

STATE OF MINNESOTA

NINETY-SECOND SESSION — 2022

 NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 8, 2022

The House of Representatives convened at 12:10 p.m. and was called to order by Dan Wolgamott, Speaker pro tempore.

The members of the House paused for a brief meditation or moment of reflection.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Davnie	Hanson, J.	Lee	Nash	Robbins
Agbaje	Demuth	Hassan	Liebling	Nelson, M.	Sandell
Akland	Drazkowski	Hausman	Lillie	Nelson, N.	Sandstede
Albright	Ecklund	Heinrich	Lippert	Noor	Schomacker
Anderson	Edelson	Heintzeman	Lislegard	Novotny	Schultz
Backer	Elkins	Her	Long	O'Driscoll	Stephenson
Bahner	Erickson	Hollins	Lucero	Olson, B.	Sundin
Bahr	Feist	Hornstein	Lueck	Olson, L.	Swedzinski
Baker	Fischer	Howard	Mariani	O'Neill	Theis
Becker-Finn	Franke	Huot	Marquart	Pelowski	Thompson
Bennett	Franson	Igo	Masin	Petersburg	Torkelson
Berg	Frazier	Johnson	McDonald	Pfarr	Urdahl
Bernardy	Frederick	Jordan	Mekeland	Pierson	Vang
Bierman	Freiberg	Jurgens	Miller	Pinto	Wazlawik
Bliss	Gomez	Keeler	Moller	Poston	Winkler
Boe	Green	Kiel	Moran	Pryor	Wolgamott
Boldon	Greenman	Klevorn	Morrison	Quam	Xiong, J.
Burkel	Grossell	Koegel	Mortensen	Raleigh	Xiong, T.
Carlson	Gruenhagen	Kotyza-Witthuhn	Mueller	Rasmusson	Youakim
Christensen	Hamilton	Koznick	Munson	Reyer	
Dauids	Hansen, R.	Kresha	Murphy	Richardson	

A quorum was present.

Daudt, Hertaus, Hortman, Neu Brindley and West were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Bernardy from the Committee on Higher Education Finance and Policy to which was referred:

H. F. No. 3872, A bill for an act relating to higher education; providing for supplemental funding for the Office of Higher Education, Minnesota State Colleges and Universities, and the University of Minnesota; creating and amending financial aid programs; appropriating money; requiring reports; amending Minnesota Statutes 2020, sections 136A.1796; 175.45, subdivision 1; Minnesota Statutes 2021 Supplement, sections 136A.121, subdivision 9; 136A.1241, subdivision 5; 136A.1791, subdivision 5; Laws 2021, First Special Session chapter 2, article 1, section 2, subdivisions 1, 2, 8, 21, 24, 25, 26, 27, 36; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1 APPROPRIATIONS

Section 1. HIGHER EDUCATION APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are added to the appropriations in Laws 2021, First Special Session chapter 2, article 1, unless otherwise specified, 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 "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2022</u>	<u>2023</u>
Sec. 2. <u>MINNESOTA OFFICE OF HIGHER EDUCATION</u>		
Subdivision 1. <u>Total Appropriation</u>	<u>\$-0-</u>	<u>\$57,469,000</u>

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. <u>Student Parent Support Initiative</u>	<u>-0-</u>	<u>6,925,000</u>
---	------------	------------------

(a) For the student-parent support initiative under Minnesota Statutes, section 136A.1251. The commissioner may use no more than five percent of the appropriation to administer the program.

(b) The base for this appropriation is \$6,440,000 in fiscal year 2024 and \$5,940,000 in fiscal year 2025 and later.

Subd. 3. Operating Expenses of Tribal Colleges-0-3,000,000

(a) For transfer to Leech Lake Tribal College, White Earth Tribal College, and Red Lake Nation Tribal College, to be used for the Tribal colleges' general operations and maintenance expenses. The commissioner shall apportion the funds equally among the Tribal colleges.

(b) The base for this appropriation is \$3,000,000 in fiscal year 2024 and later.

Subd. 4. State Grants-0-493,000

\$9,295,000 is added to this program's base appropriation in fiscal years 2024 and later. The base for this appropriation is therefore \$219,332,000 in fiscal year 2024 and later.

Subd. 5. Grants to Underrepresented Student Teachers-0-1,500,000

(a) The commissioner may use no more than three percent of this appropriation to administer the program.

(b) \$1,500,000 is added to this program's base appropriation in fiscal year 2024 and later specified in Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 26.

Subd. 6. Teacher Shortage Loan Repayment-0-700,000

(a) The commissioner may use no more than three percent of the amount transferred under this subdivision to administer the program.

(b) The base for this appropriation is \$900,000 in fiscal year 2024 and later.

Subd. 7. Emergency Assistance for Postsecondary Students-0-731,000

\$731,000 is added to this program's base appropriation in fiscal year 2024 and later specified in Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 24, paragraph (d).

Subd. 8. Hunger-Free Campus Grants-0-200,000

(a) This appropriation is in addition to the amount appropriated in Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 35, as amended by this act.

(b) The base for this appropriation is \$302,000 in fiscal year 2024 and later.

Subd. 9. American Indian Scholarships-0-3,240,000

(a) The base for this appropriation is \$6,740,000 in fiscal year 2024 and later.

(b) This appropriation includes funding to administer the American Indian scholarship program.

Subd. 10. Inclusive Higher Education-0-750,000

(a) Of this amount, \$500,000 is for transfer to the inclusive higher education grant account under Minnesota Statutes, section 135A.162, subdivision 4, and \$250,000 is to enter into a contract establishing the Inclusive Higher Education Technical Assistance Center under Minnesota Statutes, section 135A.161.

(b) The base for this appropriation is \$750,000 in fiscal year 2024 and later.

Subd. 11. Free College Grants-0-29,730,000

(a) For the free college grant program under Minnesota Statutes, section 136A.0205.

(b) Of this amount:

(1) \$900,000 is for administering the program; and

(2) \$250,000 is for transfer to the Board of Trustees of the Minnesota State Colleges and Universities for promotion of the program and student outreach efforts.

(c) The base for this appropriation is \$32,000,000 in fiscal year 2024 and later.

(d) The commissioner may transfer unencumbered balances from other appropriations to the office to the free college grant program. Transfers from the free college grant program may only be made to the extent there is a projected surplus in the appropriation and only with prior written notice to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over higher education finance.

Subd. 12. MN Reconnect Program-0-1,000,000

(a) For the MN Reconnect program under Minnesota Statutes, section 136A.123.

(b) The base for this appropriation is \$1,000,000 in fiscal year 2024 and later.

Subd. 13. Addiction Medicine Graduate Medical Education Fellowship

-0-

1,200,000

(a) \$1,200,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of the Office of Higher Education for transfer to Hennepin County Medical Center to support three physicians per year enrolled in an addiction medicine fellowship program for five years, training a total of 15 physicians. This is a onetime appropriation.

(b) The appropriation under this section shall be used to:

(1) train fellows in:

(i) diagnostic interviewing;

(ii) motivational interviewing;

(iii) addiction counseling;

(iv) recognition and care of common acute withdrawal syndromes and complications;

(v) pharmacotherapies of addictive disorders;

(vi) epidemiology and pathophysiology of addiction;

(vii) identification and treatment of addictive disorders in special populations;

(viii) secondary interventions;

(ix) the use of screening and diagnostic instruments;

(x) inpatient care; and

(xi) working within a multidisciplinary team; and

(2) prepare fellows to practice addiction medicine in rural and underserved areas of the state.

Subd. 14. Aspiring Teachers of Color Scholarship Pilot Program

-0-

3,000,000

(a) For the aspiring teachers of color scholarship pilot program under Laws 2021, First Special Session chapter 2, article 2, section 45.

(b) The commissioner may use no more than three percent of this appropriation to administer the program.

(c) This is a onetime appropriation. Notwithstanding Minnesota Statutes, section 16A.28, unencumbered balances under this subdivision do not cancel until June 30, 2027.

Subd. 15. Social Work Scholarships

-0-

5,000,000

(a) For the social work scholarship program under article 2, section 23.

(b) The commissioner may use no more than three percent of this appropriation to administer the program.

(c) This is a onetime appropriation. Notwithstanding Minnesota Statutes, section 16A.28, this appropriation is available until expended or until June 30, 2027, whichever occurs first.

Sec. 3. BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES

Subdivision 1. Total Appropriation

\$-0-

\$10,000,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Operations and Maintenance

-0-

9,000,000

(a) \$6,000,000 in fiscal year 2023 is to maintain campus operations that deliver excellent, affordable, accessible education that is responsive to changes in the state's educational needs.

(b) \$2,000,000 in fiscal year 2023 is for the mental health awareness program for students required under Minnesota Statutes, section 136F.20, subdivision 4. The base for this appropriation is \$2,000,000 in fiscal year 2024 and later. Notwithstanding Laws 2021, First Special Session chapter 2, article 1, section 3, subdivision 3, paragraph (j), all unencumbered balances for this program cancel at the close of the biennium.

(c) \$1,000,000 in fiscal year 2023 is for colleges and universities to comply with the student basic needs requirements under Minnesota Statutes, section 136F.202. The base for this appropriation is \$1,000,000 in fiscal year 2024 and later. Notwithstanding Laws 2021, First Special Session chapter 2, article 1, section 3, subdivision 3, paragraph (k), all unencumbered balances for this program cancel at the close of the biennium.

(d) \$9,000,000 is added to the base appropriation for operations and maintenance in fiscal year 2024 and later established in Laws 2021, First Special Session chapter 2, article 1, section 3, subdivision 3, paragraph (l).

Subd. 3. Career and Technical Educator Pilot Project-0-1,000,000

(a) To expand the career and technical educator pilot project under Laws 2021, First Special Session chapter 10, article 2, section 23, to three or more state universities in partnership with state colleges. If practical, the partnerships must result in a candidate earning an associate's degree from a state college and a bachelor's degree from a state university.

(b) This is a onetime appropriation. Notwithstanding Minnesota Statutes, section 16A.28, unencumbered balances under this section do not cancel until June 30, 2025.

(c) By January 1, 2025, the board must submit a report on the career and technical educator pilot project to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education finance and to the Legislative Reference Library as provided by Minnesota Statutes, section 3.195. The report must describe the implementation of the pilot program, its outcomes, and possibilities for expansion to additional campuses.

Sec. 4. BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA**Subdivision 1. Total Appropriation****\$-0-****\$32,531,000**

The amounts that may be spent for each purpose are specified in the following subdivision.

Subd. 2. Operations and Maintenance-0-30,381,000

(a) \$6,000,000 in fiscal year 2023 is for:

(1) targeted aid to those students who most need support to offset tuition, fees, and other costs of attendance items; and

(2) enhancing services that are specifically focused on ensuring students flourish and graduate in four years.

The base for this appropriation is \$6,000,000 in fiscal year 2024 and later.

(b) \$10,000,000 in fiscal year 2023 is for improving campus safety protocols and organizations and providing a safe campus environment by:

(1) ensuring building access control and camera coverage for all university buildings across the system;

(2) achieving recognized standards for building access control, video surveillance coverage, and lighting for all system campuses;

(3) supporting an advanced campus monitoring center that monitors 24/7 campus activities and provides an early warning system for safety events; and

(4) securing access to the university's most sensitive information systems and protecting the data contained in them by mitigating current vulnerabilities and building foundational technical infrastructure and processes that enable the institution to avoid cybersecurity threats.

This is a onetime appropriation.

(c) \$6,881,000 in fiscal year 2023 is for the Natural Resources Research Institute (NRRI) for a water and mineland remediation lab expansion in Duluth and a new mineral processing and metallurgy lab in Coleraine. This is a onetime appropriation.

(d) \$7,500,000 in fiscal year 2023 is for advancing campus sustainability. Of this amount:

(1) \$5,000,000 is for the development of campus sustainability and utility master plans systemwide; and

(2) \$2,500,000 is for implementation of on-campus solar electricity generation.

This is a onetime appropriation.

(e) \$6,000,000 is added to the operations and maintenance base for fiscal year 2024 and later established in Laws 2021, First Special Session chapter 2, article 1, section 4, subdivision 2, paragraph (f).

Subd. 3. 50-Year Clean Water Supply Plan

-0-

650,000

(a) For the Water Council to develop a plan to ensure that Minnesota has an abundant supply of clean water for the next 50 years. By December 1, 2023, the Water Council must submit the plan to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources. The plan must:

(1) assess the current state of Minnesota's waters, both surface water and groundwater, throughout all geographic regions;

(2) identify any gaps in data or information with respect to the quality and quantity of Minnesota's waters and provide recommendations to obtain any necessary data and information; and

(3) identify opportunities for Minnesota to act proactively to ensure that Minnesota has an adequate supply of clean water for the next 50 years.

(b) This is a onetime appropriation.

Subd. 4. Green Training Program Account

-0-

1,500,000

(a) For transfer to the green training program account in the special revenue fund under Minnesota Statutes, section 137.035, subdivision 1.

(b) The base for this appropriation is \$1,394,000 in fiscal year 2024 and later.

ARTICLE 2
POLICY

Section 1. Minnesota Statutes 2021 Supplement, section 135A.137, subdivision 3, is amended to read:

Subd. 3. **Competitive grant.** (a) Institutions eligible for a grant under this subdivision include public postsecondary institutions, nonprofit private postsecondary institutions, and Tribal colleges.

(b) The commissioner shall establish a competitive grant program to distribute grants to eligible institutions to meet and maintain the requirements under subdivision 1, paragraph (a). Initial grants shall be made to institutions that have not earned the designation and demonstrate a need for funding to meet the hunger-free campus designation requirements. Sustaining grants shall be made to institutions that have earned the designation and demonstrate both a partnership with a local food bank or organization that provides regular, on-campus food distributions and a need for funds to maintain the requirements under subdivision 1, paragraph (a).

(c) The commissioner shall give preference to applications for initial grants and to applications from institutions with the highest number of federal Pell Grant eligible students enrolled. The commissioner shall consider the head count at the institution when awarding grants. The maximum grant award for an initial institution designation is \$8,000. The maximum grant award for sustaining an institution designation is \$5,000.

(d) The commissioner, in collaboration with student associations representing eligible institutions, shall create an application process and establish selection criteria for awarding the grants.

Sec. 2. Minnesota Statutes 2020, section 135A.15, is amended by adding a subdivision to read:

Subd. 3a. **Affirmative consent.** (a) The policy required under subdivision 1 shall include a provision that establishes an affirmative consent standard. An institution's affirmative consent standard, at a minimum, must incorporate the following elements:

(1) all parties to sexual activity must affirmatively express their consent to the activity;

(2) affirmative consent is freely and affirmatively communicated words or actions given by an individual that a reasonable person under the circumstances would believe communicate a willingness to participate in the sexual activity;

(3) affirmative consent must be knowing and voluntary and not the result of force, coercion, or intimidation;

(4) silence, lack of protest, or failure to resist, without active indications of consent, is not consent;

(5) consent to any one form of sexual activity does not by itself imply consent to any other forms of sexual activity;

(6) consent may be withdrawn at any time;

(7) a previous relationship or prior consent does not by itself imply consent to future sexual acts; and

(8) a person is deemed incapable of consenting when that person is:

(i) unable to communicate or understand the nature or extent of a sexual situation due to mental or physical incapacitation or impairment; or

(ii) physically helpless, either due to the effects of drugs or alcohol, or because the person is asleep.

(b) The affirmative consent standard must at least incorporate all elements of consent as defined in section 609.341, but is not limited to the standard of consent as defined in that section.

Sec. 3. Minnesota Statutes 2020, section 135A.15, subdivision 8, is amended to read:

Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus security officers and campus administrators responsible for investigating or adjudicating complaints of sexual assault with comprehensive training on preventing and responding to sexual assault in collaboration with the Bureau of Criminal Apprehension or another law enforcement agency with expertise in criminal sexual conduct. The training for campus security officers shall include a presentation on the dynamics of sexual assault, neurobiological responses to trauma, and best practices for preventing, responding to, and investigating sexual assault. The training for campus administrators responsible for investigating or adjudicating complaints on sexual assault shall include presentations on preventing sexual assault, responding to incidents of sexual assault, the dynamics of sexual assault, neurobiological responses to trauma, and compliance with state and federal laws on sexual assault.

(b) The following categories of students who attend, or will attend, one or more courses on campus or will participate in on-campus activities must be provided sexual assault training:

(1) students pursuing a degree or certificate;

(2) students who are taking courses through the Postsecondary Enrollment Options Act; and

(3) any other categories of students determined by the institution.

Students must complete such training no later than ten business days after the start of a student's first semester of classes. Once a student completes the training, institutions must document the student's completion of the training and provide proof of training completion to a student at the student's request. Students enrolled at more than one institution within the same system at the same time are only required to complete the training once.

The training shall include information about topics including but not limited to sexual assault as defined in subdivision 1a; consent as defined in section 609.341, subdivision 4; the affirmative consent standard defined in subdivision 3a; preventing and reducing the prevalence of sexual assault; procedures for reporting campus sexual assault; and campus resources on sexual assault, including organizations that support victims of sexual assault.

(c) A postsecondary institution shall annually train individuals responsible for responding to reports of sexual assault. This training shall include information about best practices for interacting with victims of sexual assault, including how to reduce the emotional distress resulting from the reporting, investigatory, and disciplinary process.

Sec. 4. **[135A.161] INCLUSIVE HIGHER EDUCATION TECHNICAL ASSISTANCE CENTER.**

Subdivision 1. Definitions. (a) For purposes of this section and section 135A.162, the following terms have the meanings given.

(b) "Center" means the Inclusive Higher Education Technical Assistance Center.

(c) "Commissioner" means the commissioner of the Office of Higher Education.

(d) "Comprehensive transition and postsecondary program for students with intellectual disabilities" means a degree, certificate, or nondegree program that is offered by an institute of higher education for students with intellectual disabilities and approved by the United States Department of Education.

(e) "Director" means the director of the Inclusive Higher Education Technical Assistance Center.

(f) "Inclusive higher education" means institution-approved access to higher education for students with an intellectual disability that allows for the same rights, privileges, experiences, benefits, and outcomes that result from a college experience the same as a matriculating student, resulting in a meaningful credential conferred by the institution of higher education. Inclusive higher education includes:

(1) academic access and inclusive instruction;

(2) person-centered planning;

(3) career development;

(4) campus engagement;

(5) self-determination;

(6) paid internships and employment;

(7) on- or off-campus living, when available to other students;

(8) campus community clubs, events, and activity participation;

(9) peer mentors and support; and

(10) a degree, certificate, or nondegree credential.

(g) "National Coordinating Center" means the federally funded National Coordinating Center providing support, coordination, training, and evaluation services for Transition and Postsecondary Education Programs for Students with Intellectual Disabilities and other inclusive higher education initiatives for students with intellectual disability nationwide.

(h) "Office" means the Office of Higher Education.

(i) "Student with an intellectual disability" means a student with an intellectual disability as defined in Code of Federal Regulations, title 34, section 668.231.

Subd. 2. **Establishment.** The commissioner must contract with the Institute on Community Integration at the University of Minnesota to establish the Inclusive Higher Education Technical Assistance Center. The purpose of the center is to increase access to self-sustaining postsecondary education options across Minnesota for students with an intellectual disability to earn meaningful credentials through degree, certificate, and nondegree initiatives leading to competitive integrated employment, genuine community membership, and more independent living. The center must:

(1) coordinate and facilitate the statewide initiative to expand and enhance inclusive higher education opportunities;

(2) provide expertise in inclusive higher education for students with an intellectual disability;

(3) provide technical assistance:

(i) to Minnesota institutions of higher education;

(ii) to local education agencies; and

(iii) as requested by the commissioner; and

(4) provide information to students with intellectual disabilities and their families.

Subd. 3. **Director; advisory committee.** (a) The center must name a director.

(b) The director must appoint an advisory committee and seek the committee's review and recommendations on broad programmatic direction. The advisory committee must be composed of 50 percent students with an intellectual disability. The remaining positions must be filled by family members, key stakeholders, and allies. The director must convene the advisory committee at least quarterly. The advisory committee shall:

(1) review and recommend inclusive higher education offerings;

(2) review and recommend updates to state policy and practice;

(3) document existing and potential funding sources; and

(4) identify obstacles and barriers to students with an intellectual disability to access inclusive higher education opportunities.

Subd. 4. **Responsibilities.** (a) The center must advise all Minnesota institutions of higher education planning or that have an inclusive higher education initiative to follow and maintain the accreditation standards and guiding principles for inclusive higher education as established by the National Coordinating Center, as identified in the United States Code, title 20, section 1140q. The center must offer technical assistance to Minnesota inclusive higher education initiatives to remain in or achieve alignment with federal requirements and with the standards, quality indicators, and benchmarks identified by the National Coordinating Center.

(b) The center must monitor federal and state law related to inclusive higher education and notify the governor, the legislature, and the Office of Higher Education of any change in law which may impact inclusive higher education.

(c) The center must provide technical assistance to institutions of higher education, administrators, faculty, and staff by:

(1) offering institution faculty and staff training and professional development to start, operate, or enhance their inclusive higher education initiative;

(2) providing faculty and staff with information, training, and consultation on the comprehensive transition and postsecondary program requirements, accreditation standards, and guiding principles;

(3) organizing and offering learning community events, an annual inclusive higher education conference and community of practice events to share best practices, provide access to national experts, and address challenges and concerns;

(4) assisting institutions of higher education with identifying existing or potential funding sources for the institution of higher education, student financial aid, and funding for students with an intellectual disability; and

(5) advising faculty and staff with an inclusive higher education option of specific grant applications and funding opportunities.

(d) The center must disseminate information to students with an intellectual disability, their parents, and local education agencies, including but not limited to information about:

(1) postsecondary education options, services, and resources that are available at inclusive institutions of higher education;

(2) technical assistance and training provided by the center, the National Coordinating Center, and key stakeholder organizations and agencies; and

(3) mentoring, networking, and employment opportunities.

Sec. 5. [135A.162] INCLUSIVE HIGHER EDUCATION GRANTS.

Subdivision 1. Establishment. (a) The commissioner of the Office of Higher Education in collaboration with the director of the Inclusive Higher Education Technical Assistance Center must establish a competitive grant program for Minnesota institutions of higher education to develop new or enhance existing inclusive higher education initiatives to enroll or increase enrollment of students with an intellectual disability. The commissioner and director must collaborate to establish the grant program framework, including:

(1) minimum grant requirements;

(2) application format;

(3) criteria for evaluating applications;

(4) grant selection process;

(5) milestones and accountability; and

(6) reporting.

(b) The commissioner must send a description of the competitive grants, including materials describing the grant purpose and goals, an application, compliance requirements, and available funding to each institution of higher education that meets the requirements of subdivision 2, clauses (1) and (2).

Subd. 2. **Eligible grantees.** A public postsecondary two-year or four-year institution is eligible to apply for a grant under this section if the institution:

(1) is accredited by the Higher Learning Commission; and

(2) meets the eligibility requirements under section 136A.103.

Subd. 3. **Application.** (a) Applications must be made to the commissioner on a form developed and provided by the commissioner. The commissioner must, to the greatest extent possible, make the application form as short and simple to complete as is reasonably possible. The commissioner must establish a schedule for applications and grants. The application must include without limitation a written plan to develop or enhance a sustainable inclusive higher education initiative that:

(1) offers the necessary supports to students with an intellectual disability to access the same rights, privileges, experiences, benefits, and outcomes of a typically matriculating student;

(2) includes the development of a meaningful credential for students with an intellectual disability to attain upon successful completion of the student's postsecondary education;

(3) adopts admission standards that do not require a student with an intellectual disability to complete a curriculum-based, achievement college entrance exam that is administered nationwide;

(4) ensures that students with an intellectual disability:

(i) have access and choice in a wide array of academic courses to enroll in for credit or audit that align with the student's interest areas and are attended by students without disabilities;

(ii) have the option to live on or off campus in housing that is available to typically matriculating students;

(iii) have access and support for genuine membership in campus life, including events, social activities and organizations, institution facilities, and technology; and

(iv) are able to access and utilize campus resources available to typical matriculating students;

(5) provides students with an intellectual disability with the supports and experiences necessary to seek and sustain competitive integrated employment;

(6) develops and promotes the self-determination skills of students with an intellectual disability;

(7) utilizes peer mentors who support enrolled students with an intellectual disability in academic, campus engagement, residence life, employment, and campus clubs and organizations;

(8) provides professional development and resources for university professors and instructors to utilize universal design for learning and differentiated instruction that supports and benefits all students; and

(9) presents a ten-year plan including student enrollment projections for sustainability of an initiative that is financially accessible and equitable for all interested students with an intellectual disability.

(b) Eligible institutions of higher education may apply for funding in subsequent years for up to a total of ten years of funding.

Subd. 4. **Grant account.** An inclusive higher education grant account is created in the special revenue fund for depositing money appropriated to or received by the commissioner for the program. Money deposited in the account is appropriated to the commissioner, does not cancel, and is continuously available for grants under this section. The commissioner may use up to five percent of the amount deposited into the account for the administration of this section.

Subd. 5. **Grant awards.** (a) The commissioner must award grants to eligible institutions of higher education on a competitive basis using criteria established in collaboration with the center. The commissioner must consider and prioritize applicants that have submitted for or received a comprehensive transition and postsecondary program designation, or applicants with documented progress or intent toward submitting for federal approval. An eligible institution of higher education may apply annually for and receive up to \$200,000 per year for four years and \$100,000 in subsequent years pending performance and the funding limitation in subdivision 3, paragraph (b).

(b) A grant recipient must:

(1) adopt the inclusive higher education national accreditation standards and guiding principles as established by the National Coordinating Center;

(2) provide a 25 percent match for the grant funds, either monetary or in-kind; and

(3) collaborate with the Office of Higher Education, the center, and key stakeholders in the development of the inclusive higher education initiative.

Subd. 6. **Grantee reporting.** By August 1 and January 1 following a fiscal year in which a grant was received and for five years thereafter, the grantee must submit a report to the director that includes the status and outcomes of the initiative funded. The report must include performance indicators and information deemed relevant by the director and commissioner. The report must include the following performance indicators:

(1) student recruitment and number of students enrolled;

(2) student retainment effort and retention rate;

(3) initiative goals and outcomes;

(4) student attainment rate;

(5) graduated student employment rates and salary levels at year one and year five after completion; and

(6) additional performance indicators or information established under subdivision 1, paragraph (a), clauses (5) and (6).

Subd. 7. **Reporting.** The director must evaluate the development and implementation of the Minnesota inclusive higher education initiatives receiving a grant under this section. The director must submit an annual report by October 1 on the progress to expand Minnesota inclusive higher education options for students with intellectual disabilities to the commissioner and chairs and ranking minority members of the legislative committees with jurisdiction over higher education policy and finance. The report must include statutory and budget recommendations.

EFFECTIVE DATE. This section is effective June 30, 2022, except that the reporting requirements under subdivision 7 are effective June 30, 2023.

Sec. 6. **[136A.0205] FREE COLLEGE GRANTS.**

Subdivision 1. **Program established.** The commissioner shall establish a free college grant program to pay for the remaining financial needs of students attending state colleges.

Subd. 2. **Eligibility.** A student is eligible for a free college grant if the student:

(1) receives a state grant award under section 136A.121; and

(2) is enrolled at a two-year institution within the Minnesota State Colleges and Universities system.

Subd. 3. **Award amounts.** (a) The amount of the free college grant is equal to:

(1) the eligible student's allowance for tuition and fees under section 136A.121, subdivision 6, after deducting:

(i) the amount of a federal Pell Grant award for which the student is eligible;

(ii) the amount of the state grant;

(iii) the amount of any other state or federal gift aid received;

(iv) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission amounts; and

(v) the sum of all Tribal or private grants or scholarships;

(2) multiplied by:

(i) 100 percent if the student reports a family adjusted gross income less than \$75,000;

(ii) 95 percent if the student reports a family adjusted gross income greater than or equal to \$75,000 and less than \$80,000;

(iii) 90 percent if the student reports a family adjusted gross income greater than or equal to \$80,000 and less than \$85,000;

(iv) 85 percent if the student reports a family adjusted gross income greater than or equal to \$85,000 and less than \$90,000;

(v) 80 percent if the student reports a family adjusted gross income greater than or equal to \$90,000 and less than \$95,000;

(vi) 75 percent if the student reports a family adjusted gross income greater than or equal to \$95,000 and less than \$100,000;

(vii) 70 percent if the student reports a family adjusted gross income greater than or equal to \$100,000 and less than \$105,000;

(viii) 65 percent if the student reports a family adjusted gross income greater than or equal to \$105,000 and less than \$110,000;

(ix) 60 percent if the student reports a family adjusted gross income greater than or equal to \$110,000 and less than \$115,000;

(x) 55 percent if the student reports a family adjusted gross income greater than or equal to \$115,000 and less than \$120,000;

(xi) 50 percent if the student reports a family adjusted gross income greater than or equal to \$120,000 and less than \$125,000; and

(xii) 0 percent if the student reports a family adjusted gross income greater than or equal to \$125,000.

(b) Eligible students are encouraged to apply for all other sources of financial aid.

Subd. 4. **Administration.** The commissioner shall administer the free college grant program consistent with the state grant program under section 136A.121. Any provisions of section 136A.121 that do not conflict with this section apply to the free college grant program.

Subd. 5. **Report.** The commissioner shall include spending projections for the free college grant program in the report required under section 136A.121, subdivision 19.

EFFECTIVE DATE. This section is effective the day following final enactment. The commissioner shall begin offering grants under this section in the 2023-2024 academic year.

