 22, subdivision 3,
14.2 is amended to read:

14.3 Subd. 3. **Definitions.** For purposes of this section:

14.4 (1) "applicant" means a local government unit;

14.5 (2) "commissioner" means the commissioner of the Department of Employment and
14.6 Economic Development;

14.7 (3) "eligible transportation project entirely or partially funded by state or federal
14.8 funds" means a project that will affect one or more small businesses as a result of
14.9 transportation work because the work is anticipated to impair road access for a minimum
14.10 period of one month;

14.11 (4) "local government unit" means a county, statutory or home rule charter city,
14.12 town, special district, or other political subdivision;

14.13 (5) "project" has the meaning given it in Minnesota Statutes, section ~~161.2415~~
14.14 161.165; and

14.15 (6) "small business" means a business that employs ten or fewer employees and is
14.16 located in an area that is adjacent to an eligible project.

14.17 Sec. 12. [CORR09-08] Minnesota Statutes 2008, section 168.33, subdivision 7, as
14.18 amended by 2009 H.F. No. 1849, section 2, if enacted, is amended to read:

14.19 Subd. 7. **Filing fees; allocations.** (a) In addition to all other statutory fees and
14.20 taxes, a filing fee of:

14.21 (1) \$4.50 is imposed on every vehicle registration renewal, excluding pro rate
14.22 transactions; and

14.23 (2) \$8.50 is imposed on every other type of vehicle transaction, including pro rate
14.24 transactions;

14.25 except that a filing fee may not be charged for a document returned for a refund or for
14.26 a correction of an error made by the Department of Public Safety, a dealer, or a deputy
14.27 registrar. The filing fee must be shown as a separate item on all registration renewal
14.28 notices sent out by the commissioner. No filing fee or other fee may be charged for the
14.29 permanent surrender of a title for a vehicle.

14.30 (b) ~~The fees imposed under paragraph (a) may be paid by credit card or debit~~
14.31 ~~card. The deputy registrar may collect a surcharge on the fee not to exceed the cost of~~
14.32 ~~processing a credit card or debit card transaction, in accordance with emergency rules~~
14.33 ~~established by the commissioner of public safety. The statutory fees and taxes, and the~~
14.34 filing fees imposed under paragraph (a) may be paid by credit card or debit card. The
14.35 deputy registrar may collect a surcharge on the statutory fees, taxes, and filing fee not

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15.1 greater than the cost of processing a credit card or debit card transaction, in accordance
15.2 with emergency rules established by the commissioner of public safety. The surcharge
15.3 must be used to pay the cost of processing credit and debit card transactions.

15.4 (c) All of the fees collected under paragraph (a), clause (1), by the department, must
15.5 be paid into the vehicle services operating account in the special revenue fund under
15.6 section 299A.705. Of the fee collected under paragraph (a), clause (2), by the department,
15.7 \$3.50 must be paid into the general fund with the remainder deposited into the vehicle
15.8 services operating account in the special revenue fund under section 299A.705.

15.9 Sec. 13. [CORR09-09] Minnesota Statutes 2008, section 275.065, subdivision 3, as
15.10 amended by Laws 2009, chapter 88, article 3, section 3, is amended to read:

15.11 Subd. 3. **Notice of proposed property taxes.** (a) The county auditor shall prepare
15.12 and the county treasurer shall deliver after November 10 and on or before November 24
15.13 each year, by first class mail to each taxpayer at the address listed on the county's current
15.14 year's assessment roll, a notice of proposed property taxes. Upon written request by
15.15 the taxpayer, the treasurer may send the notice in electronic form or by electronic mail
15.16 instead of on paper or by ordinary mail.

15.17 (b) The commissioner of revenue shall prescribe the form of the notice.

