

(c) A type III school bus, as defined in section 169.01, is exempt from the requirement of school buses to stop at railroad grade crossings.

Presented to the governor May 15, 2004

Signed by the governor May 19, 2004, 1:30 p.m.

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### CHAPTER 230—H.F.No. 1897

*An act relating to water; providing for the consumptive use of groundwater.*

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

#### Section 1. CONSUMPTIVE USE OF GROUNDWATER.

Pursuant to Minnesota Statutes, section 103G.265, subdivision 3, the legislature approves the consumptive use of groundwater under a permit of more than 2,000,000 gallons per day average in a 30-day period in Golden Valley, Crystal, and New Hope in connection with a municipal water supply system operated under a joint powers agreement, subject to a determination by the commissioner of natural resources that the water remaining in the basin of origin will be adequate to meet the basin's need for water and subject to subsequent approval by the commissioner.

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

Presented to the governor May 15, 2004

Signed by the governor May 19, 2004, 1:10 p.m.

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### CHAPTER 231—H.F.No. 2085

*An act relating to health; specifying status of certain grants and loans to rural hospitals; providing for review of hospital moratorium exceptions; appropriating money; amending Minnesota Statutes 2002, section 144.148, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.*

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

Section 1. Minnesota Statutes 2002, section 144.148, is amended by adding a subdivision to read:

Subd. 9. STATUS OF PREVIOUS AWARDS. The commissioner must regard grants or loans awarded to eligible rural hospitals before August 1, 1999, as grants subject to the conditions of this section and not subject to repayment as loans under Minnesota Statutes 1998, section 144.148.

New language is indicated by underline, deletions by ~~strikeout~~.

**Sec. 2. [144.552] PUBLIC INTEREST REVIEW.**

(a) A hospital seeking to increase its number of licensed beds or an organization seeking to obtain a hospital license must submit a plan to the commissioner of health. The plan must include information that includes an explanation of how the expansion will meet the public's interest. When submitting a plan to the commissioner, an applicant shall pay the commissioner for the commissioner's cost of reviewing the plan, as determined by the commissioner and notwithstanding section 16A.1283. Money received by the commissioner under this section is appropriated to the commissioner for the purpose of administering this section.

(b) Plans submitted under this section shall include detailed information necessary for the commissioner to review the plan and reach a finding. The commissioner may request additional information from the hospital submitting a plan under this section and from others affected by the plan that the commissioner deems necessary to review the plan and make a finding.

(c) The commissioner shall review the plan and, within 90 days, but no more than six months if extenuating circumstances apply, issue a finding on whether the plan is in the public interest. In making the recommendation, the commissioner shall consider issues including but not limited to:

(1) whether the new hospital or hospital beds are needed to provide timely access to care or access to new or improved services;

(2) the financial impact of the new hospital or hospital beds on existing acute-care hospitals that have emergency departments in the region;

(3) how the new hospital or hospital beds will affect the ability of existing hospitals in the region to maintain existing staff;

(4) the extent to which the new hospital or hospital beds will provide services to nonpaying or low-income patients relative to the level of services provided to these groups by existing hospitals in the region; and

(5) the views of affected parties.

(d) Upon making a recommendation under paragraph (c), the commissioner shall provide a copy of the recommendation to the chairs of the house and senate committees having jurisdiction over health and human services policy and finance.

Presented to the governor May 15, 2004

Signed by the governor May 19, 2004, 1:20 p.m.

**CHAPTER 232—H.F.No. 2864**

*An act relating to food law; clarifying the basis on which food can be labeled as kosher; amending Minnesota Statutes 2002, sections 31.651, subdivision 1; 31.661.*

New language is indicated by underline, deletions by ~~strikeout~~.