Sec. 7. Minnesota Statutes 2020, section 136A.121, subdivision 5, is amended to read:

Subd. 5. **Grant stipends.** The grant stipend shall be based on a sharing of responsibility for covering the recognized cost of attendance by the applicant, the applicant's family, and the government. The amount of a financial stipend must not exceed a grant applicant's recognized cost of attendance, as defined in subdivision 6, after deducting the following:

(1) the assigned student responsibility of at least ~~50~~ 48 percent of the cost of attending the institution of the applicant's choosing;

(2) the assigned family responsibility as defined in section 136A.101; and

(3) the amount of a federal Pell grant award for which the grant applicant is eligible.

The minimum financial stipend is \$100 per academic year.

Sec. 8. **[136A.1251] STUDENT-PARENT SUPPORT INITIATIVE.**

Subdivision 1. **Grants.** (a) To address the needs and support the educational goals of expectant and parenting college students across Minnesota, the commissioner shall award grants and provide support services to institutions and partnering entities that assist parents of young children and expectant parents. Grants shall be awarded to postsecondary institutions, professional organizations, community-based organizations, or other applicants deemed appropriate by the commissioner. Grants must be used to offer services to support the academic goals, health, and well-being of student parents. Services and costs eligible for grant funding include but are not limited to:

(1) program development costs;

(2) costs related to the start-up of on-campus child care;

(3) evaluation and data collection; and

(4) direct assistance to student parents including:

(i) scholarships;

(ii) basic needs support; and

(iii) expenses related to child care.

(b) Postsecondary institutions may act as the fiscal agents in partnership with a local nongovernmental agency, child care center, or other organization that serves student parents.

Subd. 2. **Application process.** The commissioner shall develop a grant application process. The commissioner shall support projects in a manner that attempts to ensure eligible students throughout the state have access to program services.

Subd. 3. **Health-related supports.** The commissioner, in partnership with the Department of Health, shall provide health-related supports. Activities for health-related supports include:

(1) ensuring programs, services, and materials are medically accurate, age appropriate, culturally and linguistically appropriate, and inclusive of all populations;

(2) working with community health care providers and other service support organizations that serve the target population for this program; and

(3) providing technical assistance and training for institutional parent support center staff on how to conduct screenings and referrals for the health concerns of student parents, including alcohol misuse, substance use disorders, depression, anxiety, intimate partner violence, tobacco and nicotine, and other health concerns.

Subd. 4. **Report and evaluation.** By August 1 of each odd-numbered year, the commissioner shall submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education finance regarding the grant recipients and their activities. The report shall include information about the students served, the organizations providing services, program activities, program goals, and outcomes.

Sec. 9. Minnesota Statutes 2021 Supplement, section 136A.126, subdivision 1, is amended to read:

Subdivision 1. **Student eligibility.** The commissioner shall establish procedures for the distribution of scholarships to a Minnesota resident student as defined under section 136A.101, subdivision 8, who:

(1) is of one-fourth or more Indian ancestry or is an enrolled member or citizen of a federally recognized American Indian or Canadian First Nations tribe;

(2) has applied for other existing state and federal scholarship and grant programs;

(3) is meeting satisfactory academic progress as defined under section 136A.101, subdivision 10;

(4) is not in default, as defined by the office, of a federal or state student educational loan;

(5) if enrolled in an undergraduate program, ~~is eligible or would be eligible to receive a federal Pell Grant or a state grant based on the federal needs analysis and~~ is enrolled for nine semester credits per term or more, or the equivalent; and

(6) if enrolled in a graduate program, demonstrates a remaining financial need in the award amount calculation and is enrolled, per term, on a half-time basis or more as defined by the postsecondary institution.

Sec. 10. Minnesota Statutes 2021 Supplement, section 136A.126, subdivision 4, is amended to read:

Subd. 4. **Award amount.** (a) Each student shall be awarded a scholarship based on the federal need analysis. Applicants are encouraged to apply for all other sources of financial aid. The amount of the award must not exceed the applicant's cost of attendance, as defined in subdivision 3, after deducting:

- (1) the expected family contribution as calculated by the federal need analysis;
- (2) the amount of a federal Pell Grant award for which the applicant is eligible;
- (3) the amount of the state grant;
- (4) the federal Supplemental Educational Opportunity Grant;
- (5) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission amounts;
- (6) the sum of all Tribal scholarships;
- (7) the amount of any other state and federal gift aid; and
- (8) the amount of any private grants or scholarships.

(b) The award shall be paid directly to the postsecondary institution where the student receives federal financial aid.

(c) Awards are limited as follows:

- (1) the maximum award for an undergraduate is ~~\$4,000~~ \$8,000 per academic year;
- (2) the maximum award for a graduate student is ~~\$6,000~~ \$8,000 per academic year; and
- (3) the minimum award for all students is \$100 per academic year.

(d) Scholarships may not be given to any Indian student for more than three years of study for a two-year degree, certificate, or diploma program or five years of study for a four-year degree program at the undergraduate level and for more than five years at the graduate level. Students may acquire only one degree per level and one terminal graduate degree. Scholarships may not be given to any student for more than ten years including five years of undergraduate study and five years of graduate study.

(e) Scholarships may be given to an eligible student for four quarters, three semesters, or the equivalent during the course of a single fiscal year. In calculating the award amount, the office must use the same calculation it would for any other term.

Sec. 11. Minnesota Statutes 2021 Supplement, section 136A.1791, subdivision 5, is amended to read:

Subd. 5. **Amount of loan repayment.** (a) To the extent funding is available, the annual amount of teacher shortage loan repayment for an approved applicant shall not exceed ~~\$1,000~~ \$2,000 or the cumulative balance of the applicant's qualified educational loans, including principal and interest, whichever amount is less.

(b) Recipients must secure their own qualified educational loans. Teachers who graduate from an approved teacher preparation program or teachers who add a licensure field, consistent with the teacher shortage requirements of this section, are eligible to apply for the loan repayment program.

(c) No teacher shall receive more than five annual awards.

Sec. 12. Minnesota Statutes 2021 Supplement, section 136F.20, subdivision 4, is amended to read:

Subd. 4. **Mental health awareness program.** (a) The board shall implement a mental health awareness program at each Minnesota state college and university by the start of the 2022-2023 academic year. A mental health awareness program shall include:

(1) a web page at each institution that includes links to existing self-assessment resources, resources connecting students to campus and community-based resources, and emergency contact information and resources;

(2) mandatory mental health first aid training, evidence-based suicide prevention training, or other similar mental health training for faculty, staff, and students, giving priority to those who serve in roles that include increased direct contact with students who are experiencing mental health concerns, such as student housing and campus safety employees. Each college and university shall identify the appropriate faculty, staff, and students to receive training based on college or university structure and available funding;

(3) a session at each student orientation program that includes information about maintaining good mental health, the symptoms of mental health conditions common among college students, and mental health resources and services available to students;

(4) a messaging strategy to send students information on available mental health resources and services at least once per term, and during periods of high academic stress; and

(5) distributing the suicide prevention helpline and text line contact information in a way that increases accessibility and awareness of that information to students.

(b) The board shall create and maintain a mental health community of practice including faculty and staff with subject matter expertise in mental health to identify resources and best practices to inform campus-based strategies to raise awareness of local and state resources and implement appropriate training experiences.

(c) The board shall make grants to Minnesota State Colleges and Universities to establish a peer support pilot program designed to assist students with a mental health condition. The program shall utilize student peers to support students living with mental health conditions on campus. The peer support program may be housed within the counseling center, wellness center, or resident assistance programs on campus. The peer support program leaders must be trained to facilitate discussions on mental health, identify students who may be in crisis, and refer students to programs for mental health support.

(d) The board shall pursue additional centralized mental health resources, training opportunities, and support that will enhance student mental health capacity on college and university campuses and in local communities.

Sec. 13. Minnesota Statutes 2021 Supplement, section 136F.202, subdivision 1, is amended to read:

Subdivision 1. **Basic needs resources.** (a) Each college and university shall create and maintain a web page that clearly identifies basic needs resources available at the college or university. This web page shall clearly identify at least one staff member, faculty member, or department as a point of contact to whom students may direct questions. Each college and university shall also make the information under this paragraph available on the college or university mobile application, if possible.

(b) The board shall pursue the creation of a centralized basic needs online resource web page that will raise awareness of campus-based resources available at colleges and universities and local, state, and national resources that can assist in addressing basic needs insecurity.

(c) The board shall pursue additional centralized basic needs resources, training opportunities, and support that will enhance student basic needs capacity on college and university campuses and in local communities.

Sec. 14. Minnesota Statutes 2020, section 137.023, is amended to read:

137.023 UNIVERSITY STUDENT ON BOARD OF REGENTS SEATS ASSIGNED.

Subdivision 1. **Seats assigned.** (a) In electing members of the Board of Regents pursuant to article 13, section 3, of the Constitution of the state of Minnesota, and Territorial Laws 1851, chapter 3, section 5:

(1) one member of the Board of Regents of the university board shall be a person who at the time of election to the board is a student who is enrolled in a degree program at the university;

(2) one member of the board must be a person who at the time of election to the board is a tenured faculty member of the university; and

(3) one member of the board must represent a university employee organization, as defined by section 179A.03, subdivision 6.

(b) This person Persons elected under paragraph (a) shall represent the state at large. Upon expiration of the term or in the event of a vacancy in the office, one position the seats assigned in paragraph (a) shall be filled by a person having the same qualifications.

Subd. 2. **American Indian regent.** At least one member of the Board of Regents shall be an enrolled member of a federally recognized Indian Tribe within the state of Minnesota.

EFFECTIVE DATE. This section is effective the day following final enactment. The first at-large position to be elected following enactment of this section shall be assigned to a tenured faculty member, and the next at-large position to be elected shall be assigned to a representative of a university employee organization.

Sec. 15. Minnesota Statutes 2020, section 137.024, is amended to read:

137.024 CONGRESSIONAL DISTRICTS REPRESENTED ON BOARD OF REGENTS.

(a) At least one member of the Board of Regents of the university shall be a resident of each congressional district.

(b) If legislative redistricting changes the boundaries of the state's congressional districts, sitting regents representing specific congressional districts may fulfill their elected terms on the Board of Regents. When a seat designated for a congressional district first becomes vacant after redistricting, the legislature shall apply current district boundaries in order to comply with paragraph (a).

(c) If, due to congressional apportionment, the state loses a congressional district, the regent seat designated for that district shall represent the state at large. If the state gains a congressional district, the next vacant at-large seat that is not reserved pursuant to section 137.023 must be assigned to the new district.

Sec. 16. **[137.0242] TERM LIMITS FOR UNIVERSITY REGENTS.**

The legislature shall not elect a person to the Board of Regents of the university more than twice.

Sec. 17. Minnesota Statutes 2020, section 137.0245, subdivision 2, is amended to read:

Subd. 2. **Membership.** (a) The Regent Candidate Advisory Council shall consist of ~~24~~ 25 members.

~~Twelve~~ (b) Five members shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. ~~Twelve~~ Five members shall be appointed by the speaker of the house. ~~Each appointing authority must appoint one member who is a student enrolled in a degree program at the University of Minnesota at the time of appointment.~~ No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of any member. Geographical representation must be taken into consideration when making appointments.

(c) Additional members of the council shall include:

(1) one current faculty member from each of the five University of Minnesota system campuses, each of whom shall be appointed by the faculty senate of that faculty member's campus, or, if no campus-specific faculty senate exists, by the university system's faculty senate;

(2) the student body president of each of the five University of Minnesota system campuses, or designees thereof; and

(3) one designee from each of the following entities:

(i) the Indian Affairs Council;

(ii) the Minnesota Council on Latino Affairs;

(iii) the Council for Minnesotans of African Heritage;

(iv) the Council on Asian-Pacific Minnesotans; and

(v) the Council on Disability.

(d) Section 15.0575 shall govern the advisory council, except that:

~~(4) the members shall be appointed to six-year terms with one third appointed each even numbered year; and~~

~~(2) student members are appointed to two year terms with two students appointed each even numbered year.~~

(e) A member may not serve more than two full terms.

EFFECTIVE DATE. This section is effective the day following final enactment. By September 1, 2022, the house and senate shall appoint one member to a term that expires January 2024, two members to terms that expire January 2026, and two members to full terms that expire January 2028. Members of the Regent Candidate Advisory Council at the time of enactment may be reappointed, but remain subject to the two-term limit imposed by this section.

Sec. 18. Minnesota Statutes 2020, section 137.0245, subdivision 3, is amended to read:

Subd. 3. **Duties.** (a) The advisory council shall:

(1) develop, in consultation with current and former regents and the administration of the University of Minnesota, a statement of the selection criteria to be applied and a description of the responsibilities and duties of a regent, and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the Board of Regents, based on the background and experience of the candidates, their potential for discharging the responsibilities of a member of the Board of Regents, and the needs of the board. ~~The selection criteria must not include a limitation on the number of terms an individual may serve on the Board of Regents.~~

(b) The selection criteria developed under paragraph (a), clause (1), must include a criterion that regents represent diversity in geography; gender; race; occupation, including business and labor; and experience.

(c) The selection criterion must include an identification of the membership needs of the board for individual skills relevant to the governance of the University of Minnesota and the needs for certain individual characteristics. Individual characteristics relate to qualities such as gender, race, and geographic location of residence.

Sec. 19. Minnesota Statutes 2020, section 137.0246, is amended to read:

137.0246 REGENT NOMINATION AND ELECTION.

Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee consists of the members of the higher education budget and policy divisions in each house of the legislature. The chairs of the divisions from each body shall be cochairs of the joint legislative committee. A majority of the members from each house is a quorum of the joint committee.

(b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent resolution, the joint legislative committee shall meet to consider the advisory council's recommendations for regent of the University of Minnesota for possible presentation to a joint convention of the legislature.

(c) The joint committee may recommend to the joint convention candidates recommended by the advisory council and the other candidates nominated by the joint committee. A candidate other than those recommended by the advisory council may be nominated for consideration by the joint committee only if the nomination receives the support of at least three house of representatives members of the committee and two senate members of the committee. A candidate must receive a majority vote of members from the house of representatives and from the senate on the joint committee to be recommended to the joint convention. The joint committee ~~may~~ must recommend ~~no more than one candidate~~ two candidates for each vacancy. In recommending nominees, the joint committee must consider the needs of the board of regents and the balance of the board membership with respect to gender, racial, and ethnic composition.

Subd. 3. **Joint convention to elect regents.** At the joint convention of the senate and house of representatives called to elect regents, the joint committee shall report the names of the persons recommended for each vacancy. These persons are considered to be nominated. No additional nominations may be submitted.

Subd. 4. **Joint rules must conform to this section.** The joint rules of the senate and house of representatives must be amended to conform to the requirements of this section.

Sec. 20. **[137.035] GREEN TRAINING PROGRAM.**

Subdivision 1. **Account established.** (a) A green training program account is established in the special revenue fund. Money in the account is appropriated to the Board of Regents to administer the green training program in accordance with this section. Appropriations to the board for the program are for transfer to the account. Appropriations from the account do not cancel and are available until expended.

(b) If the Board of Regents does not establish the committee as requested in subdivision 2, all unencumbered balances in the account shall cancel back to the general fund at the end of the fiscal year.

Subd. 2. **Committee established.** (a) The Board of Regents is requested to establish a green training program committee to administer funds in the program account and to appoint members to the committee. At least 50 percent of the committee's members must represent and be appointed by labor organizations for frontline service workers at the university. Frontline service workers include those in the following job categories:

- (1) food service worker and senior food service worker;
- (2) cashier/food aide, junior cashier/food aide, and senior cashier/food aide;
- (3) cook;
- (4) baker;
- (5) attendant and senior attendant;
- (6) stores specialist;
- (7) delivery service driver;
- (8) laborer and senior laborer;
- (9) waste treatment attendant;
- (10) building and grounds worker and senior building and grounds worker;
- (11) athletic grounds worker;
- (12) packer helper;
- (13) maintenance equipment operator and senior maintenance equipment operator;
- (14) heavy equipment operator;
- (15) farm equipment operator;
- (16) mechanic 1, 2, and 3;
- (17) copy center equipment operator and lead copy center operator;
- (18) intercollegiate athletic equipment worker;

(19) farm animal attendant;

(20) gardener and senior gardener;

(21) assistant gardener;

(22) laboratory attendant and senior laboratory attendant;

(23) laboratory animal attendant;

(24) utility worker and senior utility worker; and

(25) hazardous material disposal specialist.

(b) Initial appointments to the committee shall be made no later than September 1, 2022. Committee members shall serve for a term of three years and may be reappointed.

(c) The committee shall annually elect a chair and vice-chair from among its members, and may elect other officers as necessary.

(d) The Board of Regents is requested to convene the first meeting of the committee no later than October 1, 2022. Thereafter, the committee shall meet upon the call of the chair or at the request of a majority of committee members.

Subd. 3. Committee duties. (a) The green training program committee shall oversee and administer funds appropriated for the green training program. Program funds may be used for the following purposes:

(1) education and training of university employees in fields determined by the committee, including but not limited to:

(i) reduction in solid waste;

(ii) proper sorting of solid waste; and

(iii) reduction in energy usage; and

(2) training incentives for university employees in the form of a per-hour increase in pay upon employee completion of training.

(b) The committee shall monitor industry issues and trends affecting solid waste management, energy consumption, and other sustainability measures and make recommendations to the Board of Regents regarding university practices in these areas.

(c) For the purposes of university employee training, the committee may procure direct technical and educational assistance by using existing institutions and resources, including but not limited to:

(1) local workforce investment boards;

(2) state colleges;

(3) labor organizations;

(4) administrative entities for service delivery areas under the federal Workforce Investment Act or its successor statute; and

(5) nonprofit organizations and other entities that have expertise in providing technical assistance regarding employee training in the fields determined by the committee under paragraph (a).

Subd. 4. **Collective bargaining.** By mutual agreement through collective bargaining with frontline service worker unions, the Board of Regents may adopt additional rules and procedures for the green training program, the program committee, and the use of green training program account funds. These rules and procedures must not conflict with this section.

Subd. 5. **Report required.** Not later than February 28 of each year, beginning in 2023, the green training program committee shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education policy and finance concerning the state of the program account and account funds disbursed, together with any recommendations and additional information the committee considers appropriate.

Sec. 21. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 35, is amended to read:

Subd. 35. Hunger-Free Campus Grants	205,000	102,000
--	---------	---------

For the Office of Higher Education to provide initial and sustaining grants to Minnesota public postsecondary institutions, nonprofit private postsecondary institutions, and Tribal colleges under Minnesota Statutes, section ~~136F.245~~ 135A.137, subdivision ~~4~~ 3, to meet and maintain the criteria in that same section to address food insecurity on campus.

Sec. 22. Laws 2021, First Special Session chapter 2, article 2, section 45, is amended by adding a subdivision to read:

Subd. 7. **Expiration.** This section expires June 30, 2027.

Sec. 23. **SOCIAL WORK SCHOLARSHIP PROGRAM.**

Subdivision 1. **Program established.** The commissioner of the Office of Higher Education shall establish a scholarship program for eligible students preparing to become licensed social workers in Minnesota.

Subd. 2. **Eligible students.** (a) A student is eligible for a scholarship under this section if the student is:

(1) a resident student as defined in Minnesota Statutes, section 136A.101;

(2) enrolled in a baccalaureate degree-granting social work program at an eligible institution as defined in Minnesota Statutes, section 136A.101; and

(3) in good academic standing and making satisfactory academic progress as defined in Minnesota Statutes, section 136A.101.

(b) To receive a scholarship under this section, a student must:

(1) apply in the form and manner specified by the commissioner; and

(2) sign a contract agreeing to fulfill the employment obligation under subdivision 4.

(c) A student may receive a scholarship under this section for no more than eight semesters or the equivalent.

Subd. 3. **Scholarship amounts.** (a) The amount of a scholarship awarded under this section shall be equal to the recipient's recognized cost of attendance after deducting:

(1) the amount of the federal Pell grant award for which the recipient is eligible;

(2) the amount of the state grant award for which the recipient is eligible;

(3) the amount of any other state or federal gift aid received; and

(4) the sum of all institutional scholarships, grants, tuition waivers, and tuition remission amounts.

(b) For purposes of this section, the recognized cost of attendance for a public institution has the meaning given in Code of Federal Regulations, title 20, chapter 28, subchapter IV, part F, section 10871l. The recognized cost of attendance for a private institution equals the lesser of:

(1) the cost of attendance for the institution as calculated under Code of Federal Regulations, title 20, chapter 28, subchapter IV, part F, section 10871l; or

(2) an amount equal to the highest recognized cost of attendance at a public university.

(c) The scholarship shall be paid directly to the institution where the recipient is enrolled.

Subd. 4. **Employment obligation.** (a) Beginning within six months of the completion of the academic program for which the scholarship was awarded, a scholarship recipient must:

(1) be licensed with the Minnesota Board of Social Work; and

(2) be employed full time as a social worker in Minnesota for at least four years.

(b) A recipient who has completed the program for which the scholarship was awarded, but who has not fulfilled the total employment obligation, must annually verify, in a form and manner specified by the commissioner, that the recipient is employed in a position that fulfills the employment obligation.

(c) If a recipient fails to meet the employment requirement, the commissioner shall convert the recipient's total scholarship award to a student loan and collect from the participant the total amount paid plus interest at a rate established according to Minnesota Statutes, section 270C.40.

(d) The commissioner may waive or defer the employment obligation for a scholarship recipient for continued graduate studies in social work or for circumstances involving extreme hardship.

(e) Any obligation to fulfill the employment obligation cancels upon the death or permanent and total disability of the scholarship recipient.

(f) The commissioner shall develop a contract to be signed by all scholarship applicants. The contract shall bind the applicant to the employment obligation under this subdivision.

Subd. 5. **Insufficient appropriation.** If the amount appropriated for this program is determined by the office to be insufficient to make full awards to all eligible applicants, the commissioner shall prioritize awards to eligible applicants based on the applicants' individual financial needs as determined by the federal needs analysis.

Subd. 6. **Report required.** By February 15 of each year, the commissioner of the Office of Higher Education shall submit a report on the details of the program under this section to the legislative committees with jurisdiction over higher education finance and policy and to the Legislative Reference Library as provided by Minnesota Statutes, section 3.195. The report shall include the following information:

(1) the number of students receiving an award in the previous year and the institutions they attended;

(2) the average and total award amounts in the previous year, disaggregate by institution attended;

(3) summary demographic data on award recipients in the previous year;

(4) data on recipients currently subject to the employment obligation under subdivision 4, including the number of recipients subject to the obligation, the number who are successfully completing the obligation, the number who have had their scholarships converted to loans; and the number who have had their obligation waived or deferred; and

(5) if the appropriation for the program was determined to be insufficient, an explanation of measures taken under subdivision 5.

Subd. 7. **Expiration.** This section expires June 30, 2027.

EFFECTIVE DATE. This section is effective the day following final enactment. The commissioner shall begin offering scholarships under this section in the 2023-2024 academic year.

Sec. 24. REQUEST TO THE BOARD OF REGENTS.

The Board of Regents of the University of Minnesota is requested to amend its policies to permit a regent elected under Minnesota Statutes, section 137.023, subdivision 1, to serve as a compensated university employee.

ARTICLE 3
OFFICE OF HIGHER EDUCATION

Section 1. Minnesota Statutes 2020, section 136A.121, subdivision 18, is amended to read:

Subd. 18. **Data.** (a) An eligible institution whose students are eligible to receive funding under sections 136A.095 to 136A.246 must provide to the office data on student enrollment and federal and state financial aid.

(b) An institution or its agent must provide to the office aggregate and distributional financial or other data as determined by the commissioner that is directly related to the responsibilities of the office under this chapter. The commissioner may only request aggregate and distributional data after establishing and consulting with a data advisory task force to determine the need, content, and detail of the information. Data provided by nonpublic institutions under this paragraph is considered nonpublic data under chapter 13.

Sec. 2. Minnesota Statutes 2020, section 136A.1701, subdivision 11, is amended to read:

Subd. 11. **Data.** (a) An eligible institution whose students are eligible to receive funding under sections 136A.15 to 136A.1795 and licensed or registered under sections 136A.61 to 136A.834 must provide to the office data on student enrollment and federal and state financial aid.

(b) An institution or its agent must provide to the office aggregate and distributional financial or other data as determined by the commissioner that is directly related to the responsibilities of the office under this chapter. The commissioner may only request aggregate and distributional data after establishing and consulting with a data advisory task force to determine the need, content, and detail of the information. Data provided by nonpublic institutions under this paragraph is considered nonpublic data under chapter 13.

Sec. 3. Minnesota Statutes 2020, section 136A.833, is amended to read:

136A.833 EXEMPTIONS.

Subdivision 1. **Application for exemptions.** A school that seeks an exemption from the provisions of sections 136A.822 to 136A.834 for the school and all of its programs or some of its programs must apply to the office to establish that the school or program meets the requirements of an exemption. An exemption for the school or program expires two years from the date of approval or when a school adds a new program or makes a modification equal to or greater than 25 percent to an existing educational program. If a school is reapplying for an exemption, the application must be submitted to the office 90 days before the current exemption expires. This exemption shall not extend to any school that uses any publication or advertisement that is not truthful and gives any false, fraudulent, deceptive, inaccurate, or misleading impressions about the school or its personnel, programs, services, or occupational opportunities for its graduates for promotion and student recruitment. ~~Exemptions denied under this section are subject to appeal under section 136A.65, subdivision 8, paragraph (c).~~ If an exemption is denied, the office shall provide notice of the right to appeal under chapter 14. If an appeal is initiated, the denial of the exemption is not effective until the final determination of the appeal, unless immediate effect is ordered by the court.

Subd. 2. **Exemption reasons.** Sections 136A.821 to 136A.832 shall not apply to the following:

- (1) public postsecondary institutions;
- (2) postsecondary institutions registered under sections 136A.61 to 136A.71;
- (3) postsecondary institutions exempt from registration under sections 136A.653, subdivisions 2, 3, and 3a; 136A.657; and 136A.658;
- ~~(3)~~ (4) private career schools of nursing accredited by the state Board of Nursing or an equivalent public board of another state or foreign country;
- ~~(4)~~ (5) private schools complying with the requirements of section 120A.22, subdivision 4;
- ~~(5)~~ (6) courses taught to students in ~~a valid~~ an apprenticeship program registered by the United States Department of Labor or Minnesota Department of Labor and taught by or required by a trade union;
- ~~(6)~~ (7) private career schools exclusively engaged in training physically or mentally disabled persons for the state of Minnesota;
- ~~(7)~~ (8) private career schools licensed by boards authorized under Minnesota law to issue licenses for training programs except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names;
- ~~(8)~~ (9) private career schools and educational programs, or training programs, contracted for by persons, firms, corporations, government agencies, or associations, for the training of their own employees, for which no fee is charged the employee;

(9) (10) private career schools engaged exclusively in the teaching of purely avocational, recreational, or remedial subjects, including adult basic education, as determined by the office except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names unless the private career school used "academy" or "institute" in its name prior to August 1, 2008;

(40) (11) classes, courses, or programs conducted by a bona fide trade, professional, or fraternal organization, solely for that organization's membership;

(44) (12) programs in the fine arts provided by organizations exempt from taxation under section 290.05 and registered with the attorney general under chapter 309. For the purposes of this clause, "fine arts" means activities resulting in artistic creation or artistic performance of works of the imagination which are engaged in for the primary purpose of creative expression rather than commercial sale or employment. In making this determination the office may seek the advice and recommendation of the Minnesota Board of the Arts;

(42) (13) classes, courses, or programs intended to fulfill the continuing education requirements for licensure or certification in a profession, that have been approved by a legislatively or judicially established board or agency responsible for regulating the practice of the profession or by an industry-specific certification entity, and that are offered exclusively to ~~an individual practicing the profession~~ individuals with the professional licensure or certification;

(43) (14) classes, courses, or programs intended to prepare students to sit for undergraduate, graduate, postgraduate, or occupational licensing ~~and occupational certification~~, or entrance examinations;

(44) (15) classes, courses, or programs providing 16 or fewer clock hours of instruction ~~that are not part of the curriculum for an occupation or entry level employment except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names~~;

(45) (16) classes, courses, or programs providing instruction in personal development, modeling, or acting;

(16) ~~training or instructional programs, in which one instructor teaches an individual student, that are not part of the curriculum for an occupation or are not intended to prepare a person for entry level employment~~;

(17) private career schools with no physical presence in Minnesota, as determined by the office, engaged exclusively in offering distance instruction that are located in and regulated by other states or jurisdictions if the distance education instruction does not include internships, externships, field placements, or clinical placements for residents of Minnesota; and

(18) private career schools providing exclusively training, instructional programs, or courses where tuition, fees, and any other charges for a student to participate do not exceed \$100.

Sec. 4. Minnesota Statutes 2021 Supplement, section 136A.91, subdivision 1, is amended to read:

Subdivision 1. **Grants.** (a) The Office of Higher Education must establish a competitive grant program for postsecondary institutions to expand concurrent enrollment opportunities. To the extent that there are qualified applicants, the commissioner of the Office of Higher Education shall distribute grant funds to ensure:

(1) eligible students throughout the state have access to concurrent enrollment programs; and

(2) preference for grants that expand programs is given to programs already at capacity.

(b) The commissioner may award grants under this section to postsecondary institutions for any of the following purposes:

(1) to develop new concurrent enrollment courses under section 124D.09, subdivision 10, that satisfy the elective standard for career and technical education; or

(2) to expand the existing concurrent enrollment programs already offered by the postsecondary institution by:

(i) creating new sections within the same high school;

(ii) offering the existing course in new high schools; ~~or~~ and

(iii) supporting the preparation, recruitment, and success of students who are underrepresented in concurrent enrollment classrooms.