15.18 (c) The notice must inform taxpayers that it contains the amount of property taxes
15.19 each taxing authority proposes to collect for taxes payable the following year. In the case
15.20 of a town, or in the case of the state general tax, the final tax amount will be its proposed
15.21 tax. The notice must clearly state for each city, county, school district, regional library
15.22 authority established under section 134.201, and metropolitan taxing districts as defined
15.23 in paragraph (i), the time and place of ~~the each~~ taxing authorities' ~~regularly scheduled~~
15.24 ~~meetings~~ authority's meeting in which the budget and levy will be discussed and public
15.25 input allowed, prior to the final budget and levy determination, which must occur after
15.26 ~~November 24~~ determination. The taxing authorities must provide the county auditor with
15.27 the information to be included in the notice on or before the time it certifies its proposed
15.28 levy under subdivision 1. The public must be allowed to speak at least at one of the
15.29 ~~meetings and the meetings that meeting, which must occur after November 24,~~ shall not
15.30 be held before 6:00 p.m. It must provide a telephone number for the taxing authority that
15.31 taxpayers may call if they have questions related to the notice and an address where
15.32 comments will be received by mail.

15.33 (d) The notice must state for each parcel:

15.34 (1) the market value of the property as determined under section 273.11, and used
15.35 for computing property taxes payable in the following year and for taxes payable in the

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16.1 current year as each appears in the records of the county assessor on November 1 of the
16.2 current year; and, in the case of residential property, whether the property is classified as
16.3 homestead or nonhomestead. The notice must clearly inform taxpayers of the years to
16.4 which the market values apply and that the values are final values;

16.5 (2) the items listed below, shown separately by county, city or town, and state general
16.6 tax, net of the residential and agricultural homestead credit under section 273.1384, voter
16.7 approved school levy, other local school levy, and the sum of the special taxing districts,
16.8 and as a total of all taxing authorities:

16.9 (i) the actual tax for taxes payable in the current year; and

16.10 (ii) the proposed tax amount.

16.11 If the county levy under clause (2) includes an amount for a lake improvement
16.12 district as defined under sections 103B.501 to 103B.581, the amount attributable for that
16.13 purpose must be separately stated from the remaining county levy amount.

16.14 In the case of a town or the state general tax, the final tax shall also be its proposed
16.15 tax unless the town changes its levy at a special town meeting under section 365.52. If a
16.16 school district has certified under section 126C.17, subdivision 9, that a referendum will
16.17 be held in the school district at the November general election, the county auditor must
16.18 note next to the school district's proposed amount that a referendum is pending and that, if
16.19 approved by the voters, the tax amount may be higher than shown on the notice. In the
16.20 case of the city of Minneapolis, the levy for Minneapolis Park and Recreation shall be
16.21 listed separately from the remaining amount of the city's levy. In the case of the city of
16.22 St. Paul, the levy for the St. Paul Library Agency must be listed separately from the
16.23 remaining amount of the city's levy. In the case of Ramsey County, any amount levied
16.24 under section 134.07 may be listed separately from the remaining amount of the county's
16.25 levy. In the case of a parcel where tax increment or the fiscal disparities areawide tax
16.26 under chapter 276A or 473F applies, the proposed tax levy on the captured value or the
16.27 proposed tax levy on the tax capacity subject to the areawide tax must each be stated
16.28 separately and not included in the sum of the special taxing districts; and

16.29 (3) the increase or decrease between the total taxes payable in the current year and
16.30 the total proposed taxes, expressed as a percentage.

16.31 For purposes of this section, the amount of the tax on homesteads qualifying under
16.32 the senior citizens' property tax deferral program under chapter 290B is the total amount
16.33 of property tax before subtraction of the deferred property tax amount.

16.34 (e) The notice must clearly state that the proposed or final taxes do not include
16.35 the following:

16.36 (1) special assessments;

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17.1 (2) levies approved by the voters after the date the proposed taxes are certified,
17.2 including bond referenda and school district levy referenda;

17.3 (3) a levy limit increase approved by the voters by the first Tuesday after the first
17.4 Monday in November of the levy year as provided under section 275.73;

17.5 (4) amounts necessary to pay cleanup or other costs due to a natural disaster
17.6 occurring after the date the proposed taxes are certified;

17.7 (5) amounts necessary to pay tort judgments against the taxing authority that become
17.8 final after the date the proposed taxes are certified; and

17.9 (6) the contamination tax imposed on properties which received market value
17.10 reductions for contamination.