Sec. 5. Minnesota Statutes 2021 Supplement, section 136A.91, subdivision 2, is amended to read:

Subd. 2. **Application.** ~~(a)~~ The commissioner shall develop a grant application process. A grant applicant must:

(1) specify the purpose under subdivision 1, paragraph (b), for which the institution is applying;

(2) specify both program and student outcome goals;

(3) include student feedback in the development of new programs or the expansion of existing programs; and

(4) demonstrate a commitment to equitable access to concurrent enrollment coursework for all eligible high school students.

~~(b) A postsecondary institution applying for a grant under subdivision 1, paragraph (b), clause (3), must provide a 50 percent match for the grant funds.~~

Sec. 6. **REPEALER.**

Minnesota Rules, part 4880.2500, is repealed."

Delete the title and insert:

"A bill for an act relating to higher education; providing for funding and policy changes for the Office of Higher Education, the University of Minnesota, and the Minnesota State Colleges and Universities system; creating and modifying certain student aid programs; creating and modifying certain grants to institutions; modifying certain institutional licensure provisions; creating the Inclusive Higher Education Technical Assistance Center; modifying Board of Regents provisions; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 135A.15, subdivision 8, by adding a subdivision; 136A.121, subdivisions 5, 18; 136A.1701, subdivision 11; 136A.833; 137.023; 137.024; 137.0245, subdivisions 2, 3; 137.0246; Minnesota Statutes 2021 Supplement, sections 135A.137, subdivision 3; 136A.126, subdivisions 1, 4; 136A.1791, subdivision 5; 136A.91, subdivisions 1, 2; 136F.20, subdivision 4; 136F.202, subdivision 1; Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 35; article 2, section 45, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 137; repealing Minnesota Rules, part 4880.2500."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Ecklund from the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy to which was referred:

H. F. No. 4177, A bill for an act relating to labor and industry; appropriating money for the Department of Labor and Industry and Minnesota Management and Budget; making policy and technical changes; providing OSHA penalty compliance; modifying fair labor standards for agricultural and food processing workers; providing earned sick and safe time; modifying combative sports; adopting civil penalties; authorizing rulemaking; requiring reports; amending Minnesota Statutes 2020, sections 175.16, subdivision 1; 177.26; 177.27, subdivisions 2, 4, 7; 178.01; 178.011, subdivision 7; 178.03, subdivision 1; 178.11; 179.86, subdivisions 1, 3, by adding subdivisions; 181.14, subdivision 1; 181.635, subdivisions 1, 2, 3, 4, 6; 181.85, subdivisions 2, 4; 181.86, subdivision 1; 181.87, subdivisions 2, 3, 7; 181.88; 181.89, subdivision 2, by adding a subdivision; 181.942, subdivision 1; 181.9435, subdivision 1; 181.9436; 182.666, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 326B.103, subdivision 13; 326B.106, subdivision 1; 341.21, subdivision 7; 341.221; 341.25; 341.28; 341.30, subdivision 4; 341.32, subdivision 2; 341.321; 341.33; 341.355; Minnesota Statutes 2021 Supplement, section 326B.153, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 177; 181; 341; repealing Minnesota Statutes 2020, section 181.9413.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns under "Appropriations" are added to the appropriations in Laws 2021, First Special Session chapter 10, or other law to the specified agencies. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. Appropriations for the fiscal year ending June 30, 2022, are effective the day following final enactment.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2022</u>	<u>2023</u>
Sec. 2. <u>DEPARTMENT OF LABOR AND INDUSTRY</u>		
Subdivision 1. <u>Total Appropriation</u>	<u>\$-0-</u>	<u>\$8,583,000</u>
<u>Appropriations by Fund</u>		
	<u>2022</u>	<u>2023</u>
<u>General</u>	<u>-0-</u>	<u>5,450,000</u>
<u>Workers' Compensation</u>	<u>-0-</u>	<u>-0-</u>
<u>Workforce Development</u>	<u>-0-</u>	<u>3,133,000</u>

Subd. 2. Labor Standards and Apprenticeship-0-4,279,000Appropriations by Fund

	<u>2022</u>	<u>2023</u>
<u>General Fund</u>	<u>-0-</u>	<u>1,146,000</u>
<u>Workforce Development</u>	<u>-0-</u>	<u>3,133,000</u>

(a) \$1,059,000 in fiscal year 2023 is from the workforce development fund for labor education and advancement program grants under Minnesota Statutes, section 178.11, to expand and promote registered apprenticeship training for people of color, Indigenous people, and women. Of this amount:

(1) \$159,000 is available for program administration; and

(2) at least \$500,000 must be awarded to community-based organizations.

(b) \$316,000 is from the workforce development fund for administration of the apprenticeship program under Minnesota Statutes, chapter 178.

(c) \$1,758,000 in fiscal year 2023 is from the workforce development fund for prevailing wage education and compliance.

(d) \$196,000 in fiscal year 2023 is to expand and strengthen fair labor standards for agricultural and food processing workers. In fiscal year 2024 and beyond, the base is \$146,000.

(e) \$750,000 in fiscal year 2023 is for the loggers safety grant program under Laws 2021, First Special Session chapter 10, article 3, section 21. This is a onetime appropriation.

(f) \$200,000 in fiscal year 2023 is to establish a Veterans Liaison Coordinator position in the Registered Apprenticeship Division. The position is responsible for collaborating with Minnesota stakeholders and state and federal agencies to: promote and increase veterans in the trades; support initiatives for veterans seeking a living wage and sustainable employment; and increase awareness of registered apprenticeship opportunities in Minnesota. Of this amount, up to \$150,000 is for salary and benefits for the position, and \$50,000 is for administrative support services, marketing, and paid communications. The base for this appropriation is \$180,000 in fiscal year 2024 and \$160,000 in fiscal year 2025.

Subd. 3. Workforce Development Initiatives-0-747,000

(a) \$500,000 in fiscal year 2023 is for youth skills training grants under Minnesota Statutes, section 175.46.

(b) \$247,000 in fiscal year 2023 is for administration of the youth skills training grants under Minnesota Statutes, section 175.46. In fiscal year 2024, the base for this appropriation is \$258,000. In fiscal year 2025, the base for this appropriation is \$270,000.

Subd. 4. **Combative Sports** -0- 150,000

Subd. 5. **Transfer to Construction Code Fund** -0- 2,900,000

\$2,900,000 in fiscal year 2023 is for transfer to the construction code fund under Minnesota Statutes, section 326B.04, subdivision 1. In fiscal year 2024, the base for this appropriation is \$4,477,000. In fiscal year 2025, the base for this appropriation is \$0.

Subd. 6. **Agricultural Worker Wellness** -0- 507,000

(a) \$255,000 in fiscal year 2023 is for the ombudsperson for the safety, health, and well-being of agricultural and food processing workers under Minnesota Statutes, section 179.911.

(b) \$252,000 in fiscal year 2023 is for the agricultural worker wellness committee under Minnesota Statutes, section 179.912.

Sec. 3. **WORKERS' COMPENSATION COURT OF APPEALS** \$-0- \$300,000

(a) This appropriation is from the workers' compensation fund. Of this amount, \$100,000 is for rulemaking. This appropriation is onetime.

(b) In fiscal years 2024 and 2025, \$200,000 is added to the agency's base.

Sec. 4. **BUREAU OF MEDIATION SERVICES** \$-0- \$400,000

This appropriation is for purposes of the Public Employment Relations Board under Minnesota Statutes, section 179A.041. In fiscal years 2024 and 2025, the base is \$525,000.

ARTICLE 2 LABOR AND INDUSTRY POLICY AND TECHNICAL

Section 1. Minnesota Statutes 2020, section 175.16, subdivision 1, is amended to read:

Subdivision 1. **Established.** The Department of Labor and Industry shall consist of the following divisions: Division of Workers' Compensation, Division of Construction Codes and Licensing, Division of Occupational Safety and Health, Division of Statistics, Division of Labor Standards, and Division of Apprenticeship, and such other divisions as the commissioner of the Department of Labor and Industry may deem necessary and establish. Each division of the department and persons in charge thereof shall be subject to the supervision of the commissioner of the Department of Labor and Industry and, in addition to such duties as are or may be imposed on them by statute, shall perform such other duties as may be assigned to them by the commissioner. Notwithstanding

any other law to the contrary, the commissioner is the administrator and supervisor of all of the department's dispute resolution functions and personnel and may delegate authority to compensation judges and others to make determinations under sections 176.106, 176.238, and 176.239 and to approve settlement of claims under section 176.521.

Sec. 2. Minnesota Statutes 2020, section 177.26, is amended to read:

177.26 DIVISION OF LABOR STANDARDS.

Subdivision 1. **Creation.** The Division of Labor Standards ~~and Apprenticeship~~ in the Department of Labor and Industry is supervised and controlled by the commissioner of labor and industry.

Subd. 2. **Powers and duties.** The Division of Labor Standards ~~and Apprenticeship~~ shall administer this chapter and chapters ~~178,~~ 181, 181A, and 184.

~~Subd. 3. **Employees; transfer from Division of Women and Children.** All persons employed by the department in the Division of Women and Children are transferred to the Division of Labor Standards. A transferred person does not lose rights acquired by reason of employment at the time of transfer.~~

Sec. 3. Minnesota Statutes 2020, section 177.27, subdivision 4, is amended to read:

Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275, subdivision 2a, 181.722, 181.79, ~~and~~ 181.939 to 181.943, ~~or~~ 181.991, and with any rule promulgated under section 177.28. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation is repeated if at any time during the two years that preceded the date of violation, the commissioner issued an order to the employer for violation of sections 177.41 to 177.435 and the order is final or the commissioner and the employer have entered into a settlement agreement that required the employer to pay back wages that were required by sections 177.41 to 177.435. The department shall serve the order upon the employer or the employer's authorized representative in person or by certified mail at the employer's place of business. An employer who wishes to contest the order must file written notice of objection to the order with the commissioner within 15 calendar days after being served with the order. A contested case proceeding must then be held in accordance with sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to franchise agreements entered into or amended on or after that date.

Sec. 4. Minnesota Statutes 2020, section 178.01, is amended to read:

178.01 PURPOSES.

The purposes of this chapter are: to open to all people regardless of race, sex, creed, color or national origin, the opportunity to obtain training and on-the-job learning that will equip them for profitable employment and citizenship; to establish as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for their training and guidance in the arts, skills, and crafts of industry and trade or occupation, with concurrent, supplementary instruction in related subjects; to promote apprenticeship opportunities under conditions providing adequate training and on-the-job learning and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an

Apprenticeship Board and apprenticeship committees to assist in effectuating the purposes of this chapter; to provide for a Division of ~~Labor Standards and Apprenticeship~~ within the Department of Labor and Industry; to provide for reports to the legislature regarding the status of apprentice training in the state; to establish a procedure for the determination of apprenticeship agreement controversies; and to accomplish related ends.

Sec. 5. Minnesota Statutes 2020, section 178.011, subdivision 7, is amended to read:

Subd. 7. **Division.** "Division" means the department's ~~Labor Standards and Apprenticeship~~ Division, established under sections 175.16 and 178.03, and the State Apprenticeship Agency as defined in Code of Federal Regulations, title 29, part 29, section 29.2.

Sec. 6. Minnesota Statutes 2020, section 178.03, subdivision 1, is amended to read:

Subdivision 1. **Establishment of division.** There is established a Division of ~~Labor Standards and Apprenticeship~~ in the Department of Labor and Industry. This division shall be administered by a director, and be under the supervision of the commissioner.

Sec. 7. Minnesota Statutes 2020, section 178.11, is amended to read:

178.11 LABOR EDUCATION ADVANCEMENT GRANT PROGRAM.

The commissioner shall establish the labor education advancement grant program for the purpose of facilitating the participation or retention of minorities people of color, Indigenous people, and women in apprenticeable trades and occupations registered apprenticeship programs. The commissioner shall award grants to community-based and nonprofit organizations and Minnesota Tribal governments as defined in section 10.65, serving the targeted populations on a competitive request-for-proposal basis. Interested organizations shall apply for the grants in a form prescribed by the commissioner. As part of the application process, applicants must provide a statement of need for the grant, a description of the targeted population and apprenticeship opportunities, a description of activities to be funded by the grant, evidence supporting the ability to deliver services, information related to coordinating grant activities with other employment and learning programs, identification of matching funds, a budget, and performance objectives. Each submitted application shall be evaluated for completeness and effectiveness of the proposed grant activity.

Sec. 8. Minnesota Statutes 2020, section 181.9435, subdivision 1, is amended to read:

Subdivision 1. **Investigation.** The Division of Labor Standards ~~and Apprenticeship~~ shall receive complaints of employees against employers relating to sections 181.172, paragraph (a) or (d), and 181.939 to 181.9436 and investigate informally whether an employer may be in violation of sections 181.172, paragraph (a) or (d), and 181.939 to 181.9436. The division shall attempt to resolve employee complaints by informing employees and employers of the provisions of the law and directing employers to comply with the law. For complaints related to section 181.939, the division must contact the employer within two business days and investigate the complaint within ten days of receipt of the complaint.

Sec. 9. Minnesota Statutes 2020, section 181.9436, is amended to read:

181.9436 POSTING OF LAW.

The Division of Labor Standards ~~and Apprenticeship~~ shall develop, with the assistance of interested business and community organizations, an educational poster stating employees' rights under sections 181.940 to 181.9436. The department shall make the poster available, upon request, to employers for posting on the employer's premises.

Sec. 10. **[181.988] COVENANTS NOT TO COMPETE VOID IN EMPLOYMENT AGREEMENTS; SUBSTANTIVE PROTECTIONS OF MINNESOTA LAW APPLY.**

Subdivision 1. Definitions. (a) "Covenant not to compete" means an agreement between an employee and employer that restricts the employee, after termination of the employment, from performing:

(1) work for another employer for a specified period of time;

(2) work in a specified geographical area; or

(3) work for another employer in a capacity that is similar to the employee's work for the employer that is party to the agreement.

(b) "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

Subd. 2. Covenants not to compete void and unenforceable. (a) Subject to the exception in paragraph (b), any covenant not to compete contained in a contract or agreement is void and unenforceable.

(b) Notwithstanding paragraph (a), a covenant not to compete between an employer and employee is valid and enforceable if:

(1) the employee earned an annual salary from the employer at least equal to the median family income for a four-person family in Minnesota, as determined by the United States Census Bureau, for the most recent year available at the time of the employee's termination; and

(2) the employer agrees to pay the employee on a pro rata basis during the entirety of the restricted period of the covenant not to compete at least 50 percent of the employee's highest annualized base salary paid by the employer within the two years preceding the employee's separation from employment.

(c) Nothing in this subdivision shall be construed to render void or unenforceable any other provisions in a contract or agreement containing a void or unenforceable covenant not to compete.

(d) In addition to injunctive relief and any other remedies available, a court may award an employee who is enforcing rights under this section reasonable attorney fees.

Subd. 3. Choice of law; venue. (a) An employer must not require an employee who primarily resides and works in Minnesota, as a condition of employment, to agree to a provision in an agreement or contract that would do either of the following:

(1) require the employee to adjudicate outside of Minnesota a claim arising in Minnesota; or

(2) deprive the employee of the substantive protection of Minnesota law with respect to a controversy arising in Minnesota.

(b) Any provision of a contract or agreement that violates paragraph (a) is voidable at any time by the employee and if a provision is rendered void at the request of the employee, the matter shall be adjudicated in Minnesota and Minnesota law shall govern the dispute.

(c) In addition to injunctive relief and any other remedies available, a court may award an employee who is enforcing rights under this section reasonable attorney fees.

(d) For purposes of this section, adjudication includes litigation and arbitration.

(e) This subdivision shall not apply to a contract with an employee who is in fact individually represented by legal counsel in negotiating the terms of an agreement to designate either the venue or forum in which a controversy arising from the employment contract may be adjudicated or the choice of law to be applied.

Subd. 4. **Severability.** If any provision of this section is found to be unconstitutional and void, the remaining provisions of this section are valid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to contracts and agreements entered into on or after that date.

Sec. 11. **[181.991] RESTRICTIVE FRANCHISE AGREEMENTS PROHIBITED.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Employee" means an individual employed by an employer and includes independent contractors.

(c) "Employer" has the meaning given in section 177.23, subdivision 6.

(d) "Franchise," "franchisee," and "franchisor" have the meanings given in section 80C.01, subdivisions 4 to 6.

Subd. 2. **Prohibition on restrictive franchise agreements.** (a) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee of a franchisee of the same franchisor.

(b) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee of the franchisor.

Subd. 3. **Franchise agreement amendment.** Notwithstanding any law to the contrary, no later than one year from the effective date of this section, franchisors shall amend existing franchise agreements to remove any restrictive employment provision that violates subdivision 2.

Subd. 4. **Civil action; penalties.** (a) An employee alleging a violation of this section may bring a civil action for damages and injunctive relief against the employer.

(b) If the court finds that a franchisor has violated this section, the court shall enter judgment, grant injunctive relief as deemed appropriate, and award the employee plaintiff the greater of:

(1) the actual damages incurred by the plaintiff, plus any injunctive relief, costs, and reasonable attorney fees; or

(2) a \$5,000 penalty.

(c) If no civil action is commenced, the commissioner of labor and industry shall assess a \$5,000 per employee penalty for violations of this section. This assessment is in addition to the commissioner's authority under section 177.27, subdivisions 4 and 7. Any penalty assessed under this subdivision shall be awarded to the employee plaintiff and not to the commissioner or the department.

Subd. 5. **Severability.** If any provision of this section is found to be unconstitutional and void, the remaining provisions of this section are valid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to franchise agreements entered into or amended on or after that date.

Sec. 12. Minnesota Statutes 2021 Supplement, section 326B.092, subdivision 7, is amended to read:

Subd. 7. **License fees and license renewal fees.** (a) The license fee for each license is the base license fee plus any applicable board fee, continuing education fee, and contractor recovery fund fee and additional assessment, as set forth in this subdivision.

(b) For purposes of this section, "license duration" means the number of years for which the license is issued except that if the initial license is not issued for a whole number of years, the license duration shall be rounded up to the next whole number.

(c) If there is a continuing education requirement for renewal of the license, then a continuing education fee must be included in the renewal license fee. The continuing education fee for all license classifications is \$5.

(d) The base license fee shall depend on whether the license is classified as an entry level, master, journeyworker, or business license, and on the license duration. The base license fee shall be:

License Classification	License Duration	
	1 year	2 years
Entry level	\$10	\$20
Journeyworker	\$20	\$40
Master	\$40	\$80
Business		\$180

(e) If the license is issued under sections 326B.31 to 326B.59 or 326B.90 to 326B.925, then a board fee must be included in the license fee and the renewal license fee. The board fee for all license classifications shall be: \$4 if the license duration is one year; and \$8 if the license duration is two years.

(f) If the application is for the renewal of a license issued under sections 326B.802 to 326B.885, then the contractor recovery fund fee required under section 326B.89, subdivision 3, and any additional assessment required under section 326B.89, subdivision 16, must be included in the license renewal fee.

(g) Notwithstanding the fee amounts described in paragraphs (d) to (f), for the period October 1, 2021, through ~~September 30, 2023~~ June 30, 2022, the following fees apply:

License Classification	License Duration	
	1 year	2 years
Entry level	\$10	\$20
Journeyworker	\$15	\$30
Master	\$30	\$60
Business		\$120

(h) For the period of July 1, 2022, through June 30, 2024, no fees described in paragraphs (c) to (e) shall apply, except as described in paragraph (i).

(i) Notwithstanding the fee amounts described in paragraphs (d) to (f), for the period of October 1, 2021, through September 30, 2023, the base license fee for business licenses shall be \$120.

Sec. 13. Minnesota Statutes 2020, section 326B.103, subdivision 13, is amended to read:

Subd. 13. **State licensed facility.** "State licensed facility" means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, correctional facility, boarding care home, ~~or~~ residential hospice, or assisted living facility, including assisted living facility with dementia care.

Sec. 14. Minnesota Statutes 2020, section 326B.106, subdivision 1, is amended to read:

Subdivision 1. **Adoption of code.** (a) Subject to paragraphs (c) and (d) and sections 326B.101 to 326B.194, the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. The code must also include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must conform insofar as practicable to model building codes generally accepted and in use throughout the United States, including a code for building conservation. In the preparation of the code, consideration must be given to the existing statewide specialty codes presently in use in the state. Model codes with necessary modifications and statewide specialty codes may be adopted by reference. The code must be based on the application of scientific principles, approved tests, and professional judgment. To the extent possible, the code must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code must encourage the use of new methods and new materials. Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall administer and enforce the provisions of those sections.

(b) The commissioner shall develop rules addressing the plan review fee assessed to similar buildings without significant modifications including provisions for use of building systems as specified in the industrial/modular program specified in section 326B.194. Additional plan review fees associated with similar plans must be based on costs commensurate with the direct and indirect costs of the service.

(c) Beginning with the 2018 edition of the model building codes and every six years thereafter, the commissioner shall review the new model building codes and adopt the model codes as amended for use in Minnesota, within two years of the published edition date. The commissioner may adopt amendments to the building codes prior to the adoption of the new building codes to advance construction methods, technology, or materials, or, where necessary to protect the health, safety, and welfare of the public, or to improve the efficiency or the use of a building.

(d) Notwithstanding paragraph (c), the commissioner shall act on each new model residential energy code and the new model commercial energy code in accordance with federal law for which the United States Department of Energy has issued an affirmative determination in compliance with United States Code, title 42, section 6833. The commissioner shall act on the new model commercial energy code by adopting each new published edition and amending it as necessary to achieve a minimum of eight percent energy efficiency. The commissioner may adopt amendments prior to adoption of the new energy codes, as amended for use in Minnesota, to advance construction methods, technology, or materials, or, where necessary to protect the health, safety, and welfare of the public, or to improve the efficiency or use of a building.

Sec. 15. Minnesota Statutes 2020, section 326B.106, subdivision 4, is amended to read:

Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

(b) **Smoke detection devices.** The code must require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 299F.362 comply with the provisions of section 299F.362.

(c) **Doors in nursing homes and hospitals.** The State Building Code may not require that each door entering a sleeping or patient's room from a corridor in a nursing home or hospital with an approved complete standard automatic fire extinguishing system be constructed or maintained as self-closing or automatically closing.

(d) **Child care facilities in churches; ground level exit.** A licensed day care center serving fewer than 30 preschool age persons and which is located in a belowground space in a church building is exempt from the State Building Code requirement for a ground level exit when the center has more than two stairways to the ground level and its exit.

(e) **Family and group family day care.** Until the legislature enacts legislation specifying appropriate standards, the definition of dwellings constructed in accordance with the International Residential Code as adopted as part of the State Building Code applies to family and group family day care homes licensed by the Department of Human Services under Minnesota Rules, chapter 9502.

(f) **Enclosed stairways.** No provision of the code or any appendix chapter of the code may require stairways of existing multiple dwelling buildings of two stories or less to be enclosed.

(g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter of the code may prohibit double cylinder dead bolt locks in existing single-family homes, townhouses, and first floor duplexes used exclusively as a residential dwelling. Any recommendation or promotion of double cylinder dead bolt locks must include a warning about their potential fire danger and procedures to minimize the danger.

(h) **Relocated residential buildings.** A residential building relocated within or into a political subdivision of the state need not comply with the State Energy Code or section 326B.439 provided that, where available, an energy audit is conducted on the relocated building.

(i) **Automatic garage door opening systems.** The code must require all residential buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82 and 325F.83.

(j) **Exterior wood decks, patios, and balconies.** The code must permit the decking surface and upper portions of exterior wood decks, patios, and balconies to be constructed of (1) heartwood from species of wood having natural resistance to decay or termites, including redwood and cedars, (2) grades of lumber which contain sapwood from species of wood having natural resistance to decay or termites, including redwood and cedars, or (3) treated wood. The species and grades of wood products used to construct the decking surface and upper portions of exterior decks, patios, and balconies must be made available to the building official on request before final construction approval.

(k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be imposed by municipalities under the State Building Code, except as required under section 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92 administered by the Department of Labor and Industry. All data regarding the material production processes, including the bioprocess system's structural design and layout, are nonpublic data as provided by section 13.7911.

(l) **Use of ungraded lumber.** The code must allow the use of ungraded lumber in geographic areas of the state where the code did not generally apply as of April 1, 2008, to the same extent that ungraded lumber could be used in that area before April 1, 2008.

(m) **Window cleaning safety.** ~~The code must require the installation of dedicated anchorages for the purpose of suspended window cleaning on (1) new buildings four stories or greater; and (2) buildings four stories or greater, only on those areas undergoing reconstruction, alteration, or repair that includes the exposure of primary structural components of the roof. The commissioner shall adopt rules, using the expedited rulemaking process in section 14.389 requiring window cleaning safety features that comply with a nationally recognized standard as part of the State Building Code. Window cleaning safety features shall be provided for all windows on:~~

(1) new buildings where determined by the code; and

(2) existing buildings undergoing alterations where both of the following conditions are met:

(i) the windows do not currently have safe window cleaning features; and

(ii) the proposed work area being altered can include provisions for safe window cleaning.

~~The commissioner may waive all or a portion of the requirements of this paragraph related to reconstruction, alteration, or repair, if the installation of dedicated anchorages would not result in significant safety improvements due to limits on the size of the project, or other factors as determined by the commissioner.~~

Sec. 16. Minnesota Statutes 2021 Supplement, section 326B.153, subdivision 1, is amended to read:

Subdivision 1. **Building permits.** (a) Fees for building permits submitted as required in section 326B.107 include:

(1) the fee as set forth in the fee schedule in paragraph (b) or as adopted by a municipality; and

(2) the surcharge required by section 326B.148.

(b) The total valuation and fee schedule is:

(1) \$1 to \$500, ~~\$29.50~~ \$21;

(2) \$501 to \$2,000, ~~\$28~~ \$21 for the first \$500 plus ~~\$3.70~~ \$2.75 for each additional \$100 or fraction thereof, to and including \$2,000;

(3) \$2,001 to \$25,000, ~~\$83.50~~ \$62.25 for the first \$2,000 plus ~~\$16.55~~ \$12.50 for each additional \$1,000 or fraction thereof, to and including \$25,000;

(4) \$25,001 to \$50,000, ~~\$464.15~~ \$349.75 for the first \$25,000 plus ~~\$12~~ \$9 for each additional \$1,000 or fraction thereof, to and including \$50,000;

(5) \$50,001 to \$100,000, ~~\$764.15~~ \$574.75 for the first \$50,000 plus ~~\$8.45~~ \$6.25 for each additional \$1,000 or fraction thereof, to and including \$100,000;

(6) \$100,001 to \$500,000, ~~\$1,186.65~~ \$887.25 for the first \$100,000 plus ~~\$6.75~~ \$5 for each additional \$1,000 or fraction thereof, to and including \$500,000;

(7) \$500,001 to \$1,000,000, ~~\$3,886.65~~ \$2,887.25 for the first \$500,000 plus ~~\$5.50~~ \$4.25 for each additional \$1,000 or fraction thereof, to and including \$1,000,000; and

(8) \$1,000,001 and up, ~~\$6,636.65~~ \$5,012.25 for the first \$1,000,000 plus ~~\$4.50~~ \$2.75 for each additional \$1,000 or fraction thereof.

(c) Other inspections and fees are:

(1) inspections outside of normal business hours (minimum charge two hours), \$63.25 per hour;

(2) reinspection fees, \$63.25 per hour;

(3) inspections for which no fee is specifically indicated (minimum charge one-half hour), \$63.25 per hour; and

(4) additional plan review required by changes, additions, or revisions to approved plans (minimum charge one-half hour), \$63.25 per hour.

(d) If the actual hourly cost to the jurisdiction under paragraph (c) is greater than \$63.25, then the greater rate shall be paid. Hourly cost includes supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

EFFECTIVE DATE. This section is effective retroactively from October 1, 2021, and the amendments to it expire October 1, 2023.

Sec. 17. Minnesota Statutes 2020, section 326B.163, subdivision 5, is amended to read:

Subd. 5. **Elevator.** As used in this chapter, "elevator" means moving walks and vertical transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters, hand-powered elevators, endless belt lifts, and ~~wheelchair~~ platform lifts. Elevator does not include external temporary material lifts or temporary construction personnel elevators at sites of construction of new or remodeled buildings.

Sec. 18. Minnesota Statutes 2020, section 326B.163, is amended by adding a subdivision to read:

Subd. 5a. Platform lift. As used in this chapter, "platform lift" means a powered hoisting and lowering device designed to transport mobility-impaired persons on a guided platform.

Sec. 19. Minnesota Statutes 2020, section 326B.164, subdivision 13, is amended to read:

Subd. 13. **Exemption from licensing.** (a) Employees of a licensed elevator contractor or licensed limited elevator contractor are not required to hold or obtain a license under this section or be provided with direct supervision by a licensed master elevator constructor, licensed limited master elevator constructor, licensed elevator constructor, or licensed limited elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts. Unlicensed employees performing elevator work under this exemption must comply with subdivision 5. This exemption does not include the installation, maintenance, repair, or replacement of electrical wiring for elevator equipment.

(b) Contractors and individuals shall not be required to hold or obtain a license under this section when performing work on:

(1) conveyors, including vertical reciprocating conveyors;

(2) platform lifts not covered under section 326B.163, subdivision 5a; or

(3) dock levelers.

Sec. 20. Minnesota Statutes 2020, section 326B.36, subdivision 7, is amended to read:

Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall not be subject to inspection under sections 326B.31 to 326B.399:

(1) when owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing electrical maintenance work only as defined by rule;

(2) when owned or leased, and operated and maintained by any electrical, communications, or railway utility, cable communications company as defined in section 238.02, or telephone company as defined under section 237.01, in the exercise of its utility, antenna, or telephone function; and

(i) are used exclusively for the generations, transformation, distribution, transmission, load control, or metering of electric current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility, cable communications company, or telephone company; and

(ii) are generally accessible only to employees of such utility, cable communications company, or telephone company or persons acting under its control or direction; and

(iii) are not on the load side of the service point or point of entrance for communication systems, except for replacement or repair of load management equipment located on the exterior of a building for an electric utility other than a public utility as defined in section 216B.02, subdivision 4, before December 31, 2027, by a Class A electrical contractor licensed under section 326B.33;

(3) when used in the street lighting operations of an electrical utility;

(4) when used as outdoor area lights which are owned and operated by an electrical utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction;

(5) when the installation, material, and equipment are in facilities subject to the jurisdiction of the federal Mine Safety and Health Act; or

(6) when the installation, material, and equipment is part of an elevator installation for which the elevator contractor, licensed under section 326B.164, is required to obtain a permit from the authority having jurisdiction as provided by section 326B.184, and the inspection has been or will be performed by an elevator inspector certified and licensed by the department. This exemption shall apply only to installations, material, and equipment permitted or required to be connected on the load side of the disconnecting means required for elevator equipment under National Electrical Code Article 620, and elevator communications and alarm systems within the machine room, car, hoistway, or elevator lobby.

Sec. 21. **LAWS CHAPTER 32 EFFECTIVE DATE.**

Notwithstanding any other law to the contrary, Laws 2022, chapter 32, articles 1 and 2, sections 1 to 12, are effective the day following final enactment, and Laws 2022, chapter 32, article 1, section 1, applies to appointments made on or after that date.

ARTICLE 3
OSHA PENALTY CONFORMANCE

Section 1. Minnesota Statutes 2020, section 182.666, subdivision 1, is amended to read:

Subdivision 1. **Willful or repeated violations.** Any employer who willfully or repeatedly violates the requirements of section 182.653, or any standard, rule, or order adopted under the authority of the commissioner as provided in this chapter, may be assessed a fine not to exceed ~~\$70,000~~ \$145,027 for each violation. The minimum fine for a willful violation is ~~\$5,000~~ \$10,360.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 2. Minnesota Statutes 2020, section 182.666, subdivision 2, is amended to read:

Subd. 2. **Serious violations.** Any employer who has received a citation for a serious violation of its duties under section 182.653, or any standard, rule, or order adopted under the authority of the commissioner as provided in this chapter, shall be assessed a fine not to exceed ~~\$7,000~~ \$14,502 for each violation. If a serious violation under section 182.653, subdivision 2, causes or contributes to the death of an employee, the employer shall be assessed a fine of up to \$25,000 for each violation.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 3. Minnesota Statutes 2020, section 182.666, subdivision 3, is amended to read:

Subd. 3. **Nonserious violations.** Any employer who has received a citation for a violation of its duties under section 182.653, subdivisions 2 to 4, where the violation is specifically determined not to be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a fine of up to ~~\$7,000~~ \$14,502 for each violation.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 4. Minnesota Statutes 2020, section 182.666, subdivision 4, is amended to read:

Subd. 4. **Failure to correct a violation.** Any employer who fails to correct a violation for which a citation has been issued under section 182.66 within the period permitted for its correction, which period shall not begin to run until the date of the final order of the commissioner in the case of any review proceedings under this chapter initiated by the employer in good faith and not solely for delay or avoidance of penalties, may be assessed a fine of not more than ~~\$7,000~~ \$14,502 for each day during which the failure or violation continues.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 5. Minnesota Statutes 2020, section 182.666, subdivision 5, is amended to read:

Subd. 5. **Posting violations.** Any employer who violates any of the posting requirements, as prescribed under this chapter, except those prescribed under section 182.661, subdivision 3a, shall be assessed a fine of up to ~~\$7,000~~ \$14,502 for each violation.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 6. Minnesota Statutes 2020, section 182.666, is amended by adding a subdivision to read:

Subd. 6a. **Increases for inflation.** (a) Each year, beginning in 2022, the commissioner shall determine the percentage change in the Minneapolis-St. Paul-Bloomington, MN-WI, Consumer Price Index for All Urban Consumers (CPI-U) from the month of October in the preceding calendar year to the month of October in the current calendar year.

(b) The commissioner shall increase the fines in subdivisions 1 through 5, except for the fine for a serious violation under section 182.653, subdivision 2, that causes or contributes to the death of an employee, by the percentage change determined by the commissioner under paragraph (a), if the percentage change is greater than zero. The fines shall be increased to the nearest one dollar.

(c) If the percentage change determined by the commissioner under paragraph (a) is not greater than zero, the commissioner shall not change any of the fines in subdivisions 1 through 5.

(d) A fine increased under this subdivision takes effect on the next January 15 after the commissioner determines the percentage change under paragraph (a) and applies to all fines assessed on or after the next January 15.

(e) No later than December 1 of each year, the commissioner shall give notice in the State Register of any increase to the fines in subdivisions 1 through 5.

EFFECTIVE DATE. This section is effective July 1, 2022.

ARTICLE 4

FAIR LABOR STANDARDS FOR AGRICULTURAL AND FOOD PROCESSING WORKERS

Section 1. Minnesota Statutes 2020, section 177.27, subdivision 4, is amended to read:

Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275, subdivision 2a, 181.722, 181.79, 181.86 to 181.88, and 181.939 to 181.943, or with any rule promulgated under section 177.28. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation is repeated if at any time during the two years that preceded the date of violation, the commissioner issued an order to the employer for violation of sections 177.41 to 177.435 and the order is final or the commissioner and the employer have entered into a settlement agreement that required the employer to pay back wages that were required by sections 177.41 to 177.435. The department shall serve the order upon the employer or the employer's authorized representative in person or by certified mail at the employer's place of business. An employer who wishes to contest the order must file written notice of objection to the order with the commissioner within 15 calendar days after being served with the order. A contested case proceeding must then be held in accordance with sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner.

Sec. 2. Minnesota Statutes 2020, section 179.86, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For the purpose of this section, "employer" means an employer in the meatpacking or poultry processing industry.

Sec. 3. Minnesota Statutes 2020, section 179.86, subdivision 3, is amended to read:

Subd. 3. **Information provided to employee by employer.** (a) At the start of employment, an employer must provide an explanation in an employee's native language of the employee's rights and duties as an employee ~~either~~ both person to person or and through written materials that, at a minimum, include:

- (1) a complete description of the salary and benefits plans as they relate to the employee;
- (2) a job description for the employee's position;
- (3) a description of leave policies;
- (4) a description of the work hours and work hours policy; ~~and~~
- (5) a description of the occupational hazards known to exist for the position; and

(6) the name of the employer's workers' compensation insurance carrier, the carrier's phone number, and the insurance policy number.

(b) The explanation must also include information on the following employee rights as protected by state or federal law and a description of where additional information about those rights may be obtained:

(1) the right to organize and bargain collectively and refrain from organizing and bargaining collectively;

(2) the right to a safe workplace; ~~and~~

(3) the right to be free from discrimination; and

(4) the right to workers' compensation insurance coverage.

(c) The requirements under this subdivision are in addition to the requirements under section 181.032.

Sec. 4. Minnesota Statutes 2020, section 179.86, is amended by adding a subdivision to read:

Subd. 5. **Civil action.** An employee injured by a violation of this section has a cause of action for damages for the greater of \$1,000 per violation or twice the employee's actual damages, plus costs and reasonable attorney fees. A damage award shall be the greater of \$1,400 or three times actual damages for an employee injured by an intentional violation of this section.

Sec. 5. Minnesota Statutes 2020, section 179.86, is amended by adding a subdivision to read:

Subd. 6. **Fine.** The commissioner of labor and industry shall fine an employer not less than \$400 or more than \$1,000 for each violation of subdivision 3.

Sec. 6. Minnesota Statutes 2020, section 181.14, subdivision 1, is amended to read:

Subdivision 1. **Prompt payment required.** (a) When any such employee quits or resigns employment, the wages or commissions earned and unpaid at the time the employee quits or resigns shall be paid in full not later than the first regularly scheduled payday following the employee's final day of employment, unless an employee is subject to a collective bargaining agreement with a different provision. Wages are earned and unpaid if the employee was not paid for all time worked at the employee's regular rate of pay or at the rate required by law, including any applicable statute, regulation, rule, ordinance, government resolution or policy, contract, or other legal authority, whichever rate of pay is greater. If the first regularly scheduled payday is less than five calendar days following the employee's final day of employment, full payment may be delayed until the second regularly scheduled payday but shall not exceed a total of 20 calendar days following the employee's final day of employment.

(b) Notwithstanding the provisions of paragraph (a), in the case of migrant workers, as defined in section 181.85, the wages or commissions earned and unpaid at the time the employee quits or resigns shall become due and payable within ~~five~~ three days thereafter.

Sec. 7. Minnesota Statutes 2020, section 181.635, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** The definitions in this subdivision apply to this section.

(a) "Employer" means a person who employs another to perform a service for hire. Employer includes any agent or attorney of an employer who, for money or other valuable consideration paid or promised to be paid, performs any recruiting.

(b) "Person" means a corporation, partnership, limited liability company, limited liability partnership, association, individual, or group of persons.

(c) "Recruits" means to induce an individual, directly or through an agent, to relocate to Minnesota or within Minnesota to work in food processing by an offer of employment or of the possibility of employment.

(d) "Food processing" means canning, packing, or otherwise processing poultry or meat for consumption.

(e) "Terms and conditions of employment" means the following:

(1) nature of the work to be performed;

(2) wage rate, nature and amount of deductions for tools, clothing, supplies, or other items;

(3) anticipated hours of work per week, including overtime;

(4) anticipated slowdown or shutdown or if hours of work per week vary more than 25 percent from clause (3);

(5) duration of the work;

(6) workers' compensation coverage and name, address, and telephone number of insurer and Department of Labor and Industry;

(7) employee benefits available, including any health plans, sick leave, or paid vacation;

(8) transportation and relocation arrangements with allocation of costs between employer and employee;

(9) availability and description of housing and any costs to employee associated with housing; and

(10) any other item of value offered, and allocation of costs of item between employer and employee.

Sec. 8. Minnesota Statutes 2020, section 181.635, subdivision 2, is amended to read:

Subd. 2. **Recruiting; required disclosure.** (a) An employer shall provide written disclosure of the terms and conditions of employment to a person at the time it recruits the person to relocate to work in the food processing industry. The disclosure requirement does not apply to an exempt employee as defined in United States Code, title 29, section 213(a)(1). The disclosure must be written in English and Spanish, or another language if the person's preferred language is not Spanish, dated and signed by the employer and the person recruited, and maintained by the employer for ~~two~~ three years. A copy of the signed and completed disclosure must be delivered immediately to the recruited person. The disclosure may not be construed as an employment contract.

(b) The requirements under this subdivision are in addition to the requirements under section 181.032.

Sec. 9. Minnesota Statutes 2020, section 181.635, subdivision 3, is amended to read:

Subd. 3. **Civil action.** A person injured by a violation of this section has a cause of action for damages for the greater of ~~\$500~~ \$1,000 per violation or twice their actual damages, plus costs and reasonable attorney's fees. A damage award shall be the greater of ~~\$750~~ \$1,400 or three times actual damages for a person injured by an intentional violation of this section.

Sec. 10. Minnesota Statutes 2020, section 181.635, subdivision 4, is amended to read:

Subd. 4. **Fine.** The Department of Labor and Industry shall fine an employer not less than ~~\$200~~ \$400 or more than ~~\$500~~ \$1,000 for each violation of this section.

Sec. 11. Minnesota Statutes 2020, section 181.635, subdivision 6, is amended to read:

Subd. 6. **Standard disclosure form.** The Department of Labor and Industry shall provide a standard form for use at the employer's option in making the disclosure required in subdivision 2. The form shall be available in English and Spanish and additional languages upon request.

Sec. 12. Minnesota Statutes 2020, section 181.85, subdivision 2, is amended to read:

Subd. 2. **Agricultural labor.** "Agricultural labor" means field labor associated with the cultivation and harvest of fruits and vegetables and work performed in processing fruits and vegetables for market, as well as labor performed in agriculture as defined in Minnesota Rules, part 5200.0260.

Sec. 13. Minnesota Statutes 2020, section 181.85, subdivision 4, is amended to read:

Subd. 4. **Employer.** "Employer" means ~~a processor of fruits or vegetables~~ an individual, partnership, association, corporation, business trust, or any person or group of persons that employs, either directly or indirectly through a recruiter, ~~more than 30 migrant workers per day for more than seven days in any calendar year.~~

Sec. 14. Minnesota Statutes 2020, section 181.86, subdivision 1, is amended to read:

Subdivision 1. **Terms.** (a) An employer that recruits a migrant worker shall provide the migrant worker, at the time the worker is recruited, with a written employment statement which shall state clearly and plainly, in English and Spanish, or another language if the worker's preferred language is not Spanish:

- (1) the date on which and the place at which the statement was completed and provided to the migrant worker;
- (2) the name and permanent address of the migrant worker, of the employer, and of the recruiter who recruited the migrant worker;
- (3) the date on which the migrant worker is to arrive at the place of employment, the date on which employment is to begin, the approximate hours of employment, and the minimum period of employment;
- (4) the crops and the operations on which the migrant worker will be employed;
- (5) the wage rates to be paid;
- (6) the payment terms, as provided in section 181.87;
- (7) any deduction to be made from wages; ~~and~~
- (8) whether housing will be provided; and
- (9) the name of the employer's workers' compensation insurance carrier, the carrier's phone number, and the insurance policy number.

(b) The requirements under this subdivision are in addition to the requirements under section 181.032.

Sec. 15. Minnesota Statutes 2020, section 181.87, subdivision 2, is amended to read:

Subd. 2. **Biweekly pay.** The employer shall pay wages due to the migrant worker at least every two weeks, except on termination, when the employer shall pay within three days unless payment is required sooner pursuant to section 181.13.

Sec. 16. Minnesota Statutes 2020, section 181.87, subdivision 3, is amended to read:

Subd. 3. **Guaranteed hours.** The employer shall guarantee to each recruited migrant worker a minimum of 70 hours pay for work in any two successive weeks and, should the pay for hours actually offered by the employer and worked by the migrant worker provide a sum of pay less than the minimum guarantee, the employer shall pay the migrant worker the difference within three days after the scheduled payday for the pay period involved. Payment for the guaranteed hours shall be at the hourly wage rate, if any, specified in the employment statement, or the federal or state minimum wage, whichever is ~~higher~~ highest. Any pay in addition to the hourly wage rate specified in the employment statement shall be applied against the guarantee. This guarantee applies for the minimum period of employment specified in the employment statement beginning with the date on which employment is to begin as specified in the employment statement. The date on which employment is to begin may be changed by the employer by written, telephonic, or telegraphic notice to the migrant worker, at the worker's last known address, no later than ten days prior to the previously stated beginning date. The migrant worker shall contact the recruiter to obtain the latest information regarding the date upon which employment is to begin no later than five days prior to the previously stated beginning date. This guarantee shall be reduced, when there is no work available for a period of seven or more consecutive days during any two-week period subsequent to the commencement of work, by five hours pay for each such day, when the unavailability of work is caused by climatic conditions or an act of God, provided that the employer pays the migrant worker, on the normal payday, the sum of ~~\$\$~~ \$16 for each such day.

Sec. 17. Minnesota Statutes 2020, section 181.87, subdivision 7, is amended to read:

Subd. 7. **Statement itemizing deductions from wages.** The employer shall provide a written statement at the time wages are paid clearly itemizing each deduction from wages. The written statement shall also comply with all other requirements for an earnings statement in section 181.032.

Sec. 18. Minnesota Statutes 2020, section 181.88, is amended to read:

181.88 RECORD KEEPING.

Every employer subject to the provisions of sections 181.85 to 181.90 shall maintain complete and accurate records ~~of the names of, the daily hours worked by, the rate of pay for and the wages paid each pay period to~~ for every individual migrant worker recruited by that employer, as required by section 177.30 and shall ~~preserve the records~~ also maintain the employment statements required under section 181.86 for a period of at least three years.

Sec. 19. Minnesota Statutes 2020, section 181.89, subdivision 2, is amended to read:

Subd. 2. **Judgment; damages.** If the court finds that any defendant has violated the provisions of sections 181.86 to 181.88, the court shall enter judgment for the actual damages incurred by the plaintiff or the appropriate penalty as provided by this subdivision, whichever is greater. The court may also award court costs and a reasonable attorney's fee. The penalties shall be as follows:

(1) whenever the court finds that an employer has violated the record-keeping requirements of section 181.88, ~~\$\$~~ \$200;

(2) whenever the court finds that an employer has recruited a migrant worker without providing a written employment statement as provided in section 181.86, subdivision 1, ~~\$250~~ \$800;

(3) whenever the court finds that an employer has recruited a migrant worker after having provided a written employment statement, but finds that the employment statement fails to comply with the requirement of section 181.86, subdivision 1 or section 181.87, ~~\$250~~ \$800;

(4) whenever the court finds that an employer has failed to comply with the terms of an employment statement which the employer has provided to a migrant worker or has failed to comply with any payment term required by section 181.87, ~~\$500~~ \$1,600;

(5) whenever the court finds that an employer has failed to pay wages to a migrant worker within a time period set forth in section 181.87, subdivision 2 or 3, ~~\$500~~ \$1,600; and

(6) whenever penalties are awarded, they shall be awarded severally in favor of each migrant worker plaintiff and against each defendant found liable.

Sec. 20. Minnesota Statutes 2020, section 181.89, is amended by adding a subdivision to read:

Subd. 3. **Enforcement.** In addition to any other remedies available, the commissioner may assess the penalties in subdivision 2 and provide the penalty to the migrant worker aggrieved by the employer's noncompliance.

ARTICLE 5 COMBATIVE SPORTS

Section 1. Minnesota Statutes 2020, section 341.21, subdivision 7, is amended to read:

Subd. 7. **Tough person contest.** "Tough person contest," including contests marketed as tough man or tough woman contests, means a ~~contest of two minute rounds consisting of not more than four rounds between two or more individuals who use their hands, or their feet, or both in any manner. Tough person contest includes kickboxing and other recognized martial art contest.~~ boxing match or similar contest where each combatant wears headgear and gloves that weigh at least 12 ounces.

Sec. 2. Minnesota Statutes 2020, section 341.221, is amended to read:

341.221 ADVISORY COUNCIL.

(a) The commissioner must appoint a Combative Sports Advisory Council to advise the commissioner on the administration of duties under this chapter.

(b) The council shall have ~~nine~~ five members appointed by the commissioner. ~~One member must be a retired judge of the Minnesota District Court, Minnesota Court of Appeals, Minnesota Supreme Court, the United States District Court for the District of Minnesota, or the Eighth Circuit Court of Appeals. At least four~~ All five members must have knowledge of the ~~boxing~~ combative sports industry. ~~At least four members must have knowledge of the mixed martial arts industry.~~ The commissioner shall make serious efforts to appoint qualified women to serve on the council.

~~(c) Council members shall serve terms of four years with the terms ending on the first Monday in January.~~

~~(d)~~ (c) The council shall annually elect from its membership a chair.

(e) (d) Meetings shall be convened by the commissioner, or by the chair with the approval of the commissioner.

~~(f) The commissioner shall designate two of the members to serve until the first Monday in January 2013; two members to serve until the first Monday in January 2014; two members to serve until the first Monday in January 2015; and three members to serve until the first Monday in January 2016.~~

(e) Appointments to the council and the terms of council members shall be governed by sections 15.059 and 15.0597.

~~(g) (f)~~ Removal of members, filling of vacancies, and compensation of members shall be as provided in section 15.059.

(g) Meetings convened for the purpose of advising the commissioner on issues related to a challenge filed under section 341.345 are exempt from the open meeting requirements of chapter 13D.

Sec. 3. Minnesota Statutes 2020, section 341.25, is amended to read:

341.25 RULES.

(a) The commissioner may adopt rules that include standards for the physical examination and condition of combatants and referees.

(b) The commissioner may adopt other rules necessary to carry out the purposes of this chapter, including, but not limited to, the conduct of all combative sport contests and their manner, supervision, time, and place.

(c) The commissioner must adopt unified rules for mixed martial arts contests.

(d) The commissioner may adopt the rules of the Association of Boxing Commissions, with amendments.

(e) ~~The most recent version of the Unified Rules of Mixed Martial Arts, as promulgated by the Association of Boxing Commissions and amended August 2, 2016,~~ are incorporated by reference and made a part of this chapter except as qualified by this chapter and Minnesota Rules, chapter 2202. In the event of a conflict between this chapter and the Unified Rules, this chapter must govern.

(f) The most recent version of the Unified Rules of Boxing, as promulgated by the Association of Boxing Commissions, are incorporated by reference and made a part of this chapter except as modified by this chapter and Minnesota Rules, chapter 2201. In the event of a conflict between this chapter and the Unified Rules, this chapter must govern.

Sec. 4. Minnesota Statutes 2020, section 341.28, is amended to read:

341.28 REGULATION OF COMBATIVE SPORT CONTESTS.

Subdivision 1. **Regulatory authority; combative sports.** All combative sport contests within this state must be conducted according to the requirements of this chapter.

Subd. 1a. **Regulatory authority; professional boxing contests.** All professional boxing contests are subject to this chapter. Every combatant in a boxing contest shall wear padded gloves that weigh at least eight ounces. Officials at all boxing contests must be licensed under this chapter.

Subd. 2. **Regulatory authority; tough person contests.** All professional and amateur tough person contests are subject to this chapter. All tough person contests are subject to ~~Association of Boxing Commissions rules~~ the most recent version of the Unified Rules of Boxing, as promulgated by the Association of Boxing Commissions. Every contestant in a tough person contest shall have a physical examination prior to their bouts. Every contestant in a tough person contest shall wear headgear and padded gloves that weigh at least 12 ounces. ~~All tough person bouts are limited to two minute rounds and a maximum of four total rounds.~~ Officials at all tough person contests shall be licensed under this chapter.

Subd. 3. **Regulatory authority; mixed martial arts contests; similar sporting events.** All professional and amateur mixed martial arts contests, ~~martial arts contests except amateur contests regulated by the Minnesota State High School League (MSHSL), recognized martial arts studios and schools in Minnesota, and recognized national martial arts organizations holding contests between students, ultimate fight contests, and similar sporting events~~ are subject to this chapter and all officials at these events must be licensed under this chapter.

Subd. 4. **Regulatory authority; martial arts and amateur boxing.** (a) Unless this chapter specifically states otherwise, contests or exhibitions for martial arts and amateur boxing are exempt from the requirements of this chapter and officials at these events are not required to be licensed under this chapter.

(b) All martial arts and amateur boxing contests must be regulated by the Thai Boxing Association, International Sports Karate Association, World Kickboxing Association, United States Muay Thai Association, United States Muay Thai Federation, World Association of Kickboxing Organizations, International Kickboxing Federation, USA Boxing, or an organization that governs interscholastic athletics under subdivision 5.

(c) Any regulatory body overseeing a martial arts or amateur boxing event must submit bout results to the commissioner within 72 hours after the event. If the regulatory body issues suspensions, it must submit to the commissioner, within 72 hours after the event, a list of any suspensions resulting from the event.

Subd. 5. **Regulatory authority; certain students.** Combative sport contests regulated by the Minnesota State High School League, National Collegiate Athletic Association, National Junior Collegiate Athletic Association, National Association of Intercollegiate Athletics, or any similar organization that governs interscholastic athletics are not subject to this chapter and officials at these events are not required to be licensed under this chapter.

Sec. 5. Minnesota Statutes 2020, section 341.30, subdivision 4, is amended to read:

Subd. 4. **Prelicensure requirements.** (a) Before the commissioner issues a promoter's license to an individual, corporation, or other business entity, the applicant shall, ~~a minimum of six weeks before the combative sport contest is scheduled to occur,~~ complete a licensing application on the Office of Combative Sports website or on forms ~~furnished or approved~~ prescribed by the commissioner and shall:

(1) ~~provide the commissioner with a copy of any agreement between a combatant and the applicant that binds the applicant to pay the combatant a certain fixed fee or percentage of the gate receipts;~~

(2) (1) show on the licensing application the (2) owner or owners of the applicant entity and the percentage of interest held by each owner holding a 25 percent or more interest in the applicant;

(3) (2) provide the commissioner with a copy of the latest financial statement of the applicant;

(4) ~~provide the commissioner with a copy or other proof acceptable to the commissioner of the insurance contract or policy required by this chapter;~~

(5) (3) provide proof, where applicable, of authorization to do business in the state of Minnesota; and

~~(6)~~ (4) deposit with the commissioner a ~~cash bond or~~ surety bond in an amount set by the commissioner, which must not be less than \$10,000. The bond shall be executed in favor of this state and shall be conditioned on the faithful performance by the promoter of the promoter's obligations under this chapter and the rules adopted under it.

(b) Before the commissioner issues a license to a combatant, the applicant shall:

(1) submit to the commissioner the results of a current medical ~~examination~~ examinations on forms ~~furnished or approved~~ prescribed by the commissioner. ~~The medical examination must include an ophthalmological and neurological examination, and documentation of test results for HBV, HCV, and HIV, and any other blood test as the commissioner by rule may require. The ophthalmological examination must be designed to detect any retinal defects or other damage or condition of the eye that could be aggravated by combative sports. The neurological examination must include an electroencephalogram or medically superior test if the combatant has been knocked unconscious in a previous contest. The commissioner may also order an electroencephalogram or other appropriate neurological or physical examination before any contest if it determines that the examination is desirable to protect the health of the combatant. The commissioner shall not issue a license to an applicant submitting positive test results for HBV, HCV, or HIV; that state that the combatant is cleared to participate in a combative sport contest. The applicant must undergo and submit the results of the following medical examinations, which do not exempt a combatant from the requirements set forth in section 341.33:~~

(i) a physical examination performed by a licensed medical doctor, doctor of osteopathic medicine, advance practice nurse practitioner, or a physician assistant. Physical examinations are valid for one year from the date of the exam;

(ii) an ophthalmological examination performed by an ophthalmologist or optometrist that includes dilation designed to detect any retinal defects or other damage or a condition of the eye that could be aggravated by combative sports. Ophthalmological examinations are valid for one year from the date of the exam;

(iii) blood work results for HBsAg (Hepatitis B surface antigen), HCV (Hepatitis C antibody), and HIV. Blood work results are good for one year from the date blood was drawn. The commissioner shall not issue a license to an applicant submitting positive test results for HBsAg, HCV, or HIV; and

(iv) other appropriate neurological or physical examinations before any contest, if the commissioner determines that the examination is desirable to protect the health of the combatant.

(2) complete a licensing application on the Office of Combative Sports website or on forms furnished or approved by the commissioner; and

(3) provide proof that the applicant is 18 years of age. Acceptable proof is a photo driver's license, state photo identification card, passport, or birth certificate combined with additional photo identification.

(c) Before the commissioner issues a license to a referee, judge, or timekeeper, the applicant must submit proof of qualifications that may include certified training from the Association of Boxing Commissions, licensure with other regulatory bodies, three professional references, or a log of bouts worked.

(d) Before the commissioner issues a license to a ringside physician, the applicant must submit proof that they are licensed to practice medicine in the state of Minnesota and in good standing.

Sec. 6. Minnesota Statutes 2020, section 341.32, subdivision 2, is amended to read:

Subd. 2. **Expiration and application.** Licenses expire annually on ~~December 31~~ June 30. A license may be applied for each year by filing an application for licensure and satisfying all licensure requirements established in section 341.30, and submitting payment of the license fees established in section 341.321. An application for a license and renewal of a license must be on a form provided by the commissioner. Any license received or renewed in the year 2022 shall be valid until June 30, 2023.

Sec. 7. Minnesota Statutes 2020, section 341.321, is amended to read:

341.321 FEE SCHEDULE.

(a) The fee schedule for professional and amateur licenses issued by the commissioner is as follows:

- (1) referees, \$25;
- (2) promoters, \$700;
- (3) judges and knockdown judges, \$25;
- (4) trainers and seconds, \$80;
- (5) timekeepers, \$25;
- (6) professional combatants, \$70;
- (7) amateur combatants, \$50; and
- (8) ringside physicians, \$25.

~~License fees for promoters are due at least six weeks prior to the combative sport contest.~~ All other license fees shall be paid no later than the weigh-in prior to the contest. No license may be issued until all precensure requirements outlined in section 341.30 are satisfied and fees are paid.

(b) ~~The commissioner shall establish a contest fee for each combative sport contest and shall consider the size and type of venue when establishing a contest fee. The A promoter or event organizer of an event regulated by the Department of Labor and Industry must pay, per event, a combative sport contest fee is of \$1,500 per event or not more than four percent of the gross ticket sales, whichever is greater, as determined by the commissioner when the combative sport contest is scheduled. The fee must be paid as follows:~~

(c) ~~A professional or amateur combative sport contest fee is nonrefundable and shall be paid as follows:~~

- (1) ~~\$500 at the time is due when~~ the combative sport contest is scheduled; ~~and~~
- (2) ~~\$1,000 is due~~ at the weigh-in prior to the contest;

(3) if four percent of the gross ticket sales is greater than \$1,500, the balance is due to the commissioner within 14 days of the completed contest; and

(4) the face value of all complimentary tickets distributed for an event, to the extent they exceed 15 percent of total event attendance, count toward gross tickets sales for the purposes of determining a combative sport contest fee.