17.11 (f) Except as provided in subdivision 7, failure of the county auditor to prepare or
17.12 the county treasurer to deliver the notice as required in this section does not invalidate the
17.13 proposed or final tax levy or the taxes payable pursuant to the tax levy.

17.14 (g) If the notice the taxpayer receives under this section lists the property as
17.15 nonhomestead, and satisfactory documentation is provided to the county assessor by the
17.16 applicable deadline, and the property qualifies for the homestead classification in that
17.17 assessment year, the assessor shall reclassify the property to homestead for taxes payable
17.18 in the following year.

17.19 (h) In the case of class 4 residential property used as a residence for lease or rental
17.20 periods of 30 days or more, the taxpayer must either:

17.21 (1) mail or deliver a copy of the notice of proposed property taxes to each tenant,
17.22 renter, or lessee; or

17.23 (2) post a copy of the notice in a conspicuous place on the premises of the property.

17.24 The notice must be mailed or posted by the taxpayer by November 27 or within
17.25 three days of receipt of the notice, whichever is later. A taxpayer may notify the county
17.26 treasurer of the address of the taxpayer, agent, caretaker, or manager of the premises to
17.27 which the notice must be mailed in order to fulfill the requirements of this paragraph.

17.28 (i) For purposes of this subdivision, subdivisions 5a and 6, "metropolitan special
17.29 taxing districts" means the following taxing districts in the seven-county metropolitan area
17.30 that levy a property tax for any of the specified purposes listed below:

17.31 (1) Metropolitan Council under section 473.132, 473.167, 473.249, 473.325,
17.32 473.446, 473.521, 473.547, or 473.834;

17.33 (2) Metropolitan Airports Commission under section 473.667, 473.671, or 473.672;

17.34 and

17.35 (3) Metropolitan Mosquito Control Commission under section 473.711.

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18.1 For purposes of this section, any levies made by the regional rail authorities in the
18.2 county of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington under chapter
18.3 398A shall be included with the appropriate county's levy.

18.4 (j) The governing body of a county, city, or school district may, with the consent
18.5 of the county board, include supplemental information with the statement of proposed
18.6 property taxes about the impact of state aid increases or decreases on property tax
18.7 increases or decreases and on the level of services provided in the affected jurisdiction.
18.8 This supplemental information may include information for the following year, the current
18.9 year, and for as many consecutive preceding years as deemed appropriate by the governing
18.10 body of the county, city, or school district. It may include only information regarding:

- 18.11 (1) the impact of inflation as measured by the implicit price deflator for state and
18.12 local government purchases;
- 18.13 (2) population growth and decline;
- 18.14 (3) state or federal government action; and
- 18.15 (4) other financial factors that affect the level of property taxation and local services
18.16 that the governing body of the county, city, or school district may deem appropriate to
18.17 include.

18.18 The information may be presented using tables, written narrative, and graphic
18.19 representations and may contain instruction toward further sources of information or
18.20 opportunity for comment.

18.21 Sec. 14. [CORR09-10] Minnesota Statutes 2008, section 123B.75, subdivision 5,
18.22 is amended to read:

18.23 Subd. 5. **Levy recognition.** (a) "School district tax settlement revenue" means the
18.24 current, delinquent, and manufactured home property tax receipts collected by the county
18.25 and distributed to the school district.