~~If four percent of the gross ticket sales is greater than \$1,500, the balance is due to the commissioner within seven days of the completed contest.~~

~~(d) The commissioner may establish the maximum number of complimentary tickets allowed for each event by rule.~~

~~(e)~~ (c) All fees and penalties collected by the commissioner must be deposited in the commissioner account in the special revenue fund.

Sec. 8. **[341.322] PAYMENT SCHEDULE.**

The commissioner may establish a schedule of fees to be paid by a promoter to referees, judges and knockdown judges, timekeepers, and ringside physicians.

Sec. 9. **[341.323] EVENT APPROVAL.**

Subdivision 1. **Preapproval documentation.** Before the commissioner approves a combative sport contest, the promoter shall:

(1) provide the commissioner, at least six weeks before the combative sport contest is scheduled to occur, information about the time, date, and location of the contest;

(2) provide the commissioner, at least 72 hours before the combative sport contest is scheduled to occur, with a copy of any agreement between a combatant and the promoter that binds the promoter to pay the combatant a certain fixed fee or percentage of the gate receipts;

(3) provide the commissioner, at least 72 hours before the combative sport contest is scheduled to occur, with a copy or other proof acceptable to the commissioner of the insurance contract or policy required by this chapter; and

(4) provide the commissioner, at least 72 hours before the combative sport contest is scheduled to occur, proof acceptable to the commissioner that the promoter will provide, at the cost of the promoter, at least one uniformed security guard or uniformed off-duty member of law enforcement to provide security at any event regulated by the Department of Labor and Industry. The commissioner may require a promoter to take additional security measures to ensure the safety of participants and spectators at an event.

Subd. 2. **Proper licensure.** Before the commissioner approves a combative sport contest, the commissioner must ensure that the promoter is properly licensed under this chapter. The promoter must maintain proper licensure from the time the promoter schedules a combative sport contest through the date of the contest.

Subd. 3. **Discretion.** Nothing in this section limits the commissioner's discretion in deciding whether to approve a combative sport contest or event.

Sec. 10. **[341.324] AMBULANCE.**

A promoter must ensure, at the cost of the promoter, that an ambulance and two emergency medical technicians are on the premises during a combative sport contest.

Sec. 11. Minnesota Statutes 2020, section 341.33, is amended to read:

341.33 PHYSICAL EXAMINATION REQUIRED; FEES.

Subdivision 1. **Examination by physician.** All combatants must be examined by a physician licensed by this state within 36 hours before entering the ring, and the examining physician shall immediately file with the commissioner a written report of the examination. Each female combatant shall take and submit a negative pregnancy test as part of the examination. The physician's examination may report on the condition of the

combatant's heart and general physical and general neurological condition. The physician's report may record the condition of the combatant's nervous system and brain as required by the commissioner. The physician may prohibit the combatant from entering the ring if, in the physician's professional opinion, it is in the best interest of the combatant's health. The cost of the examination is payable by the promoter conducting the contest or exhibition.

Subd. 2. **Attendance of physician.** A promoter holding or sponsoring a combative sport contest shall have in attendance a physician licensed by ~~this~~ the state of Minnesota. ~~The commissioner may establish a schedule of fees to be paid to each attending physician by the promoter holding or sponsoring the contest.~~

Sec. 12. **[341.345] CHALLENGING THE OUTCOME OF A COMBATIVE SPORT CONTEST.**

Subdivision 1. **Challenge.** (a) If a combatant disagrees with the outcome of a combative sport contest regulated by the Department of Labor and Industry in which the combatant participated, the combatant may challenge the outcome.

(b) If a third party makes a challenge on behalf of a combatant, the third party must provide written confirmation that they are authorized to make the challenge on behalf of the combatant. The written confirmation must contain the combatant's signature and must be submitted with the challenge.

Subd. 2. **Form.** A challenge must be submitted on a form prescribed by the commissioner, set forth all relevant facts and the basis for the challenge, and state what remedy is being sought. A combatant may submit photos, videos, documents, or any other evidence the combatant would like the commissioner to consider in connection to the challenge. A combatant may challenge the outcome of a contest only if it is alleged that:

(1) the referee made an incorrect call or missed a rule violation that directly affected the outcome of the contest;

(2) there was collusion amongst officials to affect the outcome of the contest; or

(3) scores were miscalculated.

Subd. 3. **Timing.** (a) A challenge must be submitted within ten days of the contest.

(b) For purposes of this subdivision, the day of the contest shall not count toward the ten-day period. If the tenth day falls on a Saturday, Sunday, or legal holiday, then a combatant shall have until the next day that is not a Saturday, Sunday, or legal holiday to submit a challenge.

(c) The challenge must be submitted to the commissioner at the address, fax number, or e-mail address designated on the commissioner's website. The date on which a challenge is submitted by mail shall be the postmark date on the envelope in which the challenge is mailed. If the challenge is faxed or e-mailed, it must be received by the commissioner by 4:30 p.m. central time on the day the challenge is due.

Subd. 4. **Opponent's response.** If the requirements of subdivisions 1 to 3 are met, the commissioner shall send a complete copy of the challenge documents, along with any supporting materials submitted, to the opposing combatant by mail, fax, or e-mail. The opposing combatant shall have 14 days from the date the commissioner sends the challenge and supporting materials to submit a response to the commissioner. Additional response time is not added when the commissioner sends the challenge to the opposing combatant by mail. The opposing combatant may submit photos, videos, documents, or any other evidence the opposing combatant would like the commissioner to consider in connection to the challenge. The response must be submitted to the commissioner at the address, fax number, or e-mail address designated on the commissioner's website. The date on which a response is submitted by mail shall be the postmark date on the envelope in which the response is mailed. If the response is faxed or e-mailed, it must be received by the commissioner by 4:30 p.m. central time on the day the response is due.

Subd. 5. **Licensed official review.** The commissioner may, if the commissioner determines it would be helpful in resolving the issues raised in the challenge, send a complete copy of the challenge or response, along with any supporting materials submitted, to any licensed official involved in the combative sport contest at issue by mail, fax, or e-mail and request their views on the issues raised in the challenge.

Subd. 6. **Order.** The commissioner shall issue an order on the challenge within 60 days after receiving the opposing combatant's response. If the opposing combatant does not submit a response, the commissioner shall issue an order on the challenge within 75 days after receiving the challenge.

Subd. 7. **Nonacceptance.** If the requirements of subdivisions 1 to 3 are not met, the commissioner must not accept the challenge and may send correspondence to the person who submitted the challenge stating the reasons for nonacceptance of the challenge. A combatant has no further appeal rights if the combatant's challenge is not accepted by the commissioner.

Subd. 8. **Administrative hearing.** After the commissioner issues an order under subdivision 6, each combatant, under section 326B.082, subdivision 8, has 30 days after service of the order to submit a request for hearing before an administrative law judge.

Sec. 13. Minnesota Statutes 2020, section 341.355, is amended to read:

341.355 CIVIL PENALTIES.

When the commissioner finds that a person has violated one or more provisions of any statute, rule, or order that the commissioner is empowered to regulate, enforce, or issue, the commissioner may impose, for each violation, a civil penalty of up to \$10,000 for each violation, or a civil penalty that deprives the person of any economic advantage gained by the violation, or both. The commissioner may also impose these penalties against a person who has violated section 341.28, subdivision 4, paragraphs (b) and (c).

ARTICLE 6

PUBLIC EMPLOYMENT RELATIONS BOARD

Section 1. Minnesota Statutes 2020, section 13.43, subdivision 6, is amended to read:

Subd. 6. **Access by labor organizations, Bureau of Mediation Services, Public Employment Relations Board.** Personnel data may be disseminated to labor organizations and the Public Employment Relations Board to the extent that the responsible authority determines that the dissemination is necessary to conduct elections, notify employees of fair share fee assessments, and implement the provisions of chapters 179 and 179A. Personnel data shall be disseminated to labor organizations, the Public Employment Relations Board, and ~~to~~ the Bureau of Mediation Services to the extent the dissemination is ordered or authorized by the commissioner of the Bureau of Mediation Services or the Public Employment Relations Board or its designee.

Sec. 2. **[13.7909] PUBLIC EMPLOYMENT RELATIONS BOARD DATA.**

Subdivision 1. **Definition.** For purposes of this section, "board" means the Public Employment Relations Board.

Subd. 2. **Nonpublic data.** (a) Except as provided in this subdivision, all data maintained by the board about a charge or complaint of unfair labor practices and appeals of determinations of the commissioner under section 179A.12, subdivision 11, are classified as protected nonpublic data or confidential data, and become public when admitted into evidence at a hearing conducted pursuant to section 179A.13. The data may be subject to a protective order as determined by the board or a hearing officer.

(b) Notwithstanding sections 13.43 and 181.932, the following data are public:

(1) the filing date of unfair labor practice charges;

(2) the status of unfair labor practice charges as an original or amended charge;

(3) the names and job classifications of charging parties and charged parties;

(4) the provisions of law alleged to have been violated in unfair labor practice charges;

(5) the complaint issued by the board and all data in the complaint;

(6) the full and complete record of an evidentiary hearing before a hearing officer, including the hearing transcript, exhibits admitted into evidence, and posthearing briefs, unless subject to a protective order;

(7) recommended decisions and orders of hearing officers pursuant to section 179A.13, subdivision 1, paragraph (i);

(8) exceptions to the hearing officer's recommended decision and order filed with the board pursuant to section 179A.13, subdivision 1, paragraph (k);

(9) briefs filed with the board; and

(10) decisions and orders issued by the board.

(c) Notwithstanding paragraph (a), individuals have access to their own statements provided to the board under paragraph (a).

(d) The board may make any data classified as protected nonpublic or confidential pursuant to this subdivision accessible to any person or party if the access will aid the implementation of chapters 179 and 179A or ensure due process protection of the parties.

Sec. 3. Minnesota Statutes 2020, section 179A.041, is amended by adding a subdivision to read:

Subd. 10. **Open meetings.** Chapter 13D does not apply to meetings of the board when it is deliberating on the merits of unfair labor practice charges under sections 179.11, 179.12, and 179A.13; reviewing a recommended decision and order of a hearing officer under section 179A.13; or reviewing decisions of the commissioner of the Bureau of Mediation Services relating to unfair labor practices under section 179A.12, subdivision 11.

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

Sec. 4. **PUBLIC EMPLOYMENT RELATIONS BOARD.**

Notwithstanding any other law to the contrary, Laws 2014, chapter 211, sections 1 to 3 and 6 to 11, as amended by Laws 2015, First Special Session chapter 1, article 7, section 1; Laws 2016, chapter 189, article 7, section 42; Laws 2017, chapter 94, article 12, section 1; and Laws 2021, First Special Session chapter 10, article 3, section 19, are effective the day following final enactment and apply to any claims brought on or after that date. From July 1, 2021, until the day following final enactment, the district court of the county in which the practice is alleged to have occurred retains jurisdiction over any action by any employee, employer, employee or employer organization, exclusive representative, or any other person or organization aggrieved by an unfair labor practice as defined in Minnesota Statutes, section 179A.13.

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

ARTICLE 7
REFINERY SAFETY

Section 1. Minnesota Statutes 2020, section 177.27, subdivision 4, is amended to read:

Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275, subdivision 2a, 181.722, 181.79, ~~and~~ 181.939 to 181.943, and 181.987, or with any rule promulgated under section 177.28. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435 or 181.987 if the violation is repeated. For purposes of this subdivision only, a violation is repeated if at any time during the two years that preceded the date of violation, the commissioner issued an order to the employer for violation of sections 177.41 to 177.435 or 181.987 and the order is final or the commissioner and the employer have entered into a settlement agreement that required the employer to pay back wages that were required by sections 177.41 to 177.435. The department shall serve the order upon the employer or the employer's authorized representative in person or by certified mail at the employer's place of business. An employer who wishes to contest the order must file written notice of objection to the order with the commissioner within 15 calendar days after being served with the order. A contested case proceeding must then be held in accordance with sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner.

EFFECTIVE DATE. This section is effective October 15, 2022.

Sec. 2. **[181.987] USE OF SKILLED AND TRAINED CONTRACTOR WORKFORCES AT PETROLEUM REFINERIES.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Contractor" means a vendor that enters into or seeks to enter into a contract with an owner or operator of a petroleum refinery to perform construction, alteration, demolition, installation, repair, maintenance, or hazardous material handling work at the site of the petroleum refinery. Contractor includes all contractors or subcontractors of any tier performing work as described in this paragraph at the site of the petroleum refinery. Contractor does not include employees of the owner or operator of a petroleum refinery.

(c) "Registered apprenticeship program" means an apprenticeship program providing each trainee with combined classroom and on-the-job training under the direct and close supervision of a highly skilled worker in an occupation recognized as an apprenticeable occupation registered with the Department of Labor and Industry under chapter 178 or with the United States Department of Labor Office of Apprenticeship or a recognized state apprenticeship agency under Code of Federal Regulations, title 29, parts 29 and 30.

(d) "Skilled and trained workforce" means a workforce in which employees of the contractor or subcontractor of any tier working at the site of the petroleum refinery meet one of the following criteria:

(1) are currently registered as apprentices in a registered apprenticeship program in the applicable trade;

(2) have graduated from a registered apprenticeship program in the applicable trade; or

(3) have completed all of the classroom training and work hour requirements needed to graduate from the registered apprenticeship program their employer participates in.

(e) A contractor's workforce must meet the requirements of paragraph (d) according to the following schedule:

(1) 65 percent of the contractor's workforce by October 15, 2022;

(2) 75 percent of the contractor's workforce by October 15, 2023; and

(3) 85 percent of the contractor's workforce by October 15, 2024.

(f) "Petroleum refinery" means a facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking, or reforming of unfinished petroleum derivatives.

(g) "Apprenticeable occupation" means any trade, form of employment, or occupation approved for apprenticeship by the United States secretary of labor or the commissioner of labor and industry.

(h) "Original equipment manufacturer" or "OEM" means an organization that manufactures or fabricates equipment for sale directly to purchasers or other resellers.

Subd. 2. **Use of contractors by owner, operator; requirement.** (a) An owner or operator of a petroleum refinery shall, when contracting with contractors for the performance of construction, alteration, demolition, installation, repair, maintenance, or hazardous material handling work at the site of the petroleum refinery, require that the contractors performing that work, and any subcontractors of any tier, use a skilled and trained workforce when performing all work at the site of the petroleum refinery.

(b) The requirement under this subdivision applies only when each contractor and subcontractor of any tier is performing work at the site of the petroleum refinery.

(c) This subdivision does not apply to contractors or subcontractors hired to perform OEM work necessary to comply with equipment warranty requirements.

Subd. 3. **Penalties.** The Division of Labor Standards shall receive complaints of violations of this section. The commissioner of labor and industry shall fine an owner, operator, contractor, or subcontractor of any tier not less than \$5,000 nor more than \$10,000 for each violation of the requirements in this section. Each shift on which a violation of this section occurs shall be considered a separate violation. This penalty is in addition to any penalties provided under section 177.27, subdivision 7. In determining the amount of a civil penalty under this subdivision, the appropriateness of the penalty to the size of the violator's business and the gravity of the violation shall be considered.

Subd. 4. **Civil actions.** A person injured by a violation of this section may bring a civil action for damages against an owner or operator of a petroleum refinery. The court may award to a prevailing plaintiff under this subdivision damages, attorney fees, costs, disbursements, and any other appropriate relief as otherwise provided by law.

EFFECTIVE DATE. This section is effective October 15, 2022.

ARTICLE 8 AGRICULTURAL WORKER WELLNESS

Section 1. [179.911] OMBUDSPERSON FOR THE SAFETY, HEALTH, AND WELL-BEING OF AGRICULTURAL AND FOOD PROCESSING WORKERS.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Agricultural work" is defined broadly to include but is not limited to farming in all its branches including dairy work; field production, cultivation, growing, and harvesting of any agricultural or horticultural commodity; and raising livestock, bees, fur-bearing animals, and poultry.

(c) "Food processing" has the meaning given in section 181.635, subdivision 1, paragraph (d). For the purposes of this section and section 179.912, food processing also includes meatpacking and poultry processing.

Subd. 2. **Appointment.** The governor shall appoint an ombudsperson for the safety, health, and well-being of agricultural and food processing workers. The ombudsperson shall serve in the unclassified service to assist agricultural and food processing workers with housing, workplace safety, fair labor standards, and other challenges. The ombudsperson must be selected without regard to the person's political affiliation. The ombudsperson shall serve a term of four years, which may be renewed, and may be removed prior to the end of the term for just cause.

Subd. 3. **Qualifications.** The ombudsperson must be highly competent and qualified to analyze questions of law, administration, and public policy regarding the safety, health, and well-being of agricultural and food processing workers. The ombudsperson must have knowledge and experience in the fields of workplace safety, housing, and fair labor standards. The ombudsperson must be familiar with governmental entities and their roles, interpretation of laws and regulations, record keeping, report writing, public speaking, and management. In addition, the ombudsperson must have experience working with agricultural and food processing workers and must be knowledgeable about the needs and experiences of those communities. No individual may serve as the ombudsperson for the safety, health, and well-being of agricultural and food processing workers while running for or holding any other public office. The ombudsperson must speak fluently in a language in addition to English that is commonly used by agricultural and food processing workers.

Subd. 4. **Duties.** (a) The ombudsperson's duties shall include but are not limited to the following:

(1) creating and collecting educational materials in relevant languages to orient agricultural and food processing workers about their rights under Minnesota laws and rules and state services available to them;

(2) outreach to agricultural and food processing stakeholders, including workers and employers, to inform them of the services of the office in order to support workers in navigating their concerns;

(3) acting as a member of the Minnesota Migrant Services Consortium and having a formal relationship with any other relevant and appropriate state committees, work groups, or task forces engaged in work related to agricultural and food processing workers;

(4) coordinating across state agencies to develop strategies to better assist agricultural and food processing workers;

(5) providing recommendations to state agencies for coordinated communication strategies to promote workplace safety, adequate housing, fair labor standards, and other issues for agricultural and food processing workers;

(6) offering accessible methods of contact, including telephone, text, and virtual communication platforms, to answer questions, receive complaints, and discuss agency actions with agricultural stakeholders; and

(7) addressing complaints and requests for assistance related to workplace safety, housing, labor standards, and other concerns by supporting agricultural stakeholders in navigating regulatory authorities.

(b) The ombudsperson must report to the commissioner annually by December 31 on the services provided by the ombudsperson to agricultural and food processing workers, including the number of stakeholders served and the activities of the ombudsperson in carrying out the duties under this section. The commissioner shall determine the form of the report and may specify additional reporting requirements.

Subd. 5. **Complaints.** The ombudsperson may receive a complaint from any source concerning an action of an agency, facility, or program. After completing a review, the ombudsperson shall inform the complainant, agency, facility, or program.

Subd. 6. **Access to records.** (a) The ombudsperson or designee, excluding volunteers, has access to any data of a state agency necessary for the discharge of the ombudsperson's duties, including records classified as confidential data on individuals or private data on individuals under chapter 13 or any other law. The ombudsperson's data request must relate to a specific case and is subject to section 13.03, subdivision 4. If the data concerns an individual, the ombudsperson or designee shall first obtain the individual's consent. If the individual is unable to consent and has no parent or legal guardian, the ombudsperson's or designee's access to the data is authorized by this section.

(b) The ombudsperson and designee must adhere to chapter 13 and must not disseminate any private or confidential data on individuals unless specifically authorized by state, local, or federal law or pursuant to a court order.

Subd. 7. **Staff support.** The ombudsperson may appoint and compensate out of available funds a confidential secretary in the unclassified service as authorized by law. The ombudsperson and the ombudsperson's full-time staff are members of the Minnesota State Retirement Association. The ombudsperson may delegate to staff members any authority or duties of the office, except the duty to provide reports to the governor, commissioner, or legislature.

Subd. 8. **Independence of action.** In carrying out the duties under this section, the ombudsperson may provide testimony to the legislature, make periodic reports to the legislature, and address areas of concern to agricultural and food processing workers.

Subd. 9. **Civil actions.** The ombudsperson and designees are not civilly liable for any action taken under this section if the action was taken in good faith, was within the scope of the ombudsperson's authority, and did not constitute willful or reckless misconduct.

Subd. 10. **Posting.** (a) The commissioners of labor and industry, employment and economic development, health, administration, and human rights shall post on their departments' websites the mailing address, e-mail address, and telephone number for the ombudsperson's office. The commissioners shall provide agricultural stakeholders with the mailing address, e-mail address, and telephone number of the ombudsperson's office upon request. Departmental programs or contractors providing services to agricultural stakeholders must provide those stakeholders with the mailing address, e-mail address, and telephone number of the ombudsperson's office upon request.

(b) The ombudsperson must approve all postings and notices required by the departments and counties under this subdivision.

Sec. 2. **[179.912] AGRICULTURAL WORKER WELLNESS COMMITTEE.**

Subdivision 1. **Agricultural Worker Wellness Committee established.** The Agricultural Worker Wellness Committee is established to carry out the work of the committee established by the governor's Executive Order No. 21-14. The commissioner of labor and industry shall hire two full-time equivalent staff to support the committee.

Subd. 2. **Definitions.** For the purposes of this section, "food processing" and "agricultural work" have the meanings given under section 179.911, subdivision 1.

Subd. 3. **Membership.** (a) The committee shall consist of up to 21 voting members who shall serve three-year terms including, at a minimum:

(1) the commissioners of labor and industry, employment and economic development, agriculture, health, and housing finance, or their designees; and

(2) the following members appointed by the governor:

(i) one representative from the Migrant Services Consortium;

(ii) three representatives of agricultural employers;

(iii) three at-large representatives from geographic regions of the state dependent on the agricultural sector;

(iv) three representatives of community-based organizations with expertise in agricultural workers and communities;

(v) three union representatives; and

(vi) three representatives of local public health.

(b) Other commissioners or their designees not named in paragraph (a), clause (1), may serve on the board as nonvoting members.

Subd. 4. **Membership terms; compensation.** (a) The governor shall make initial appointments to the board by October 1, 2022. Initial appointees shall serve staggered terms of three years or as determined by the secretary of state.

(b) Members shall be compensated as provided in section 15.0575, subdivision 3.

Subd. 5. **Chairs; other officers.** The commissioners of agriculture and labor and industry or their designees shall serve as co-chairs of the committee. The committee may elect other officers as necessary from its members.

Subd. 6. **Committee responsibilities.** The committee shall:

(1) analyze and recommend policies to address housing, workplace safety, and fair labor issues faced by migrant, food processing, and meatpacking agricultural workers;

(2) serve as an ongoing forum for the stakeholder groups represented on the committee and coordinate state, local, and private partners' collaborative work to maintain a healthy and equitable agricultural and food processing industry which is foundational to Minnesota's economy; and

(3) coordinate and support pandemic response and public health initiatives as they affect agricultural and food processing workers in upcoming growing, harvesting, and processing seasons.

Subd. 7. **Central inventory of reports and analyses on agricultural and food processing workers.** Within available appropriations and in collaboration with stakeholders, the committee shall work to establish a central inventory of data reports and analyses regarding agricultural and food processing workers, including demographic information and definitions of agricultural and food processing workers to help policymakers in state and local government agencies, stakeholders, and the public to understand the population needs and assets and to advance state and local initiatives.

Subd. 8. Report to legislature and governor. The committee shall present to the governor and chairs and ranking minority members of the legislative committees with jurisdiction over labor and agriculture an annual work plan and report regarding its accomplishments. Measurements of success must include tracking:

(1) stakeholder engagement;

(2) efficient and effective response to a pandemic or other disruptions of growing, harvesting, and processing seasons;

(3) increased coordination among governmental, employer, and advocacy organizations connected to the agricultural and food processing industry; and

(4) advancement of recommendations that strengthen the industry."

Delete the title and insert:

"A bill for an act relating to state government; appropriating money for the Department of Labor and Industry, Workers' Compensation Court of Appeals, and Bureau of Mediation Services; making policy and technical changes; making OSHA penalty conformity changes; establishing fair labor standards for agricultural workers; regulating combative sports; modifying the Public Employment Relations Board; establishing refinery safety requirements; establishing agriculture worker wellness provisions; requiring reports; requiring rulemaking; amending Minnesota Statutes 2020, sections 13.43, subdivision 6; 175.16, subdivision 1; 177.26; 177.27, subdivision 4; 178.01; 178.011, subdivision 7; 178.03, subdivision 1; 178.11; 179.86, subdivisions 1, 3, by adding subdivisions; 179A.041, by adding a subdivision; 181.14, subdivision 1; 181.635, subdivisions 1, 2, 3, 4, 6; 181.85, subdivisions 2, 4; 181.86, subdivision 1; 181.87, subdivisions 2, 3, 7; 181.88; 181.89, subdivision 2, by adding a subdivision; 181.9435, subdivision 1; 181.9436; 182.666, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 326B.103, subdivision 13; 326B.106, subdivisions 1, 4; 326B.163, subdivision 5, by adding a subdivision; 326B.164, subdivision 13; 326B.36, subdivision 7; 341.21, subdivision 7; 341.221; 341.25; 341.28; 341.30, subdivision 4; 341.32, subdivision 2; 341.321; 341.33; 341.355; Minnesota Statutes 2021 Supplement, sections 326B.092, subdivision 7; 326B.153, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 13; 179; 181; 341."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Nelson, M., from the Committee on State Government Finance and Elections to which was referred:

H. F. No. 4293, A bill for an act relating to elections; making technical and clarifying changes; amending Minnesota Statutes 2020, sections 203B.07, subdivisions 1, 2, 3; 203B.21, subdivisions 1, 3; 203B.23, subdivision 2; Minnesota Statutes 2021 Supplement, sections 203B.121, subdivision 4; 203B.24, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
STATE GOVERNMENT APPROPRIATIONS

Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are added to or, if shown in parentheses, subtracted from the appropriations in Laws 2021, First Special Session chapter 12, article 1, 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 designations "2022" or "the first year" and "2023" or "the second year" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. All base adjustments identified within this article are adjustments to the base contained in Laws 2021, First Special Session chapter 12, article 1.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2022</u>	<u>2023</u>
Sec. 2. <u>LEGISLATURE</u>		
Subdivision 1. <u>Total Appropriation</u>	<u>\$.....</u>	<u>\$16,874,000</u>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <u>House of Representatives</u>	<u>.....</u>	<u>1,400,000</u>
<u>The base for this appropriation is \$1,393,000 in fiscal year 2024 and thereafter.</u>		
Subd. 3. <u>Legislative Coordinating Commission</u>	<u>.....</u>	<u>15,474,000</u>
<u>\$252,000 the second year is for translation services. This base for this appropriation is \$230,000 in fiscal year 2024 and thereafter.</u>		
<u>\$138,000 the second year is for the Legislative Task Force on Aging. The base for this appropriation is \$140,000 in fiscal year 2024 and thereafter, until the task force expires.</u>		
<u>Legislative Auditor.</u> <u>\$342,000 the second year is for the Office of the Legislative Auditor.</u>		
<u>Revisor of Statutes.</u> <u>\$14,277,000 the second year is for the Office of the Revisor of Statutes. Of this amount, \$14,000,000 is a onetime appropriation for replacement of the bill and administrative rules drafting system. This appropriation is available until spent.</u>		
<u>Legislative Reference Library.</u> <u>\$70,000 the second year is for the Legislative Reference Library.</u>		
<u>Legislative Budget Office.</u> <u>\$92,000 the second year is for the Legislative Budget Office.</u>		
Sec. 3. <u>ATTORNEY GENERAL</u>	<u>\$.....</u>	<u>\$2,335,000</u>
<u>The base for this appropriation is \$2,335,000 in fiscal year 2024 and thereafter.</u>		

Sec. 4. **SECRETARY OF STATE** \$..... \$310,000

Sec. 5. **CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD** \$..... \$5,000

This is a onetime appropriation.

Sec. 6. **MINNESOTA IT SERVICES**

Subdivision 1. **Total Appropriation** \$3,409,000 \$32,376,000

Appropriations by Fund

	<u>2022</u>	<u>2023</u>
General	3,409,000	32,226,000
Special Revenue	150,000

The general fund base for this appropriation is \$20,409,000 in fiscal year 2024 and \$6,725,000 in fiscal year 2025 and thereafter.

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Cybersecurity Grant Program** 359,000 1,435,000

\$359,000 the first year and \$1,435,000 the second year are for a cybersecurity improvement grant program for political subdivisions and Minnesota Tribal governments, as established in Minnesota Statutes, section 16E.35. The base for this program is \$1,614,000 in fiscal year 2024 and \$717,000 in fiscal year 2025.

Subd. 3. **Cloud-Based Services** 2,800,000 9,600,000

\$2,800,000 the first year and \$9,600,000 the second year are for supporting the procurement and adoption of cloud-based services. The base for this program is \$2,100,000 in fiscal year 2024 and \$0 in fiscal year 2025.

Subd. 4. **Executive Branch Technology Modernization** 250,000 10,000,000

\$250,000 the first year and \$10,000,000 the second year are for the modernization of executive branch software applications and services. These appropriations are available until June 30, 2025. The base for this program is \$7,500,000 in fiscal year 2024 and \$2,125,000 in fiscal year 2025.

Subd. 5. Accessibility Assessment

.....

256,000

\$256,000 the second year is for conducting an accessibility assessment of digital service applications for compatibility of those applications with accessibility best practices. The base for this program is \$260,000 in fiscal year 2024 and \$133,000 in fiscal year 2025.

Subd. 6. Interagency Innovation Fund

.....

750,000

\$750,000 the second year is for creating an interagency innovation fund to center the priorities of families and children across agency priorities and to deliver agile technology solutions necessary to improve access to services and increase coordination across multiple state agencies.

Subd. 7. Technology Accessibility and Usability

.....

150,000

\$150,000 the second year is from the telecommunications access Minnesota fund account in the special revenue fund for coordinating technology accessibility and usability.

Subd. 8. Advanced Cybersecurity Tools

.....

10,185,000

\$10,185,000 the second year is for advanced cybersecurity tools and modern identity access management solutions. This appropriation is available until June 30, 2025. The base for this program is \$8,185,000 in fiscal year 2024 and \$3,000,000 in fiscal year 2025.

Sec. 7. ADMINISTRATION**Subdivision 1. Total Appropriation****\$953,000****\$9,754,000**

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Government and Citizen Services953,0006,981,000

The base is \$2,257,000 in fiscal year 2024 and \$2,007,000 in fiscal year 2025.

The commissioner shall transfer \$250,000 each year, starting in fiscal year 2023, to the language access service account in the special revenue fund, established in Minnesota Statutes, section 16B.3721.

Procurement Technical Assistance Center. \$400,000 the second year is for the Procurement Technical Assistance Center.

Disparity Study. \$1,500,000 the second year is to conduct a disparity study required under Minnesota Statutes, section 16C.16, subdivision 5. This is a onetime appropriation.

Enterprise Fleet Fund. \$630,000 the second year is to address revenue loss in the motor pool revolving account. This is a onetime appropriation and is available until June 30, 2025. Each fiscal year the commissioner may transfer to the motor pool revolving account, as authorized in Minnesota Statutes, section 16B.54, an amount necessary to continue operations of the enterprise fleet. This paragraph expires June 30, 2025.

Office of Small Agencies Study. \$102,500 in fiscal year 2023 is to complete the Office of Small Agencies study required in article 2. This is a onetime appropriation.

Office of Enterprise Translations. \$556,000 the second year is to establish the Office of Enterprise Translations as required by Minnesota Statutes, section 16B.372. Of this amount, \$147,000 is a onetime appropriation.

Office of Collaboration and Dispute Resolution. \$150,000 the second year is for the Office of Collaboration and Dispute Resolution.

COVID Workers' Compensation Costs Related to Chapter 32. \$953,000 the first year and \$1,594,000 the second year are for covering agency costs related to extending the workplace presumption of COVID workers' compensation claims from February 22, 2022, through January 14, 2023. The base for this program is \$450,000 in fiscal year 2024 and \$200,000 in fiscal year 2025.

COVID Workers' Compensation Costs. \$1,000,000 in fiscal year 2023 is for covering agency costs related to workers' compensation claims incurred prior to March 4, 2021. This is a onetime appropriation.

Subd. 3. **Fiscal Agent**

.....

2,773,000

Association of Minnesota Public Educational Radio Stations. \$773,000 the second year is for a grant to the Association of Minnesota Public Educational Radio Stations to provide new programs in community radio. Of this amount, up to \$23,000 is for the administration of the grant. This is a onetime appropriation and is available until June 30, 2024.

Minnesota Public Television. \$2,000,000 in fiscal year 2023 is for block grants to public television stations under Minnesota Statutes, section 129D.13. This is a onetime appropriation and is available until June 30, 2024.

Sec. 8. **MINNESOTA MANAGEMENT AND BUDGET**

Subdivision 1. **Total Appropriation**

\$.....

\$8,992,000

The base is \$10,773,000 in fiscal year 2024 and \$9,742,000 in fiscal year 2025.

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Statewide Systems Services**

.....

7,285,000

\$7,285,000 the second year is for statewide systems services. This appropriation is available until June 30, 2025. The base for this appropriation is \$8,956,000 in fiscal year 2024, \$7,925,000 in fiscal year 2025, and \$0 in fiscal year 2026 and thereafter.

Subd. 3. **Children's Cabinet**

.....

1,000,000

\$1,000,000 the second year is for the administration and staffing of the Children's Cabinet established in Minnesota Statutes, section 4.045.

Subd. 4. **Analytical, Statistical, and Program Evaluation**

.....

300,000

\$300,000 the second year is for analytical, statistical, and program evaluation as provided under Minnesota Statutes, section 16A.055, subdivision 1a. The base for this appropriation is \$450,000 in fiscal year 2024 and thereafter.

Subd. 5. **State Employment and Retention of Employees with Disabilities**

.....

93,000

\$93,000 the second year is for implementation of the recommendations of the Advisory Task Force on State Employment and Retention of Employees with Disabilities. The base for this appropriation is \$53,000 in fiscal year 2024 and thereafter.

Subd. 6. **State Capital Budget Outreach and Assistance**

.....

314,000

\$314,000 the second year is for technical assistance to communities and nonprofits that have traditionally not participated in the state capital budgeting process.

Sec. 9. **MINNESOTA HISTORICAL SOCIETY**

Subdivision 1. **Total Appropriation**

\$.....

\$1,282,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Operations and Programs** 1,282,000

\$750,000 the second year is for operations support for reopening statewide historical sites. This is a onetime appropriation.

\$32,000 the second year is for the State Emblems Redesign Commission. This is a onetime appropriation.

The base for this appropriation is \$500,000 in fiscal year 2024 and thereafter.

Sec. 10. <u>MINNESOTA HUMANITIES CENTER</u>	<u>\$.....</u>	<u>\$22,000</u>
Sec. 11. <u>BOARD OF ACCOUNTANCY</u>	<u>\$.....</u>	<u>\$120,000</u>
Sec. 12. <u>BOARD OF COSMETOLOGIST EXAMINERS</u>	<u>\$.....</u>	<u>\$20,000</u>
Sec. 13. <u>BOARD OF BARBER EXAMINERS</u>	<u>\$.....</u>	<u>\$17,000</u>

This is a onetime appropriation.

Sec. 14. **HELP AMERICA VOTE ACT APPROPRIATIONS; STATE MATCH REQUIREMENT.**

(a) The following amounts are appropriated to the secretary of state for the activities authorized in paragraph (b):

(1) \$1,151,122 in fiscal year 2022 is appropriated from the Help America Vote Act (HAVA) account established in Minnesota Statutes, section 5.30; and

(2) \$230,224 in fiscal year 2023 is appropriated from the general fund. This is a onetime appropriation.

(b) These appropriations may be used for the purposes of improving the administration and security of elections as authorized by federal law, including but not limited to any of the following activities:

(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;

(2) monitoring, updating, and securing election systems and the systems supporting elections infrastructure;

(3) monitoring and providing educational materials to combat election misinformation;

(4) preparing training materials and training local election officials;

(5) implementing physical security improvements for polling places, election workspaces, and other spaces supporting the administration of elections; and

(6) funding other activities to improve the security of elections.

(c) Any amount earned in interest on the amount appropriated under paragraph (a) is appropriated from the HAVA account to the secretary of state for purposes of improving the administration and security of elections as authorized by federal law.

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

Sec. 15. Laws 2021, First Special Session chapter 12, article 1, section 11, subdivision 4, is amended to read:

Subd. 4. Fiscal Agent	13,459,000	13,459,000
------------------------------	------------	------------

The appropriations under this section are to the commissioner of administration for the purposes specified.

In Lieu of Rent. \$10,515,000 each year is for space costs of the legislature and veterans organizations, ceremonial space, and statutorily free space.

Public Television. (a) \$1,550,000 each year is for matching grants for public television.

(b) \$250,000 each year is for public television equipment grants under Minnesota Statutes, section 129D.13.

(c) The commissioner of administration must consider the recommendations of the Minnesota Public Television Association before allocating the amounts appropriated in paragraphs (a) and (b) for equipment or matching grants.

Public Radio. (a) \$492,000 each year is for community service grants to public educational radio stations. This appropriation may be used to disseminate emergency information in foreign languages.

(b) \$142,000 each year is for equipment grants to public educational radio stations. This appropriation may be used for the repair, rental, ~~and purchase,~~ and upgrades of equipment, including computer software, applications, firmware, and equipment under \$500.

(c) \$510,000 each year is for equipment grants to Minnesota Public Radio, Inc., including upgrades to Minnesota's Emergency Alert and AMBER Alert Systems.

(d) The appropriations in paragraphs (a) to (c) may not be used for indirect costs claimed by an institution or governing body.

(e) The commissioner of administration must consider the recommendations of the Association of Minnesota Public Educational Radio Stations before awarding grants under Minnesota Statutes, section 129D.14, using the appropriations in paragraphs (a) and (b). No grantee is eligible for a grant unless they are a member of the Association of Minnesota Public Educational Radio Stations on or before July 1, 2021.

(f) Any unencumbered balance remaining the first year for grants to public television or public radio stations does not cancel and is available for the second year.

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

ARTICLE 2
STATE GOVERNMENT POLICY

Section 1. Minnesota Statutes 2020, section 3.303, subdivision 6, is amended to read:

Subd. 6. **Grants; staff; space; equipment; contracts.** (a) The commission may make grants, employ an executive director and other staff, and obtain office space, equipment, and supplies necessary to perform its duties.

(b) The executive director may enter into contracts in compliance with section 3.225 to provide necessary services and supplies for the house of representatives and the senate, and for legislative commissions and joint legislative offices. A contract for professional or technical services that is valued at more than \$50,000 may be made only after the executive director has consulted with the chair and vice-chair of the commission.

Sec. 2. Minnesota Statutes 2020, section 9.031, subdivision 3, is amended to read:

Subd. 3. **Collateral.** (a) In lieu of the corporate bond required in subdivision 2, a depository may deposit with the commissioner of management and budget collateral to secure state funds that are to be deposited with it. The Executive Council must approve the collateral.

(b) The Executive Council shall not approve any collateral except:

~~(1) bonds and certificates of indebtedness, other than bonds secured by real estate, that are legal investments for savings banks under any law of the state; and~~

~~(2) bonds of any insular possession of the United States, of any state, or of any agency of this state, the payment of the principal and interest of which is provided for by other than direct taxation.~~

(1) United States government treasury bills, treasury notes, and treasury bonds;

(2) issues of United States government agencies and instrumentalities, as quoted by a recognized industry quotation service available to the state;

(3) general obligation securities of any state other than the state and its agencies or local government with taxing powers that is rated "A" or better by a national bond rating service, or revenue obligation securities of any state other than the state and its agencies or local government with taxing powers which is rated "AA" or better by a national bond rating service;

(4) irrevocable standby letters of credit issued by Federal Home Loan Banks to the state accompanied by written evidence that the bank's public debt is rated "AA" or better by Moody's Investors Service, Inc., or Standard & Poor's Corporation; and

(5) time deposits that are fully insured by any federal agency.

(c) The collateral deposited shall be accompanied by an assignment thereof to the state, which assignment shall recite that:

(1) the depository will pay all the state funds deposited with it to the commissioner of management and budget, free of exchange or other charge, at any place in this state designated by the commissioner of management and budget; if the deposit is a time deposit it shall be paid, together with interest, only when due; and

(2) in case of default by the depository the state may sell the collateral, or as much of it as is necessary to realize the full amount due from the depository, and pay any surplus to the depository or its assigns.

(d) Upon the direction of the Executive Council, the commissioner of management and budget, on behalf of the state, may reassign in writing to the depository any registered collateral pledged to the state by assignment thereon.

(e) A depository may deposit collateral of less value than the total designation and may, at any time during the period of its designation, deposit additional collateral, withdraw excess collateral, and substitute other collateral for all or part of that on deposit. Approval of the Executive Council is not necessary for the withdrawal of excess collateral.

(f) If the depository is not in default the commissioner of management and budget shall pay the interest collected on the deposited collateral to the depository.

(g) In lieu of depositing collateral with the commissioner of management and budget, collateral may also be placed in safekeeping in a restricted account at a Federal Reserve bank or in an account at a trust department of a commercial bank or other financial institution that is not owned or controlled by the financial institution furnishing the collateral. The selection shall be approved by the commissioner.

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

Sec. 3. Minnesota Statutes 2020, section 10.55, is amended to read:

10.55 JUNETEENTH.

(a) ~~The third Saturday in June~~ 19 of each year is designated Juneteenth in recognition of the historical pronouncement of the abolition of slavery on June 19, 1865, when the Emancipation Proclamation was said to have been first publicly read in Texas by Union soldiers led by General Granger. The announcement came 2-1/2 years after President Abraham Lincoln's Emancipation Proclamation and two months after General Lee's surrender in April 1865. Juneteenth and emancipation celebrations have been commonplace in Minnesota since 1889 as a result of community-based grassroots efforts.

(b) Each year the governor shall issue a proclamation honoring this observance and recognizing the important contributions African-Americans have made to Minnesota's communities, culture, and economy. The governor may also take any additional action necessary to promote and encourage the observance of Juneteenth and public schools may offer instruction and programs on the occasion.

Sec. 4. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to read:

Subd. 5e. **Information and telecommunications technology systems and services.** "Information and telecommunications technology systems and services" has the meaning given in section 16E.03, subdivision 1, paragraph (b).

Sec. 5. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to read:

Subd. 5f. **Local government.** "Local government" has the meaning given in Code of Federal Regulations, title 44, section 206.2 (2012).

Sec. 6. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to read:

Subd. 5g. **Cyber attack.** "Cyber attack" means the use of unauthorized or malicious code on an information system, or the use of another digital mechanism such as a denial of service or ransomware attack, to interrupt or disrupt the operations of an information system or compromise the confidentiality, availability, or integrity of electronic data stored on, processed by, or transiting an information system.

Sec. 7. Minnesota Statutes 2020, section 12.21, subdivision 2, is amended to read:

Subd. 2. **Cooperation.** In performing duties under this chapter, the governor may cooperate with the federal government, with other states, with Canadian provinces, and with private agencies, in all matters pertaining to the emergency management of this state and of the nation, including but not limited to a physical or electronic attack on the state's information and telecommunications technology infrastructure, systems, or services.

Sec. 8. Minnesota Statutes 2020, section 12.31, subdivision 2, is amended to read:

Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a peacetime emergency. A peacetime declaration of emergency may be declared only when any of the following endangers life and property and local government resources are inadequate to handle the situation:

(1) an act of nature;

(2) a technological failure or malfunction;

(3) a terrorist incident;

(4) a cyber attack, including a physical or electronic attack on the state's information and telecommunications technology infrastructure, systems, or services;

(5) an industrial accident;

(6) a hazardous materials accident; or

(7) a civil disturbance endangers life and property and local government resources are inadequate to handle the situation.

If the peacetime emergency occurs on Indian lands, the governor or state director of emergency management shall consult with tribal authorities before the governor makes such a declaration. Nothing in this section shall be construed to limit the governor's authority to act without such consultation when the situation calls for prompt and timely action. When the governor declares a peacetime emergency, the governor must immediately notify the majority and minority leaders of the senate and the speaker and majority and minority leaders of the house of representatives. A peacetime emergency must not be continued for more than five days unless extended by resolution of the Executive Council up to 30 days. An order, or proclamation declaring, continuing, or terminating an emergency must be given prompt and general publicity and filed with the secretary of state.

(b) By majority vote of each house of the legislature, the legislature may terminate a peacetime emergency extending beyond 30 days. If the governor determines a need to extend the peacetime emergency declaration beyond 30 days and the legislature is not sitting in session, the governor must issue a call immediately convening both houses of the legislature. Nothing in this section limits the governor's authority over or command of the National Guard as described in the Military Code, chapters 190 to 192A, and required by the Minnesota Constitution, article V, section 3.

Sec. 9. Minnesota Statutes 2020, section 12.35, subdivision 4, is amended to read:

Subd. 4. **Reimbursement of other state.** When emergency management personnel of another state render aid in Minnesota, including but not limited to aid provided from outside Minnesota to assist with the response to a physical or electronic attack on the state's information and telecommunications technology infrastructure, systems, or services, pursuant to the orders of the governor of its home state, and upon the request of the governor of Minnesota, this state shall reimburse the other state for (1) the compensation paid and actual and necessary travel, subsistence, and maintenance expenses of the personnel of the other state while rendering aid as emergency management personnel, (2) all payments for death, disability, or injury of those personnel incurred in the course of rendering that aid, and (3) all losses of or damage to supplies and equipment of the other state, or a governmental subdivision of the other state, resulting from the rendering of aid; provided, that the laws of the other state contain provisions substantially similar to this section.

Sec. 10. Minnesota Statutes 2020, section 12.36, is amended to read:

12.36 GOVERNOR'S POWERS TO FAST PROVIDE EMERGENCY AID.

(a) The governor, during an emergency or disaster and notwithstanding any other law, may:

(1) enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons ~~and~~ the safety of property, and the safety of the state's information and telecommunications technology infrastructure, systems, or services and by providing emergency assistance to the victims of the disaster; and

(2) exercise the powers vested by this subdivision in the light of the exigencies of the disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to:

(i) the performance of public work;

(ii) entering into contract;

(iii) incurring of obligations;

(iv) employment of temporary workers;

(v) rental of equipment;

(vi) purchase of supplies and materials, for example, but not limited to, publication of calls for bids;

(vii) provisions of the Civil Service Act and rules;

(viii) provisions relating to low bids; and

(ix) requirements for the budgeting and allotment of funds.

(b) All contracts must be in writing, executed on behalf of the state by the governor or a person delegated by the governor in writing so to do, and must be promptly filed with the commissioner of management and budget, who shall forthwith encumber funds appropriated for the purposes of the contract for the full contract liability and certify thereon that the encumbrance has been made.

Sec. 11. Minnesota Statutes 2020, section 13.04, subdivision 4, is amended to read:

Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject of the data may contest the accuracy or completeness of public or private data about themselves.

(b) To exercise this right, an individual shall notify in writing the responsible authority of the government entity that maintains the data, describing the nature of the disagreement.

(c) Upon receiving the notification from the data subject, the responsible authority shall within 30 days either:

(1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or

(2) notify the individual that the authority believes the data to be correct. If the challenged data are determined to be accurate or complete, the responsible authority shall inform the individual of the right to appeal the determination under this section within 60 days to the commissioner. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

(d) A data subject may appeal the determination of the responsible authority ~~may be appealed~~ pursuant to the provisions of the Administrative Procedure Act relating to contested cases. An individual must submit an appeal to the commissioner within 60 days of the responsible authority's notice of the right to appeal or as otherwise provided by the rules of the commissioner. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

(e) The commissioner may dismiss an appeal without first attempting to resolve the dispute or before issuing an order and notice of a contested case hearing if:

(1) an appeal to the commissioner is not timely;

(2) an appeal concerns data previously admitted as evidence in a court proceeding in which the data subject was a party; or

(3) an individual is not the subject of the data challenged as inaccurate or incomplete.

~~(f)~~ (f) Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of section 138.17.

(g) After completing, correcting, or destroying successfully challenged data, a government entity may retain a copy of the commissioner of administration's order issued under chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

Sec. 12. Minnesota Statutes 2020, section 13.072, subdivision 1, is amended to read:

Subdivision 1. **Opinion; when required.** (a) Upon request of a government entity, the commissioner may give a written opinion on any question relating to public access to government data, rights of subjects of data, or classification of data under this chapter or other Minnesota statutes governing government data practices. Upon request of any person who disagrees with a determination regarding data practices made by a government entity, the commissioner may give a written opinion regarding the person's rights as a subject of government data or right to have access to government data.

(b) Upon request of a body subject to chapter 13D, the commissioner may give a written opinion on any question relating to the body's duties under chapter 13D. Upon request of a person who disagrees with the manner in which members of a governing body perform their duties under chapter 13D, the commissioner may give a written opinion on compliance with chapter 13D. ~~A governing body or person requesting an opinion under this paragraph must pay the commissioner a fee of \$200. Money received by the commissioner under this paragraph is appropriated to the commissioner for the purposes of this section.~~

(c) If the commissioner determines that no opinion will be issued, the commissioner shall give the government entity or body subject to chapter 13D or person requesting the opinion notice of the decision not to issue the opinion within five business days of receipt of the request. Notice must be in writing. For notice by mail, the decision not to issue an opinion is effective when placed with the United States Postal Service or with the central mail system of the state. If this notice is not given, the commissioner shall issue an opinion within ~~20~~ 50 days of receipt of the request.

(d) ~~For good cause and upon written notice to the person requesting the opinion, the commissioner may extend this deadline for one additional 30 day period. The notice must state the reason for extending the deadline.~~ The government entity or the members of a body subject to chapter 13D must be provided a reasonable opportunity to explain the reasons for its decision regarding the data or how they perform their duties under chapter 13D. The commissioner or the government entity or body subject to chapter 13D may choose to give notice to the subject of the data concerning the dispute regarding the data or compliance with chapter 13D.

(e) This section does not apply to a determination made by the commissioner of health under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

(f) A written, numbered, and published opinion issued by the attorney general shall take precedence over an opinion issued by the commissioner under this section.

Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

Subdivision 1. **Membership.** (a) The Legislative Salary Council consists of the following members:

(1) one person, who is not a judge, from each congressional district, appointed by the chief justice of the supreme court; and

(2) one person from each congressional district, appointed by the governor.

(b) If Minnesota has an odd number of congressional districts, the governor and the chief justice must each appoint an at-large member, in addition to a member from each congressional district.

(c) One-half of the members appointed by the governor and one-half of the members appointed by the chief justice must belong to the political party that has the most members in the legislature. One-half of the members appointed by the governor and one-half of the members appointed by the chief justice must belong to the political party that has the second most members in the legislature.

(d) None of the members of the council may be:

(1) a current or former legislator, or the spouse of a current legislator;

(2) a current or former lobbyist registered under Minnesota law;

(3) a current employee of the legislature;

(4) a current or former judge; ~~or~~

(5) a current or former governor, lieutenant governor, attorney general, secretary of state, or state auditor; or

(6) a current employee of an entity in the executive or judicial branch.

Sec. 14. Minnesota Statutes 2020, section 15A.0825, subdivision 2, is amended to read:

Subd. 2. **Initial appointment; convening authority; first meeting in odd-numbered year.** Appointing authorities must make their ~~initial~~ appointments ~~by January 2, 2017~~ after the first Monday in January and before January 15 in each odd-numbered year. The governor shall designate one member to convene and chair the first meeting of the council. The first meeting must be before January ~~15, 2017~~ 25 of that year. At its first meeting, the council must elect a chair from among its members. ~~Members that reside in an even numbered congressional district serve a first term ending January 15, 2019. Members residing in an odd numbered congressional district serve a first term ending January 15, 2021.~~

Sec. 15. Minnesota Statutes 2020, section 15A.0825, subdivision 3, is amended to read:

Subd. 3. **Terms.** (a) ~~Except for initial terms and~~ for the first term following redistricting, a term is four years or until new appointments are made after congressional redistricting as provided in subdivision 4. Members may serve no more than two full terms or portions of two consecutive terms.

(b) If a member ceases to reside in the congressional district that the member resided in at the time of appointment as a result of moving or redistricting, the appointing authority who appointed the member must appoint a replacement who resides in the congressional district to serve the unexpired term.

EFFECTIVE DATE. This section is effective January 1, 2023.

Sec. 16. Minnesota Statutes 2020, section 16A.126, subdivision 1, is amended to read:

Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay to a revolving fund for services. Funds subject to this subdivision include, but are not limited to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48; 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section 43A.30; and the account established in section 16A.1286.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 17. Minnesota Statutes 2020, section 16A.1286, subdivision 2, is amended to read:

Subd. 2. **Billing procedures.** The commissioner may bill ~~up to \$10,000,000 in~~ each fiscal year for statewide systems services provided to state agencies, ~~judicial branch agencies in the executive, judicial, and legislative branches, the University of Minnesota, the Minnesota State Colleges and Universities, and other entities.~~ Each agency shall transfer from agency operating appropriations to the statewide systems account the amount billed by the commissioner. ~~Billing policies and procedures related to statewide systems services must be developed by the commissioner in consultation with the commissioners of management and budget and administration, the University of Minnesota, and the Minnesota State Colleges and Universities.~~ The commissioner shall develop billing policies and procedures.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 18. Minnesota Statutes 2020, section 16A.15, subdivision 3, is amended to read:

Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior obligation. An obligation may not be incurred against any fund, allotment, or appropriation unless the commissioner has certified a sufficient unencumbered balance or the accounting system shows sufficient allotment or encumbrance balance in the fund, allotment, or appropriation to meet it. The commissioner shall determine when the accounting system may be used to incur obligations without the commissioner's certification of a sufficient unencumbered balance. An expenditure or obligation authorized or incurred in violation of this chapter is invalid and ineligible for payment until made valid. A payment made in violation of this chapter is illegal. An employee authorizing or making the payment, or taking part in it, and a person receiving any part of the payment, are jointly and severally liable to the state for the amount paid or received. If an employee knowingly incurs an obligation or authorizes or makes an expenditure in violation of this chapter or takes part in the violation, the violation is just cause for the employee's removal by the appointing authority or by the governor if an appointing authority other than the governor fails to do so. In the latter case, the governor shall give notice of the violation and an opportunity to be heard on it to the employee and to the appointing authority. A claim presented against an appropriation without prior allotment or encumbrance may be made valid on investigation, review, and approval by the agency head in accordance with the commissioner's policy, if the services, materials, or supplies to be paid for were actually furnished in good faith without collusion and without intent to defraud. The commissioner may then pay the claim just as properly allotted and encumbered claims are paid.

(b) The commissioner may approve payment for materials and supplies in excess of the obligation amount when increases are authorized by section 16C.03, subdivision 3.

(c) To minimize potential construction delay claims, an agency with a project funded by a building appropriation may allow a consultant or contractor to proceed with supplemental work within the limits of the appropriation before money is encumbered. Under this circumstance, the agency may requisition funds and allow consultants or contractors to expeditiously proceed with services or a construction sequence. While the consultant or contractor is proceeding, the agency shall immediately act to encumber the required funds.

Sec. 19. Minnesota Statutes 2020, section 16B.33, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings given them:

(b) "Agency" has the meaning given in section 16B.01.

(c) "Architect" means an architect or landscape architect registered to practice under sections 326.02 to 326.15.

(d) "Board" means the state Designer Selection Board.

(e) "Design-build" means the process of entering into and managing a single contract between the commissioner and the design-builder in which the design-builder agrees to both design and construct a project as specified in the contract at a guaranteed maximum or a fixed price.

(f) "Design-builder" means a person who proposes to design and construct a project in accordance with the requirements of section 16C.33.

(g) "Designer" means an architect or engineer, or a partnership, association, or corporation comprised primarily of architects or engineers or of both architects and engineers.

(h) "Engineer" means an engineer registered to practice under sections 326.02 to 326.15.

(i) "Person" includes an individual, corporation, partnership, association, or any other legal entity.

(j) "Primary designer" means the designer who is to have primary design responsibility for a project, and does not include designers who are merely consulted by the user agency and do not have substantial design responsibility, or designers who will or may be employed or consulted by the primary designer.

(k) "Project" means an undertaking to construct, erect, or remodel a building by or for the state or an agency. Capital projects exempt from the requirements of this section include demolition or decommissioning of state assets; hazardous materials abatement; repair and replacement of utility infrastructure, parking lots, and parking structures; security upgrades; building systems replacement or repair, including alterations to building interiors needed to accommodate the systems; and other asset preservation work not involving remodeling of occupied space.

(l) "User agency" means the agency undertaking a specific project. For projects undertaken by the state of Minnesota, "user agency" means the Department of Administration or a state agency with an appropriate delegation to act on behalf of the Department of Administration.

Sec. 20. Minnesota Statutes 2020, section 16B.33, subdivision 3, is amended to read:

Subd. 3. **Agencies must request designer.** (a) **Application.** Upon undertaking a project with an estimated cost greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than ~~\$200,000~~ \$400,000, every user agency, except the Capitol Area Architectural and Planning Board, shall submit a written request for a primary designer for its project to the commissioner, who shall forward the request to the board. The University of Minnesota and the Minnesota State Colleges and Universities shall follow the process in subdivision 3a to select designers for their projects. The written request must include a description of the project, the estimated cost of completing the project, a description of any special requirements or unique features of the proposed project, and other information which will assist the board in carrying out its duties and responsibilities set forth in this section.

(b) **Reactivated project.** If a project for which a designer has been selected by the board becomes inactive, lapses, or changes as a result of project phasing, insufficient appropriations, or other reasons, the commissioner, the Minnesota State Colleges and Universities, or the University of Minnesota may, if the project is reactivated, retain the same designer to complete the project.

(c) **Fee limit reached after designer selected.** If a project initially estimated to be below the cost and planning fee limits of this subdivision has its cost or planning fees revised so that the limits are exceeded, the project must be referred to the board for designer selection even if a primary designer has already been selected. In this event, the board may, without conducting interviews, elect to retain the previously selected designer if it determines that the interests of the state are best served by that decision and shall notify the commissioner of its determination.

Sec. 21. Minnesota Statutes 2020, section 16B.33, subdivision 3a, is amended to read:

Subd. 3a. **Higher education projects.** (a) When the University of Minnesota or the Minnesota State Colleges and Universities undertakes a project involving construction or major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than ~~\$200,000~~ \$400,000, the system shall submit a written request for a primary designer to the commissioner, as provided in subdivision 3.

(b) When the University of Minnesota or the Minnesota State Colleges and Universities undertakes a project involving renovation, repair, replacement, or rehabilitation, the system office may submit a written request for a primary designer to the commissioner as provided in subdivision 3.

(c) For projects at the University of Minnesota or the State Colleges and Universities, the board shall select at least two primary designers under subdivision 4 for recommendation to the Board of Regents or the Board of Trustees. Meeting records or written evaluations that document the final selection are public records. The Board of Regents or the Board of Trustees shall notify the commissioner of the designer selected from the recommendations.