18.26 (b) For fiscal year 2004 and later years, in June of each year, the school district must
18.27 recognize as revenue, in the fund for which the levy was made, the lesser of:

18.28 (1) the sum of May, June, and July school district tax settlement revenue received in
18.29 that calendar year, plus general education aid according to section 126C.13, subdivision
18.30 4, received in July and August of that calendar year; or

18.31 (2) the sum of:

18.32 (i) 31 percent of the referendum levy certified according to section 126C.17, in
18.33 calendar year 2000; and

18.34 (ii) the entire amount of the levy certified in the prior calendar year according to
18.35 section 124D.86, subdivision 4, for school districts receiving revenue under sections

19.1 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, paragraph
19.2 (a), and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48,
19.3 subdivision 6.

19.4 Sec. 15. [CORR09-11] Minnesota Statutes 2008, section 103C.305, subdivision 1,
19.5 is amended to read:

19.6 Subdivision 1. **Time for election.** Elections must be held at the state general
19.7 election specified in section 204D.03, subdivision 2. A primary ~~may not~~ must be held if
19.8 there are more than two candidates for any available supervisor position.

19.9 **EFFECTIVE DATE.** This section is effective for the state primary in 2010 and
19.10 thereafter.

19.11 Sec. 16. [CORR09-12A] **EMERALD ASH BORER FUNDS.**

19.12 All funds appropriated in H.F. No. 1231, if enacted, for Emerald Ash Borer must be
19.13 in accordance with the same criteria for all other projects funded in article 1 of that bill.

19.14 Sec. 17. [CORR09-12B] 2009 H.F. No. 1231, article 1, section 2, subdivision 5,
19.15 if enacted, is amended to read:

19.16 Subd. 5. **Fish, Game, and Wildlife Habitat** 13,903,000 -0-

19.17 **(a) Outdoor Heritage Conservation Partners**
19.18 **Grant Program**

19.19 \$4,000,000 in fiscal year 2010 is to the
19.20 commissioner of natural resources for a ~~pilot~~
19.21 program to provide competitive, matching
19.22 grants of up to \$400,000 to local, regional,
19.23 state, and national organizations, including
19.24 government, for enhancement, restoration,
19.25 or protection of forests, wetlands, prairies,
19.26 and habitat for fish, game, or wildlife in
19.27 Minnesota. Up to 6-1/2 percent of this
19.28 appropriation may be used for administering
19.29 the grant. The funds may be advanced in
19.30 three equal sums, on or after November
19.31 1, 2009, February 1, 2010, and April 1,
19.32 2010. Grantees may protect land through

20.1 acquisition of land or interests in land.
20.2 Easements must be permanent. Land
20.3 acquired in fee must be open to hunting
20.4 and fishing during the open season unless
20.5 otherwise provided by state law. The
20.6 commissioner of natural resources must
20.7 agree to each proposed acquisition of land
20.8 or interest in land. The program shall
20.9 require a match of at least \$1 nonstate funds
20.10 to \$10 state funds. The nonstate dollars
20.11 match may be in-kind. The criteria for
20.12 evaluating grant applications must include
20.13 amount of habitat restored, enhanced,
20.14 or protected; local support; degree of
20.15 collaboration; urgency; multiple benefits;
20.16 habitat benefits provided; consistency with
20.17 sound conservation science; adjacency to
20.18 protected lands; full funding of the project;
20.19 supplementing existing funding; public
20.20 access for hunting and fishing during the
20.21 open season; sustainability; and use of native
20.22 plant materials. All projects must conform
20.23 to the Minnesota statewide conservation and
20.24 preservation plan. Wildlife habitat projects
20.25 must also conform to the state wildlife action
20.26 plan. Priority may be given to projects
20.27 acquiring land or easements associated
20.28 with existing wildlife management areas.
20.29 All restoration or enhancement projects
20.30 must be on land permanently protected by
20.31 conservation easement or public ownership.
20.32 To the extent possible, a person conducting
20.33 prairie restorations with money appropriated
20.34 in this section must plant vegetation or sow
20.35 seed only of ecotypes native to Minnesota,
20.36 and preferably of the local ecotype, using a

21.1 high diversity of species originating from as
21.2 close to the restoration site as possible, and
21.3 protect existing native prairies from genetic
21.4 contamination. Subdivision 10 applies to
21.5 grants awarded under this paragraph. This
21.6 appropriation is available until June 30,
21.7 2013, at which time all grant projects must
21.8 be completed and final products delivered,
21.9 unless an earlier date is specified in the grant
21.10 agreement. No less than 15 percent of the
21.11 amount of each grant must be held back from
21.12 reimbursement until the grant recipient has
21.13 completed a grant accomplishment report in
21.14 the form prescribed by and satisfactory to the
21.15 Lessard Outdoor Heritage Council.

21.16 As a condition of proceeding with this
21.17 appropriation, the commissioner shall report
21.18 on the feasibility, process, and timeline for
21.19 creation of a Minnesota fish and wildlife
21.20 foundation, to be modeled after the National
21.21 Fish and Wildlife Foundation, and on the
21.22 possibility of allowing for the administration
21.23 by this entity of the conservation partners
21.24 grant program.

21.25 The legislative guide created in this act
21.26 shall consider whether this program should
21.27 be administered by the National Fish and
21.28 Wildlife Foundation, the commissioner of
21.29 natural resources, or some neutral third party.

21.30 **(b) Aquatic Management Area Acquisition**

21.31 \$5,748,000 in fiscal year 2010 is to the
21.32 commissioner of natural resources to acquire
21.33 land in fee title and easement to be added to
21.34 the state aquatic management area system.
21.35 Acquired land must remain open to hunting

22.1 and fishing, consistent with the capacity
22.2 of the land, during the open season, as
22.3 determined by the commissioner of natural
22.4 resources. A list of proposed fee title and
22.5 easement acquisitions must be provided as
22.6 part of the required accomplishment plan.

22.7 **(c) Cold Water River and Stream Restoration,**
22.8 **Protection, and Enhancement**

22.9 \$2,050,000 in fiscal year 2010 is to the
22.10 commissioner of natural resources for an
22.11 agreement with Trout Unlimited or successor
22.12 to restore, enhance, and protect cold water
22.13 river and stream habitats in Minnesota. A
22.14 list of proposed acquisitions and a list of
22.15 proposed projects, describing the types and
22.16 locations of restorations and enhancements,
22.17 must be provided as part of the required
22.18 accomplishment plan. The commissioner
22.19 of natural resources must agree to each
22.20 proposed acquisition, restoration, and
22.21 enhancement.

22.22 **(d) Dakota County Habitat Protection**

22.23 \$1,000,000 in fiscal year 2010 is to the
22.24 commissioner of natural resources for
22.25 an agreement with Dakota County for
22.26 acquisition of permanent easements. A list
22.27 of proposed acquisitions must be provided as
22.28 part of the required accomplishment plan.

22.29 **(e) Lake Rebecca Water Quality Improvement**
22.30 **Project**

22.31 \$450,000 in fiscal year 2010 is to the
22.32 commissioner of natural resources for an
22.33 agreement with the Three Rivers Park
22.34 District to improve the water quality in Lake
22.35 Rebecca in Lake Rebecca Park Reserve

23.1 in Hennepin County. A description of the
23.2 activities to enhance fish habitat in Lake
23.3 Rebecca must be provided as part of the
23.4 required accomplishment plan.

23.5 **(f) Fountain Lake Fish Barriers**

23.6 \$655,000 in fiscal year 2010 is to the
23.7 commissioner of natural resources for
23.8 an agreement with the Shell Rock River
23.9 Watershed District to construct fish barriers
23.10 at three locations on Fountain Lake. Land
23.11 acquisition necessary for fish barrier
23.12 construction is permitted. A list of proposed
23.13 projects, describing the types and locations
23.14 of barriers, must be provided as part of
23.15 the required accomplishment plan. The
23.16 commissioner of natural resources must
23.17 agree to each proposed barrier.

23.18 **Sec. 18. EFFECTIVE DATE.**

23.19 Unless otherwise provided, each section of this act takes effect at the time the
23.20 provision being corrected takes effect.