Sec. 22. Minnesota Statutes 2020, section 16B.33, is amended by adding a subdivision to read:

Subd. 6. **Rate of inflation.** No later than December 31 of every fifth year starting in 2025, the commissioner shall determine the percentage increase in the rate of inflation, as measured by the means quarterly construction cost index, during the four-year period preceding that year. The thresholds in subdivisions 3, paragraph (a), and 3a, paragraph (a), shall be increased by the percentage calculated by the commissioner to the nearest ten-thousandth dollar.

Sec. 23. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain the Office of Collaboration and Dispute Resolution, formerly codified in sections 179.90 and 179.91 within the Department of Administration. The office must:

(1) assist state agencies; offices of the executive, legislative, and judicial branches; Tribal governments; and units of local government in improving collaboration, dispute resolution, and public engagement;

(2) promote and utilize collaborative dispute resolution models and processes based on documented best practices, including but not limited to:

(i) establishing criteria and procedures for identifying and assessing collaborative dispute resolution projects;

(ii) designing collaborative dispute resolution processes to foster trust, relationships, mutual understanding, and consensus-based solutions;

(iii) preparing and training participants; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings to develop wise and durable solutions;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) promote the broad use of community mediation in the state;

(5) ensure that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes; and

(6) educate the public and government entities on collaboration, dispute resolution options, and public engagement.

Subd. 2. **Grant applications; appropriation.** The commissioner may apply for and receive money made available from federal, state, or other sources for the purposes of carrying out the mission of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision are appropriated to the commissioner for their intended purpose.

Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated for this purpose make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

Sec. 24. **[16B.372] OFFICE OF ENTERPRISE TRANSLATIONS.**

The commissioner shall establish an Office of Enterprise Translations. The office must:

(1) provide translation services for written material for state agencies;

(2) create and maintain language-specific landing web pages in Spanish, Hmong, and Somali with links to translated materials at state agency websites; and

(3) serve as a resource to executive branch agencies in areas that include best practices and standards for the translation of written materials.

Sec. 25. **[16B.3721] LANGUAGE ACCESS SERVICE ACCOUNT ESTABLISHED.**

The language access service account is created in the special revenue fund for reimbursing state agencies for expenses incurred in providing language translation services.

Sec. 26. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to read:

Subd. 12. **Grants administration.** It is the policy of the legislature to ensure that grant activities and outcomes of programs and services funded by legislative appropriations are administered by state agencies in accordance with this section and section 16B.97. Unless amounts are otherwise appropriated for administrative costs, a state agency may retain up to five percent of the amount appropriated to the agency for grants enacted by the legislature and formula grants and up to ten percent for competitively awarded grants. This subdivision applies to appropriations made for new grant programs enacted after the effective date of this subdivision.

Sec. 27. Minnesota Statutes 2020, section 16C.10, subdivision 2, is amended to read:

Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and chapter 16B is not required in emergencies. In emergencies, the commissioner may make or authorize any purchases necessary for the design, construction, repair, rehabilitation, and improvement of a ~~state-owned~~ publicly owned structure or may make or authorize an agency to do so and may purchase, or may authorize an agency to purchase, any goods, services, or utility services directly for immediate use. This provision applies to projects conducted by Minnesota State Colleges and Universities.

Sec. 28. Minnesota Statutes 2020, section 16C.32, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in sections 16C.32 to 16C.35, the following terms have the meanings given them, unless the context clearly indicates otherwise:

(1) "acceptance" means a formal resolution of the commissioner authorizing the execution of a design-build, construction manager at risk, or job order contracting contract;

(2) "agency" means any state officer, employee, board, commission, authority, department, or other agency of the executive branch of state government. Unless specifically indicated otherwise, as used in sections 16C.32 to 16C.35, agency also includes the Minnesota State Colleges and Universities;

(3) "architect" means an architect or landscape architect registered to practice under sections 326.02 to 326.15;

(4) "board" means the state Designer Selection Board, unless the estimated cost of the project is less than ~~\$2,000,000~~ the amount specified in section 16B.33, subdivision 3, in which case the commissioner may act as the board;

(5) "Capitol Area Architectural and Planning Board" means the board established to govern the Capitol area under chapter 15B;

(6) "commissioner" means the commissioner of administration or the Board of Trustees of the Minnesota State Colleges and Universities, whichever controls a project;

(7) "construction manager at risk" means a person who is selected by the commissioner to act as a construction manager to manage the construction process, which includes, but is not limited to, responsibility for the price, schedule, and workmanship of the construction performed in accordance with the procedures of section 16C.34;

(8) "construction manager at risk contract" means a contract for construction of a project between a construction manager at risk and the commissioner, which contract shall include a guaranteed maximum price, construction schedule, and workmanship of the construction performed;

(9) "design-build contract" means a contract between the commissioner and a design-builder to furnish the architectural, engineering, and related design services as well as the labor, materials, supplies, equipment, and construction services for a project;

(10) "design and price-based proposal" means the proposal to be submitted by a design-builder in the design and price-based selection process, as described in section 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph (c), in such detail as required in the request for proposals;

(11) "design and price-based selection" means the selection of a design-builder as described in section 16C.33, subdivision 8;

(12) "design criteria package" means performance criteria prepared by a design criteria professional who shall be either an employee of the commissioner or shall be selected in compliance with section 16B.33, 16C.08, or 16C.087;

(13) "design criteria professional" means a person licensed under chapter 326, or a person who employs an individual or individuals licensed under chapter 326, required to design a project, and who is employed by or under contract to the commissioner to provide professional, architectural, or engineering services in connection with the preparation of the design criteria package;

(14) "guaranteed maximum price" means the maximum amount that a design-builder, construction manager at risk, or subcontractor will be paid pursuant to a contract to perform a defined scope of work;

(15) "guaranteed maximum price contract" means a contract under which a design-builder, construction manager, or subcontractor is paid on the basis of their actual cost to perform the work specified in the contract plus an amount for overhead and profit, the sum of which must not exceed the guaranteed maximum price set forth in the contract;

(16) "job order contracting" means a project delivery method that requests a limited number of bids from a list of qualified contractors, selected from a registry of qualified contractors who have been prescreened and who have entered into master contracts with the commissioner, as provided in section 16C.35;

(17) "past performance" or "experience" does not include the exercise or assertion of a person's legal rights;

(18) "person" includes an individual, corporation, partnership, association, or any other legal entity;

(19) "project" means an undertaking to construct, alter, or enlarge a building, structure, or other improvements, except highways and bridges, by or for the state or an agency;

(20) "qualifications-based selection" means the selection of a design-builder as provided in section 16C.33;

(21) "request for qualifications" means the document or publication soliciting qualifications for a design-build, construction manager at risk, or job order contracting contract as provided in sections 16C.33 to 16C.35;

(22) "request for proposals" means the document or publication soliciting proposals for a design-build or construction manager at risk contract as provided in sections 16C.33 and 16C.34; and

(23) "trade contract work" means the furnishing of labor, materials, or equipment by contractors or vendors that are incorporated into the completed project or are major components of the means of construction. Work performed by trade contractors involves specific portions of the project, but not the entire project.

Sec. 29. **[16E.35] COUNTY AND LOCAL CYBERSECURITY GRANTS.**

Subdivision 1. Cybersecurity grant program established. Minnesota IT Services may make grants to political subdivisions to support addressing cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, state, local, or Tribal governments, as provided in section 70612 of Public Law 117-58.

Subd. 2. Match requirement. The political subdivision receiving a grant must provide for the remainder of the costs of the project.

Subd. 3. Criteria. The department may set criteria for program priorities and standards of review.

Sec. 30. Minnesota Statutes 2020, section 43A.01, subdivision 2, is amended to read:

Subd. 2. Precedence of merit principles and nondiscrimination. It is the policy of this state to provide for equal employment opportunity consistent with chapter 363A by ensuring that all personnel actions be based on the ability to perform the duties and responsibilities assigned to the position without regard to age, race, creed or religion, color, disability, sex, national origin, marital status, status with regard to public assistance, or political affiliation. It is the policy of this state to take affirmative action to eliminate the underutilization of qualified members of protected groups in the civil service, where such action is not in conflict with other provisions of this

chapter or chapter 179, in order to correct imbalances and eliminate the ~~present~~ effects of ~~past~~ discrimination and support full and equal participation in the social and economic life in the state. Managers and supervisors that are responsible for hiring must be made aware of bias that can be present in the hiring process.

No contract executed pursuant to chapter 179A shall modify, waive or abridge this section and sections 43A.07 to 43A.121, 43A.15, and 43A.17 to 43A.21, except to the extent expressly permitted in those sections.

Sec. 31. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to read:

Subd. 1a. **Accommodation fund.** "Accommodation fund" means the fund created under section 16B.4805 for reimbursing state agencies for eligible expenses incurred in providing reasonable accommodations to state employees with disabilities.

Sec. 32. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to read:

Subd. 3a. **Americans with Disabilities Act.** "Americans With Disabilities Act" or "ADA" means the Americans with Disabilities Act of 1990, as amended, United States Code title 42, sections 12101 to 12117.

Sec. 33. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to read:

Subd. 18a. **Digital accessibility.** "Digital accessibility" means information and communication technology, including products, devices, services, and content that are designed and built so people with disabilities can use or participate in them, as defined by the accessibility standard adopted under section 16E.03, subdivision 9. Any statutory reference to accessible or accessibility in the context of information and communication technology includes digital accessibility.

Sec. 34. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to read:

Subd. 35a. **Reasonable accommodation.** "Reasonable accommodation" has the meaning given under section 363A.08, subdivision 6.

Sec. 35. Minnesota Statutes 2020, section 43A.04, subdivision 1a, is amended to read:

Subd. 1a. **Mission; efficiency.** It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

- (1) prevent the waste or unnecessary spending of public money;
- (2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
- (3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
- (4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
- (5) ensure that all technology utilized is accessible to employees and provided in a timely manner as described in sections 363A.42 and 363A.43 and the accessibility standards under section 16E.03, subdivisions 2, clause (3), and 9;

~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;

~~(6)~~ (7) report to the legislature on the performance of agency operations and the accomplishment of agency goals in the agency's biennial budget according to section 16A.10, subdivision 1; ~~and~~

~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the department-; and

(9) endeavor to use equitable and inclusive practices to attract and recruit protected class employees; actively eliminate discrimination against protected group employees; and ensure equitable access to development and training, advancement, and promotional opportunities.

Sec. 36. Minnesota Statutes 2020, section 43A.04, subdivision 4, is amended to read:

Subd. 4. **Administrative procedures.** The commissioner shall develop administrative procedures, which are not subject to the rulemaking provisions of the Administrative Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights of or processes available to the general public. The commissioner may also adopt administrative procedures, not subject to the Administrative Procedure Act, which concern topics affecting the general public if those procedures concern only the internal management of the department or other agencies and if those elements of the topics which affect the general public are the subject of department rules.

Administrative procedures shall be reproduced and made available for comment in accessible digital formats under section 16E.03 to agencies, employees, and appropriate exclusive representatives certified pursuant to sections 179A.01 to 179A.25, for at least 15 days prior to implementation and shall include but are not limited to:

(1) maintenance and administration of a plan of classification for all positions in the classified service and for comparisons of unclassified positions with positions in the classified service;

(2) procedures for administration of collective bargaining agreements and plans established pursuant to section 43A.18 concerning total compensation and the terms and conditions of employment for employees;

(3) procedures for effecting all personnel actions internal to the state service such as processes and requirements for agencies to publicize job openings and consider applicants who are referred or nominate themselves, conduct of selection procedures limited to employees, noncompetitive and qualifying appointments of employees and leaves of absence;

(4) maintenance and administration of employee performance appraisal, training and other programs; and

(5) procedures for pilots of the reengineered employee selection process. Employment provisions of this chapter, associated personnel rules adopted under subdivision 3, and administrative procedures established under clauses (1) and (3) may be waived for the purposes of these pilots. The pilots may affect the rights of and processes available to members of the general public seeking employment in the classified service. The commissioner will provide public notice of any pilot directly affecting the rights of and processes available to the general public and make the administrative procedures available for comment to the general public, agencies, employees, and appropriate exclusive representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior to implementation. The public notice must be provided in an accessible digital format under section 16E.03. The process for providing comment shall include multiple formats to ensure equal access, including via telephone, digital content, and e-mail.

Sec. 37. Minnesota Statutes 2020, section 43A.04, subdivision 7, is amended to read:

Subd. 7. **Reporting.** The commissioner shall issue a written report by February 1 and August 1 of each year to the chair of the Legislative Coordinating Commission. The report must list the number of appointments made under each of the categories in section 43A.15, the number made to the classified service other than under section 43A.15, and the number made under section 43A.08, subdivision 2a, during the six-month periods ending June 30 and December 31, respectively. The report must be posted online and must be accessible under section 16E.03. The commissioner shall advertise these reports in multiple formats to ensure broad dissemination.

Sec. 38. Minnesota Statutes 2020, section 43A.09, is amended to read:

43A.09 RECRUITMENT.

The commissioner in cooperation with appointing authorities of all state agencies shall maintain an active recruiting program publicly conducted and designed to attract sufficient numbers of well-qualified people to meet the needs of the civil service, and to enhance the image and public esteem of state service employment. Special emphasis shall be given to recruitment of veterans and protected group members, including qualified individuals with disabilities, to assist state agencies in meeting affirmative action goals to achieve a balanced work force. All technology and digital content related to recruiting and hiring shall be accessible to people with disabilities.

Sec. 39. Minnesota Statutes 2020, section 43A.10, subdivision 2a, is amended to read:

Subd. 2a. **Application requirements.** (a) The commissioner shall establish and maintain a database of applicants for state employment. The commissioner shall establish, publicize, and enforce minimum requirements for ~~application-~~ applications, and shall ensure that:

(1) all postings shall be written so as to be relevant to the duties of the job and be nondiscriminatory;

(2) the appointing authority ~~shall enforce~~ enforces the established minimum requirements for application;

(3) the 700-hour on-the-job demonstration experience is considered an alternative, noncompetitive hiring process for classified positions for qualified individuals ~~who express interest directly to the appointing authority.~~ with disabilities; and

(4) hiring managers and others involved in the selection process are aware of the accommodation fund under section 16B.4805 to ensure that people with disabilities obtain timely and appropriate accommodations within the hiring process and the state agency can request reimbursement.

(b) The commissioner shall ensure that all online application processes and all digital content relating to the database referenced in paragraph (a) shall be accessible for people with disabilities.

Sec. 40. Minnesota Statutes 2020, section 43A.10, subdivision 7, is amended to read:

Subd. 7. **Selection process accommodations.** Upon request, the commissioner or appointing authority shall provide ~~selection process~~ reasonable accommodations to ~~an applicant with a disability that does not prevent performance of the duties of the position. The accommodations must provide an opportunity to fairly assess the ability of the applicant to perform the duties of the position notwithstanding the disability but must preserve, to the extent feasible, the validity of the selection process and equitable comparison of results with the results of competitors without~~ qualified applicants with disabilities; to ensure full participation in the selection process, including use of the accommodation fund under section 16B.4805 during the selection process. The commissioner must ensure that agencies are made aware of the accommodation fund and its critical function of removing cost considerations from interview selection decisions.

Sec. 41. Minnesota Statutes 2020, section 43A.14, is amended to read:

43A.14 APPOINTMENTS.

All appointments to the classified service shall be based upon merit and ability to perform the duties of the position and the needs of the employing agency, including the need to achieve and maintain a representative work force, including representation of people with disabilities. For employees in a bargaining unit as defined in section 179A.10 appointments shall be subject to applicable provisions of collective bargaining agreements.

Sec. 42. Minnesota Statutes 2020, section 43A.15, subdivision 14, is amended to read:

Subd. 14. **700-hour on-the-job demonstration process and appointment experience.** (a) The commissioner shall ~~establish~~ consult with the Department of Employment and Economic Development's Vocational Rehabilitation Services and State Services for the Blind and other disability experts in establishing, reviewing, and modifying the qualifying procedures for applicants whose disabilities are of such a significant nature that the applicants are unable to demonstrate their abilities in the selection process. The qualifying procedures must consist of up to 700 hours on-the-job ~~trial work~~ demonstration experience. ~~Up to three persons with significant disabilities and their job coach may be allowed to demonstrate their job competence as a unit through the on-the-job trial work experience selection procedure. This~~ The 700-hour on-the-job demonstration process must be limited to applicants for whom there is no reasonable accommodation in the selection process experience is an alternative, noncompetitive hiring process for qualified applicants with disabilities. All permanent executive branch classified positions are eligible for a 700-hour on-the-job demonstration experience, and all permanent classified job postings must provide information regarding the on-the-job demonstration overview and certification process.

(b) The commissioner may authorize the probationary appointment of an applicant based on the request of the appointing authority that documents that the applicant has successfully demonstrated qualifications for the position through completion of an on-the-job ~~trial work~~ demonstration experience. Qualified applicants should be converted to permanent, probationary appointments at the point in the 700-hour on-the-job experience at which they have demonstrated the ability to perform the essential functions of the job with or without reasonable accommodation. The implementation of this subdivision may not be deemed a violation of chapter 43A or 363A.

(c) The commissioner and the ADA and disability employment director, described in section 43A.19, subdivision 1, paragraph (e), are responsible for the administration and oversight of the 700-hour on-the-job demonstration experience, including the establishment of policies and procedures, data collection and reporting requirements, and compliance.

(d) The commissioner or the commissioner's designee shall design and implement a training curriculum for the 700-hour on-the-job demonstration experience. All executive leaders, managers, supervisors, human resources professionals, affirmative action officers, and ADA coordinators must receive annual training on the program.

(e) The commissioner or the commissioner's designee shall develop, administer, and make public a formal grievance process for individuals in the 700-hour on-the-job demonstration experience under this subdivision and supported work program under section 43A.421, subdivision 2.

(f) Appointing agencies shall ensure that reasonable accommodation requests, including accessible technology or alternative formats, are provided in a timely manner during the application and hiring process and throughout the 700-hour on-the-job demonstration experience period pursuant to sections 363A.42 and 363A.43 and the accessibility standards under section 16E.03, subdivisions 2, clause (3), and 9.

Sec. 43. Minnesota Statutes 2020, section 43A.15, is amended by adding a subdivision to read:

Subd. 14a. **Report and survey.** (a) The commissioner shall annually collect enterprise-wide statistics on the 700-hour on-the-job demonstration experience under subdivision 14. The statistics collected and reported annually must include:

(1) the number of certifications submitted, granted, and rejected;

(2) the number of applicants interviewed, appointed, and converted to probationary status;

(3) the number of employees retained after one year in state employment;

(4) the number of employees with terminated appointments and the reason for termination;

(5) the average length of time in an on-the-job demonstration appointment;

(6) the number and category of entity certifications; and

(7) by department or agency, the number of appointments and hires and the number of managers and supervisors trained.

(b) The commissioner shall develop and administer an annual survey of participants in the 700-hour on-the-job demonstration experience who are hired and those who are not hired, as well as the managers of participants in the 700-hour on-the-job demonstration experience.

(c) The commissioner must consult at least annually with the Department of Employment and Economic Development's Vocational Rehabilitation Services and State Services for the Blind, the Disability Agency Forum, and other disability experts to review the survey results, assess program satisfaction, and recommend areas for continuous improvement.

(d) The commissioner shall annually develop and publish a report on the department's website that includes the data described in paragraph (a), survey results described in paragraph (b), and recommendations for continuous improvement described in paragraph (c).

Sec. 44. Minnesota Statutes 2020, section 43A.183, subdivision 1, is amended to read:

Subdivision 1. **Payment required.** Each agency head shall pay to each eligible member an amount equal to the person's salary differential for each month or portion of month that the person is ordered to serve in active service.

This payment may be made only to a person for whom the amount in subdivision 2, paragraph (b), clause (1), is greater than the amount in subdivision 2, paragraph (b), clause (2). Payments must be made at the intervals at which the member received pay as a state employee, except that any back pay due under this section may be paid as a lump sum. Payment under this section must not extend beyond four years from the date the employee reported for active service, plus any additional time the employee may be legally required to serve. An eligible member may apply for the salary differential benefits authorized under this section ~~prior to, during, or following the person's active service on or after May 29, 2003~~ no later than two years after completion of active service. A copy of military orders showing active service must be provided prior to payment.

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

Sec. 45. Minnesota Statutes 2020, section 43A.183, subdivision 2, is amended to read:

Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Salary differential" means the difference between:

(1) the person's monthly total gross earnings as an active state employee, ~~excluding any overtime pay received but including all other earnings,~~ averaged over the last three full calendar months of the person's active state employment prior to reporting to active service, and including any additional salary or earnings adjustments that the person would have received at any time during the person's authorized leave from state employment had the person been serving as an active state employee during that time; and

(2) the person's monthly base pay in active service.

(c) "Eligible member" means:

(1) any member of the National Guard or other reserve component of the United States armed forces who was an employee of the state of Minnesota at the time the member took military leave under section 192.261 to report for active military service; and

(2) any member of any other nonmilitary reserve component of the uniformed services of the United States who was an employee of Minnesota at the time the member took properly authorized leave from state employment under substantially comparable federal or state authority ordering the person to report for federal or state active service.

(d) "State employee" means an employee of the executive, judicial, or legislative branch of state government or an employee of the Minnesota State Retirement System, the Public Employee Retirement Association, or the Teachers Retirement Association.

(e) "Active service" has the meaning given in section 190.05, subdivision 5, for military members, and includes substantially comparable service for reserve members of other nonmilitary components of the uniformed services of the United States, but excludes service performed exclusively for purposes of:

(1) basic training, advanced individual training, annual training, and periodic inactive duty training;

(2) special training periodically made available to reserve members;

(3) service performed in accordance with section 190.08, subdivision 3; and

(4) service performed as part of the active guard/reserve program pursuant to United States Code, title 32, section 502(f), or other applicable authority, as well as substantially comparable service by members of other nonmilitary components of the uniformed services of the United States.

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

Sec. 46. Minnesota Statutes 2020, section 43A.19, subdivision 1, is amended to read:

Subdivision 1. **Statewide affirmative action program.** (a) To assure that positions in the executive branch of the civil service are equally accessible to all qualified persons, and to eliminate the ~~underutilization of qualified members of protected groups~~ effects of past and present discrimination, intended or unintended, on the basis of protected group status, the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative action program. The statewide affirmative action program must consist of at least the following:

(1) objectives, goals, and policies;

(2) procedures, standards, and assumptions to be used by agencies in the preparation of agency affirmative action plans, including methods by which goals and timetables are established;

(3) the analysis of separation patterns to determine the impact on protected group members; and

(4) requirements for annual objectives and submission of affirmative action progress reports from heads of agencies.

Agency heads must report the data in clause (3) to the state Director of Recruitment, Retention and Affirmative Action and the state ADA coordinator, in addition to being available to anyone upon request. The commissioner of management and budget must annually post the aggregate and agency-level reports under clause (4) on the agency's website.

(b) The commissioner shall establish statewide affirmative action goals for each of the federal Equal Employment Opportunity (EEO) occupational categories applicable to state employment, using at least the following factors:

(1) the percentage of members of each protected class in the recruiting area population who have the necessary skills; and

(2) the availability for promotion or transfer of current employees who are members of protected classes.

(c) The commissioner may use any of the following factors in addition to the factors required under paragraph (b):

(1) the extent of unemployment of members of protected classes in the recruiting area population;

(2) the existence of training programs in needed skill areas offered by employing agencies and other institutions; and

(3) the expected number of available positions to be filled.

(d) The commissioner shall designate a state director of diversity and equal employment opportunity who may be delegated the preparation, revision, implementation, and administration of the program. The commissioner of management and budget may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

(e) The commissioner shall designate a statewide ADA and disability employment director who may be delegated the preparation, revision, implementation, evaluation, and administration of the program. This position must administer the 700-hour on-the-job demonstration experience under the supported work program and disabled veteran's employment programs. The ADA and disability employment director shall have education, knowledge, and skills in disability policy, employment, and the ADA. The commissioner may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

(f) Agency affirmative action plans, including reports and progress, must be posted on the agency's public and internal websites within 30 days of being approved. The commissioner of management and budget shall post a link to all executive branch agency-approved affirmative action plans on its public website. Accessible copies of the affirmative action plan must be available to all employees and members of the general public upon request.

Sec. 47. Minnesota Statutes 2020, section 43A.191, is amended to read:

43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.

Subdivision 1. **Affirmative action officers.** (a) Each agency with 1,000 employees or more shall have at least one full-time affirmative action officer, who shall have primary responsibility for developing and maintaining the agency's affirmative action plan. The officer shall devote full time to affirmative action activities. The affirmative action officer shall report administratively and on policy issues directly to the agency head. Pursuant to section 43A.08, subdivision 1a, clause (4), the affirmative action officer must not be an unclassified employee.

(b) The agency heads shall assign affirmative action officers or designees for agencies with fewer than 1,000 employees. The designees shall report administratively and on policy issues directly to the agency head.

(c) An agency may not use authority under section 43A.08, subdivision 1a, to place the position of an agency affirmative action officer or designee in the unclassified service.

Subd. 2. **Agency affirmative action plans.** (a) The head of each agency in the executive branch shall prepare and implement an agency affirmative action plan consistent with this section and rules issued under section 43A.04, subdivision 3.

(b) The agency plan must include a plan for the provision of reasonable accommodation in the hiring and promotion of qualified ~~disabled~~ persons with disabilities. The reasonable accommodation plan must consist of at least the following:

(1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19, and 363A.28, subdivision 10, and, where appropriate, regulations implementing United States Code, title 29, section 794, as amended through December 31, 1984, which is section 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act, United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501 to 514;

(2) methods and procedures for providing timely access to reasonable accommodations during the application process, throughout current employment, and when seeking promotion; ~~timely access to reasonable accommodation for disabled job applicants, current employees, and employees accommodations during the application process, throughout current employment, and when seeking promotion;~~

(3) provisions for funding reasonable accommodations; and

(4) the number of requests made, the number of requests approved, and the number of requests reimbursed from the state accommodation account under section 16B.4805.

(c) The agency plan must be prepared by the agency head with the assistance of the agency affirmative action officer and the director of diversity and equal employment opportunity. The agency may consult with the Council on Disability, vocational rehabilitation services, state services for the blind, and other disability experts to review and make recommendations on recruitment and retention of people with disabilities.

(d) The agency plan must identify any positions in the agency that can be used for supported employment as defined in section 268A.01, subdivision 13, of persons with severe disabilities. The agency shall report this information to the commissioner. An agency that hires more than one supported worker in the identified positions must receive recognition for each supported worker toward meeting the agency's affirmative action goals and objectives.

(e) An agency affirmative action plan may not be implemented without the commissioner's approval.

Subd. 2a. Disability recruitment, hiring, and advancement. (a) Each agency affirmative action plan must include a section that provides sufficient assurances, procedures, and commitments to provide adequate hiring, placement, and advancement opportunities for individuals with disabilities at all levels of state employment. The criteria for this section of the agency affirmative action plan must include a section on disability hiring and advancement, including the provisions in this subdivision.

(b) The plan must describe specific actions to ensure that a broad range of individuals with disabilities will be aware of and be encouraged to apply for job vacancies when eligible. The actions must include, at a minimum:

(1) the use of programs and resources that identify job applicants with disabilities who are eligible to be appointed under a hiring authority that takes disability into account, consistent with the demonstration program under section 43A.15, subdivision 14. The programs may include the Department of Employment and Economic Development's Vocational Rehabilitation Services and State Services for the Blind that provide the qualifications necessary for positions within the agency to individuals with disabilities. Resources may include databases of individuals with disabilities who previously applied to the agency but were not hired for the positions they applied for, and training and internship programs that lead directly to employment for individuals with disabilities; and

(2) establishment and maintenance of contacts, which may include formal agreements, with organizations that specialize in providing assistance to individuals with disabilities in securing and maintaining employment, such as the Department of Employment and Economic Development's Vocational Rehabilitation Services, State Services for the Blind, community rehabilitation programs, day training and habilitation programs, and employment network service providers.

(c) The plan must ensure that the agency has designated sufficient staff to handle any disability-related issues that arise during the application and selection process, and shall require the agency to provide staff with sufficient training, support, and other resources to carry out the responsibilities under this section. Responsibilities include, at a minimum:

(1) ensuring that disability-related questions from members of the public regarding the agency's application and selection processes are answered promptly and correctly, including questions about reasonable accommodations needed by job applicants during the application and selection process and questions about how individuals may apply for positions under hiring authorities that take disability into account;

(2) processing requests for reasonable accommodations needed by job applicants during the application and placement process and ensuring that the agency provides such accommodations when required;

(3) accepting applications for a position under hiring authorities that take disability into account;

(4) if an individual has applied for appointment to a particular position under a hiring authority that takes disability into account, determining whether the individual is eligible for appointment under such authority and, if so, forwarding the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed, consistent with all applicable laws; and

(5) overseeing any other agency programs designed to increase hiring of individuals with disabilities.

Subd. 3. Audits; sanctions and incentives. (a) The commissioner shall annually audit the record of each agency to determine the rate of compliance with affirmative action requirements. The department must report all audit findings to the governor's office if a state agency fails to meet any of its affirmative action requirements for two consecutive years.

(b) By March 1 of each odd-numbered year, the commissioner shall submit a report on affirmative action progress of each agency and the state as a whole to the governor and to the Finance Committee of the senate, the Ways and Means Committee of the house of representatives, the Governmental Operations Committees of both houses of the legislature, and the Legislative Coordinating Commission. The report must include noncompetitive appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7, 10, and 12, and cover each agency's rate of compliance with affirmative action requirements. The report must be made available to the public on the department's website.

(c) An agency that does not meet its hiring goals must justify its nonaffirmative action hires in competitive appointments and noncompetitive appointments made under section 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions 3, 10, 12, and 13, according to criteria issued by the department of ~~Management and Budget~~. In addition, an agency shall:

- (1) demonstrate a good faith effort to recruit protected group members by following an active recruitment plan;
 - (2) implement a coordinated retention plan; and
 - (3) have an established complaint resolution procedure.
- (d) The commissioner shall develop reporting standards and procedures for measuring compliance.

(e) An agency is encouraged to develop other innovative ways to promote awareness, acceptance, and appreciation for diversity and affirmative action. These innovations will be considered when evaluating an agency's compliance with this section.

(f) An agency not in compliance with affirmative action requirements of this section must identify methods and programs to improve performance, to reallocate resources internally in order to increase support for affirmative action programs, and to submit program and resource reallocation proposals to the commissioner for approval. An agency must submit these proposals within 120 days of being notified by the commissioner that it is out of compliance with affirmative action requirements. The commissioner shall monitor quarterly the affirmative action programs of an agency found to be out of compliance.

(g) The commissioner shall establish a program to recognize an agency that has made significant and measurable progress in implementing an affirmative action plan.

(h) The commissioner must maintain and make available, on an annual basis, summary data as defined in section 13.02, subdivision 19, on the percentage of members of each protected group as defined in section 43A.02, subdivision 33, that were hired in the executive branch in each of the federal Equal Employment Opportunity (EEO) occupational categories applicable to state employment. Nothing in this provision, however, shall require any person to disclose their protected group status, nor shall it require the commissioner or any appointing authority to determine the protected group status of any person.

Sec. 48. Minnesota Statutes 2020, section 43A.21, subdivision 1, is amended to read:

Subdivision 1. **Authority; purpose.** The commissioner, in coordination with the statewide ADA and disability employment director and chief inclusion officer, shall develop and interpret policy and administer and, to the extent possible, conduct programs in training and development for employees to, at a minimum:

- (1) promote individual, group and agency efficiency and effectiveness;

(2) build employee capacity to deliver accessible and inclusive services to the public, including people with disabilities; and

(3) support an inclusive work environment for employees with disabilities and employees of other protected classes.

Sec. 49. Minnesota Statutes 2020, section 43A.21, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** (a) The commissioner is responsible for developing and coordinating consistent training policy which shall be binding on all state agencies in the executive branch. The policies shall include conditions under which employees may receive or be assigned to training; internships and work-training programs; minimum and maximum training standards for employee participation and agency reporting requirements. At a minimum, state employees must receive annual training on statutes or policies related to:

(1) Title II of the Americans with Disabilities Act;

(2) the state's affirmative action policy;

(3) equal opportunity employment; and

(4) digital accessibility standards.

(b) Career development training is a permissive subject of collective bargaining. Each appointing authority in the executive branch, including the Minnesota State Retirement System and the Teachers Retirement Association, is primarily responsible for planning, budgeting, conducting and evaluating training programs.

Sec. 50. Minnesota Statutes 2020, section 43A.21, subdivision 3, is amended to read:

Subd. 3. **Programs.** (a) The commissioner or the commissioner's designee shall design and implement management training and development programs for the state service. The programs shall include but not be limited to mandatory training and development requirements for managers and supervisors. No person shall acquire permanent status in a management or supervisory position in the classified service until training and development requirements have been met.

(b) All managers and supervisors must receive training on inclusive work environments, disability awareness, cultural competence, and other equity and diversity areas.

(c) Agencies shall conduct an annual Americans with Disabilities Act self-assessment to ensure training programs meet the standards for universal design in learning.

Sec. 51. Minnesota Statutes 2020, section 43A.21, is amended by adding a subdivision to read:

Subd. 6. **Accessibility.** The commissioner is responsible for ensuring that all training content and platforms meet the accessibility standards under section 16E.03, subdivisions 2, clause (3), and 9. Reasonable accommodations must be implemented in a timely and appropriate manner to ensure that all state employees can participate in state-offered trainings. All state employees, including ADA coordinators and human resources staff, must have the training and resources to implement an accessible and inclusive workplace.

Sec. 52. Minnesota Statutes 2020, section 43A.36, subdivision 1, is amended to read:

Subdivision 1. **Cooperation; state agencies.** (a) The commissioner may delegate administrative functions associated with the duties of the commissioner to appointing authorities who have the capability to perform such functions when the commissioner determines that it is in the best interests of the state civil service. The commissioner shall consult with agencies and agencies shall cooperate as appropriate in implementation of this chapter.

(b) The commissioner, in conjunction with appointing authorities, shall analyze and assess current and future human resource requirements of the civil service and coordinate personnel actions throughout the civil service to meet the requirements. The commissioner shall provide recruiting assistance and make the applicant database available to appointing authorities to use in making appointments to positions in the unclassified service.

(c) The head of each agency in the executive branch shall designate an agency personnel officer. The agency personnel officer shall be accountable to the agency head for all personnel functions prescribed by laws, rules, collective bargaining agreements, the commissioner and the agency head. Except when otherwise prescribed by the agency head in a specific instance, the personnel officer shall be assumed to be the authority accountable to the agency head over any other officer or employee in the agency for personnel functions.

(d) The head of each agency in the executive branch shall designate an affirmative action officer who shall have primary responsibility for the administration of the agency's affirmative action plan. The officer shall report directly to the head of the agency on affirmative action matters.

(e) Pursuant to section 43A.431, the head of each agency in the executive branch shall designate an ADA coordinator who shall have primary responsibility for the administration of ADA policies, procedures, trainings, requests, and arbitration. The coordinator shall report directly to the commissioner.

Sec. 53. Minnesota Statutes 2020, section 43A.421, is amended to read:

43A.421 SUPPORTED WORK PROGRAM.

Subdivision 1. **Program established.** ~~A total of 50 full time~~ Active positions within agencies of state government may be selected for inclusion for a supported work program for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision 14, unless the job coach holds another position within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need to link to the overview and application process for the supported work program.

Subd. 2. **Responsibilities.** (a) The commissioner is responsible for the administration and oversight of the supported work program, including the establishment of policies and procedures, data collection and reporting requirements, and compliance.

(b) The commissioner or the commissioner's designee shall design and implement a training curriculum for the supported work program. All executive leaders, managers, supervisors, human resources professionals, affirmative action officers, and Americans with Disabilities Act coordinators must receive annual training regarding the program.

(c) The commissioner or the commissioner's designee shall develop, administer, and make public a formal grievance process for individuals in the program.

Sec. 54. **[43A.431] AMERICANS WITH DISABILITIES ACT COORDINATORS.**

(a) Each state agency shall designate at least one ADA coordinator who is responsible for implementation of Title I of the ADA, to advance the prohibition on discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training and other terms, conditions, and privileges of employment. The ADA coordinator must have demonstrated knowledge and experience in:

(1) the recruitment, selection, development, and retention of people with disabilities;

(2) workforce data analysis;

(3) disability employment laws and regulations; and

(4) strategy development for universal and inclusive workplaces.

(b) The ADA coordinator is responsible for overseeing the development, implementation, monitoring, and evaluation of effective strategies to attract, engage, and advance people with disabilities. This includes assisting employees with identifying, acquiring, and maintaining effective accommodations and submitting reimbursement requests to the statewide accommodation fund under section 16B.4805.

(c) The ADA coordinator is responsible for collecting data and preparing reports to ensure transparency and accountability and must serve as a key liaison for disability employment and training initiatives.

Sec. 55. Minnesota Statutes 2020, section 82.75, subdivision 8, is amended to read:

Subd. 8. **Accrued interest.** (a) Each broker shall maintain a pooled interest-bearing trust account for deposit of client funds. The interest accruing on the trust account, less reasonable transaction costs, must be paid to the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency for deposit in the housing trust fund account created under section 462A.201 unless otherwise specified pursuant to an expressed written agreement between the parties to a transaction.

(b) For an account created under paragraph (a), each broker shall direct the financial institution to:

(1) pay the interest, less reasonable transaction costs, computed in accordance with the financial institution's standard accounting practice, at least quarterly, to the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency; and

(2) send a statement to the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency showing the name of the broker for whom the payment is made, the rate of interest applied, the amount of service charges deducted, and the account balance for the period in which the report is made.

The ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall credit the amount collected under this subdivision to the housing trust fund account established in section 462A.201.

(c) The financial institution must promptly notify the commissioner if a draft drawn on the account is dishonored. A draft is not dishonored if a stop payment order is requested by an issuer who has a good faith defense to payment on the draft.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 56. Minnesota Statutes 2020, section 118A.09, subdivision 1, is amended to read:

Subdivision 1. **Definition; qualifying government.** "Qualifying government" means:

(1) a county or statutory or home rule charter city with a population of more than 100,000;

(2) a county or statutory or home rule charter city ~~which had its most recently issued general obligation bonds rated in the highest category by a national bond rating agency~~ whose most recent long-term, senior, general obligation rating by one or more national rating organizations in the prior 18-month period is AA or higher; or

(3) a self-insurance pool listed in section 471.982, subdivision 3.

A county or statutory or home rule charter city with a population of 100,000 or less that is a qualifying government, but is subsequently ~~rated less than the highest category by a national bond rating agency on a general obligation bond issue~~ does not meet the threshold under clause (2), may not invest additional funds under this section but may continue to manage funds previously invested under subdivision 2.

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

Sec. 57. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

Subd. 2. **Additional investment authority.** Qualifying governments may invest the amount described in subdivision 3:

(1) in index mutual funds based in the United States and indexed to a broad market United States equity index, on the condition that index mutual fund investments must be made directly with the main sales office of the fund; or

(2) with the Minnesota State Board of Investment subject to such terms and minimum amounts as may be adopted by the board. ~~Index mutual fund investments must be made directly with the main sales office of the fund.~~

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

Sec. 58. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT AUTHORITY.**

Subdivision 1. **Definition.** For the purposes of this section, "qualifying government" means a self-insurance pool formed under section 471.982.

Subd. 2. **Additional investment authority.** A qualifying government may invest in the securities specified in section 11A.24.

Subd. 3. **Approval.** Before investing pursuant to this section, the governing body of a qualifying government must adopt an investment policy pursuant to a resolution that includes both of the following statements:

(1) the governing body understands that investments under this section have a risk of loss; and

(2) the governing body understands the type of funds that are being invested and the specific investment itself.

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

Sec. 59. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

Subdivision 1. **Membership.** (a) The board consists of 15 members appointed by the governor, including three members who are students who have attended an institution for at least one year and are enrolled at the time of appointment at least half time in a degree, diploma, or certificate program in an institution governed by the board. The student members shall include one member from a community college, one member from a state university, and one member from a technical college. One member representing labor must be appointed after considering the recommendations made under section 136F.045. The governor is not bound by the recommendations. Appointments to the board are with the advice and consent of the senate. At least one member of the board must be a resident of each congressional district. All other members must be appointed to represent the state at large. In selecting appointees, the governor must consider the needs of the board and the balance of the board membership with respect to labor and business representation ~~and~~; racial, gender, geographic, and ethnic composition; and occupation and experience. In selecting appointees, the governor must consider the needs of the board for skills relevant to the governance of the Minnesota State Colleges and Universities and the candidate's ability to discharge the responsibilities of the board.

(b) A commissioner of a state agency may not serve as a member of the board.

Sec. 60. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

Subd. 3. **Administration of federal act.** The ~~Department of Administration~~ Minnesota Historical Society is designated as the state agency to administer the provisions of the federal act providing for the preservation of historical and archaeological data, United States Code, title 46 ~~54, sections 469 to 469C~~ section 312501, as amended, insofar as the provisions of the act provide for implementation by the state.

Sec. 61. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

Subd. 2. **Mediation; consultation.** The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664 or listed on the National Register of Historic Places created by Public Law 89-665. Before carrying out any undertaking that will affect designated or listed properties, or funding or licensing an undertaking by other parties, the state department or agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~ State Historic Preservation Office's established procedures to determine appropriate treatments and to seek ways to avoid and mitigate any adverse effects on designated or listed properties. If the state department or agency and the State Historic Preservation Office agree in writing on a suitable course of action, the project may proceed. If the parties cannot agree, any one of the parties may request that the governor appoint and convene a mediation task force consisting of five members, two appointed by the governor, the chair of the State Review Board of the State Historic Preservation Office, the commissioner of administration or the commissioner's designee, and one member ~~who is not an employee of the Minnesota Historical Society~~ appointed by the director of the Minnesota Historical Society. The two appointees of the governor and ~~the one~~ of the director of the society shall be qualified by training or experience in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural history. The mediation task force is not subject to the conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision 24, and section 138.664, subdivisions 8 and 111.

Sec. 62. Minnesota Statutes 2020, section 161.1419, subdivision 2, is amended to read:

Subd. 2. **Members.** (a) The commission shall be composed of 15 members of whom:

(1) one shall be appointed by the commissioner of transportation;

- (2) one shall be appointed by the commissioner of natural resources;
- (3) one shall be appointed by the director of Explore Minnesota Tourism;
- (4) one shall be appointed by the commissioner of agriculture;
- (5) one shall be appointed by the director of the Minnesota Historical Society;
- (6) two shall be members of the senate to be appointed by the Committee on Committees;
- (7) two shall be members of the house of representatives to be appointed by the speaker;
- (8) one shall be the secretary appointed pursuant to subdivision 3; and

(9) five shall be citizen members appointed to staggered four-year terms by the commission after receiving recommendations from five citizen committees established by the members appointed under clauses (1) to (8), with each citizen committee established within and representing each of the following geographic segments along the Mississippi River:

- (i) Lake Itasca to but not including the city of Grand Rapids;
- (ii) Grand Rapids to but not including the city of Brainerd;
- (iii) Brainerd to but not including the city of Elk River;
- (iv) Elk River to but not including the city of Hastings; and
- (v) Hastings to the Iowa border.

Each citizen ~~committee~~ member shall be a resident of the geographic segment that the ~~committee and~~ member represents.

(b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall serve for a term expiring at the close of each regular session of the legislature and until their successors are appointed.

(c) Successor members shall be appointed by the same appointing authorities. Members may be reappointed. Any vacancy shall be filled by the appointing authority. The commissioner of transportation, the commissioner of natural resources, and the director of the Minnesota Historical Society shall be ex officio members, and shall be in addition to the 15 members heretofore provided for. Immediately upon making the appointments to the commission the appointing authorities shall so notify the Mississippi River Parkway Commission, hereinafter called the National Commission, giving the names and addresses of the members so appointed.

Sec. 63. Minnesota Statutes 2020, section 307.08, as amended by Laws 2021, chapter 31, article 2, section 16, is amended to read:

307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS; BURIALS; CEMETERIES; PENALTY; AUTHENTICATION.

Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative intent that all human burials, human remains, and human burial grounds shall be accorded equal treatment and respect for human dignity without reference to their ethnic origins, cultural backgrounds, or religious affiliations. The provisions of this

section shall apply to all human burials, human remains, or human burial grounds found on or in all public or private lands or waters in Minnesota. Nothing in this section should be interpreted to conflict with federal law, including the Native American Graves Protection and Repatriation Act (NAGPRA), 25 United States Code 3001 et seq. and its implementing regulations, 43 Code of Federal Regulations, part 10.

Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, and knowingly does any of the following is guilty of a felony:

- (1) destroys, mutilates, or injures human burials or human burial grounds; or
- (2) without the consent of the appropriate authority, disturbs human burial grounds or removes human remains.

(b) A person who, without the consent of the appropriate authority and the landowner, intentionally, willfully, and knowingly does any of the following is guilty of a gross misdemeanor:

- (1) removes any tombstone, monument, or structure placed in any public or private cemetery or authenticated human burial ground; or
- (2) removes any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant or grave goods and artifacts within the limits of a public or private cemetery or authenticated human burial ground; or
- (3) discharges any firearms upon or over the grounds of any public or private cemetery or authenticated burial ground.

Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the landowner, an authenticated or recorded human burial ground may be posted for protective purposes every 75 feet around its perimeter with signs listing the activities prohibited by subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian affairs council in the case of American Indian burials or at the discretion of the state archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does not require posting of a burial ground. The size, description, location, and information on the signs used for protective posting must be approved by the appropriate authority and the landowner.

Subd. 3a. **Authentication.** The state archaeologist shall authenticate all burial grounds for purposes of this section. The state archaeologist may retain the services of a qualified professional archaeologist, a qualified physical anthropologist, or other appropriate experts for the purpose of gathering information that the state archaeologist can use to authenticate or identify burial grounds. If probable American Indian burial grounds are to be ~~disturbed or probable Indian remains~~ analyzed, investigated, or disturbed, the Indian Affairs Council must approve the professional archaeologist, qualified anthropologist, or other appropriate expert. Authentication is at the discretion of the state archaeologist based on the needs identified in this section or upon request by an agency, a landowner, or other appropriate authority. The state archaeologist shall implement and maintain a system of records identifying the location of known, recorded, or suspected cemeteries. The state archaeologist shall provide access to the records as provided in subdivision 11.

Subd. 5. ~~**Cost; use of data.**~~ The cost of authentication, recording, surveying, and marking burial grounds and the cost of identification, analysis, rescue, and reburial of human remains on public lands or waters shall be the responsibility of the state or political subdivision controlling the lands or waters. On private lands or waters these costs shall be borne by the state, but may be borne by the landowner upon mutual agreement with the state. ~~The state archaeologist must make the data collected for this activity available using standards adopted by the Department of Information Technology Services and geospatial technology standards and guidelines published by the Minnesota Geospatial Information Office. Costs associated with this data delivery must be borne by the state.~~

Subd. 7. **Remains found outside of recorded cemeteries.** (a) All unidentified human remains or burials found outside of recorded cemeteries or unplatted graves or burials found within recorded cemeteries and in contexts which indicate antiquity greater than 50 years shall be treated with the utmost respect for all human dignity and dealt with according to the provisions of this section.

(b) If such burials are not American Indian or their ethnic identity cannot be ascertained, as determined by the state archaeologist, they shall be dealt with in accordance with provisions established by the state archaeologist and other appropriate authority.

(c) If such burials are American Indian, as determined by the state archaeologist and Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs Council to ascertain their tribal identity to follow procedures as defined in 25 United States Code 3001 et seq. and its implementing regulations, 43 Code of Federal Regulations, part 10. If their probable tribal identity can be determined and the remains have been removed from their original context, such remains shall be turned over to contemporary tribal leaders for disposition. If tribal identity cannot be determined, the Indian remains must be dealt with in accordance with provisions established by the state archaeologist and the Indian Affairs Council if they are from public land. If removed Indian remains are from private land they shall be dealt with in accordance with provisions established by the Indian Affairs Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council, removed remains shall be studied in a timely and respectful manner by a qualified professional archaeologist or a qualified physical anthropologist before being delivered to tribal leaders or before being reburied. Application by a landowner for permission to develop or disturb nonburial areas within authenticated or recorded burial grounds shall be made to the state archaeologist and other appropriate authority in the case of non-Indian burials and to the Indian Affairs Council and other appropriate authority in the case of Indian burials. Landowners with authenticated or suspected human burial grounds on their property are obligated to inform prospective buyers of the burial ground.~~

Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission to develop or disturb nonburial areas within authenticated or recorded burial grounds shall be made to:

(1) the state archaeologist and other appropriate authority in the case of non-American Indian burials; and

(2) the Indian Affairs Council and other appropriate authority in the case of American Indian burials.

(b) Landowners with authenticated or suspected human burial grounds on their property are obligated to inform prospective buyers of the burial ground.

Subd. 8. **Burial ground relocation.** No ~~non-Indian~~ non-American Indian burial ground may be relocated without the consent of the appropriate authority. No American Indian burial ground may be relocated unless the request to relocate is approved by the Indian Affairs Council. When a burial ground is located on public lands or waters, any burial relocations must be duly licensed under section 138.36 and the cost of removal is the responsibility of and shall be paid by the state or political subdivision controlling the lands or waters. If burial grounds are authenticated on private lands, efforts may be made by the state to purchase and protect them instead of removing them to another location.

Subd. 9. **Interagency cooperation.** (a) The state archaeologist and the Indian Affairs Council shall enter into a memorandum of understanding to coordinate their responsibilities under this section.

(b) The Department of Natural Resources, the Department of Transportation, and all other state agencies and local governmental units whose activities may be affected, shall cooperate with the state archaeologist and the Indian Affairs Council to carry out the provisions of this section.

Subd. 10. **Construction and development plan review.** When human burials are known or suspected to exist, on public lands or waters, the state or political subdivision controlling the lands or waters or, in the case of private lands, the landowner or developer, shall submit construction and development plans to the state archaeologist for review prior to the time ~~bids are advertised~~ development is proposed and prior to any disturbance within the burial area. If the known or suspected burials are thought to be American Indian, plans shall also be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for the preservation in place or removal of the human burials or remains, which may be endangered by construction or development activities.

Subd. 11. **Burial sites data.** ~~(a) Burial sites locational and related data maintained by under the authority of the Office of the State Archaeologist and accessible through the office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs Council are security information for purposes of section 13.37. Persons who gain access to the this data maintained on the site are subject to liability under section 13.08 and the penalty established by section 13.09 if they improperly use or further disseminate the data.~~

Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for the purpose of authenticating burial sites. The Indian Affairs Council or a designated representative of the Indian Affairs Council may enter on property for the purpose of assessing, identifying, or authenticating American Indian cemeteries. Only after obtaining permission from the property owner or lessee, descendants of persons buried in burial grounds covered by this section may enter the burial grounds for the purpose of conducting religious or commemorative ceremonies. This right of entry must not unreasonably burden property owners or unnecessarily restrict their use of the property.

Subd. 13. **Definitions.** As used in this section, the following terms have the meanings given.

(a) "Abandoned cemetery" means a cemetery where the cemetery association has disbanded or the cemetery is neglected and contains marked graves older than 50 years.

(b) "Appropriate authority" means:

(1) the trustees when the trustees have been legally defined to administer burial grounds;

(2) the Indian Affairs Council in the case of American Indian burial grounds lacking trustees;

(3) the county board in the case of abandoned cemeteries under section 306.243; and

(4) the state archaeologist in the case of ~~non-Indian~~ non-American Indian burial grounds lacking trustees or not officially defined as abandoned.

(c) "Artifacts" means natural or artificial articles, objects, implements, or other items of archaeological interest.

(d) "Authenticate" means to establish the presence of or high potential of human burials or human skeletal remains being located in a discrete area, delimit the boundaries of human burial grounds or graves, and attempt to determine the ethnic, cultural, or religious affiliation of individuals interred.

(e) "Burial" means the organic remnants of the human body that were intentionally interred as part of a mortuary process.

(f) "Burial ground" means a discrete location that is known to contain or has high potential to contain human remains based on physical evidence, historical records, or reliable informant accounts.

(g) "Cemetery" means a discrete location that is known to contain or intended to be used for the interment of human remains.

(h) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting of a human burial or human burial ground.

(i) "Grave goods" means objects or artifacts directly associated with human burials or human burial grounds that were placed as part of a mortuary ritual at the time of interment.

(j) "Human remains" means the ~~calcified portion of the human body of a deceased person in whole or in part, regardless of the state of decomposition, not including isolated teeth, or cremated remains deposited in a container or discrete feature.~~

(k) "Identification" means to analyze organic materials to attempt to determine if they represent human remains and to attempt to establish the ethnic, cultural, or religious affiliations of such remains.

(l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker in place or a legible sign identifying an area as a burial ground or cemetery.

(m) "Qualified physical anthropologist" means a specialist in identifying human remains who holds an advanced degree in anthropology or a closely related field.

(n) "Qualified professional archaeologist" means an archaeologist who meets the United States Secretary of the Interior's professional qualification standards in Code of Federal Regulations, title 36, part 61, appendix A, or subsequent revisions.

(o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county recorder's office.

(p) "State" or "the state" means the state of Minnesota or an agency or official of the state acting in an official capacity.

(q) "Trustees" means the recognized representatives of the original incorporators, board of directors, or cemetery association.

Sec. 64. Minnesota Statutes 2020, 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 management and budget~~ Minnesota Housing Finance Agency 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;

(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; 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; or the owner of the manufactured home has not paid the \$15 assessment when due under paragraph (c).

(c) If the unencumbered fund balance in the manufactured home relocation trust fund is less than \$2,000,000 as of June 30 of each year, the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall assess each manufactured home park owner by mail the total amount of \$15 for each licensed lot in their park, payable on or before December 15 of that year. Failure to notify and timely assess the manufactured home park owner by July 31 of any year shall waive the assessment and payment obligations of the manufactured home park owner for that year. Together with said assessment notice, each year the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall prepare and distribute to park owners a letter explaining whether funds are being collected for that year, information about the collection, an invoice for all licensed lots, a notice for distribution to the residents, and a sample form for the park owners to collect information on which park residents and lots have been accounted for. In a font no smaller than 14-point, the notice provided by ~~management and budget~~ the Minnesota Housing Finance Agency for distribution to residents by the park owner will include the payment deadline of October 31 and the following language: "THIS IS NOT AN OPTIONAL FEE. IF YOU OWN A MANUFACTURED HOME ON A LOT YOU RENT IN A MANUFACTURED HOME PARK, AND YOU RESIDE IN THAT HOME, YOU MUST PAY WHEN PROVIDED NOTICE." If assessed under this paragraph, the park owner may recoup the cost of the \$15 assessment as a lump sum or as a monthly fee of no more than \$1.25 collected from park residents together with monthly lot rent as provided in section 327C.03, subdivision 6. If, by September 15, a park owner provides the notice to residents for the \$15 lump sum, a park owner 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 for park residents who have not paid the \$15 assessment when due to the park owner by October 31, and deduct from the assessment accordingly. The ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall deposit any payments in the Minnesota manufactured home relocation trust fund and ~~provide to the Minnesota Housing Finance Agency by December 31, a~~ maintain an annual record for each manufactured home park of the amount received for that park and the number of deductions made for each of the following reasons: vacant lots, ineligible lots, and uncollected fees.

(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.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 65. Minnesota Statutes 2020, section 327C.095, subdivision 13, is amended to read:

Subd. 13. **Change in use, relocation expenses; payments by park owner.** (a) If a manufactured home owner is required to relocate due to the conversion of all or a portion of a manufactured home park to another use, the closure of a manufactured home park, or cessation of use of the land as a manufactured home park under subdivision 1, and the manufactured home owner complies with the requirements of this section, the manufactured home owner is entitled to payment from the Minnesota manufactured home relocation trust fund equal to the manufactured home owner's actual relocation costs for relocating the manufactured home to a new location within a 50-mile radius of the park that is being closed, up to a maximum of \$7,000 for a single-section and \$12,500 for a multisection manufactured home. The actual relocation costs must include the reasonable cost of taking down, moving, and setting up the manufactured home, including equipment rental, utility connection and disconnection charges, minor repairs, modifications necessary for transportation of the home, necessary moving permits and insurance, moving costs for any appurtenances, which meet applicable local, state, and federal building and construction codes.

(b) A manufactured home owner is not entitled to compensation under paragraph (a) if the manufactured home park owner is not required to make a payment to the Minnesota manufactured home relocation trust fund under subdivision 12, paragraph (b).

(c) Except as provided in paragraph (e), in order to obtain payment from the Minnesota manufactured home relocation trust fund, the manufactured home owner shall submit to the neutral third party and the Minnesota Housing Finance Agency, with a copy to the park owner, an application for payment, which includes:

- (1) a copy of the closure statement under subdivision 1;
- (2) a copy of the contract with a moving or towing contractor, which includes the relocation costs for relocating the manufactured home;
- (3) a statement with supporting materials of any additional relocation costs as outlined in subdivision 1;
- (4) a statement certifying that none of the exceptions to receipt of compensation under subdivision 12, paragraph (b), apply to the manufactured home owner;
- (5) a statement from the manufactured park owner that the lot rental is current and that the annual \$15 payment to the Minnesota manufactured home relocation trust fund has been paid when due; and
- (6) a statement from the county where the manufactured home is located certifying that personal property taxes for the manufactured home are paid through the end of that year.

(d) The neutral third party shall promptly process all payments for completed applications within 14 days. If the neutral third party has acted reasonably and does not approve or deny payment within 45 days after receipt of the information set forth in paragraph (c), the payment is deemed approved. Upon approval and request by the neutral third party, the Minnesota Housing Finance Agency shall issue two checks in equal amount for 50 percent of the contract price payable to the mover and towing contractor for relocating the manufactured home in the amount of the actual relocation cost, plus a check to the home owner for additional certified costs associated with third-party vendors, that were necessary in relocating the manufactured home. The moving or towing contractor shall receive 50 percent upon execution of the contract and 50 percent upon completion of the relocation and approval by the manufactured home owner. The moving or towing contractor may not apply the funds to any other purpose other than relocation of the manufactured home as provided in the contract. A copy of the approval must be forwarded by the neutral third party to the park owner with an invoice for payment of the amount specified in subdivision 12, paragraph (a).

(e) In lieu of collecting a relocation payment from the Minnesota manufactured home relocation trust fund under paragraph (a), the manufactured home owner may collect an amount from the fund after reasonable efforts to relocate the manufactured home have failed due to the age or condition of the manufactured home, or because there are no manufactured home parks willing or able to accept the manufactured home within a 25-mile radius. A manufactured home owner may tender title of the manufactured home in the manufactured home park to the manufactured home park owner, and collect an amount to be determined by an independent appraisal. The appraiser must be agreed to by both the manufactured home park owner and the manufactured home owner. If the appraised market value cannot be determined, the tax market value, averaged over a period of five years, can be used as a substitute. The maximum amount that may be reimbursed under the fund is \$8,000 for a single-section and \$14,500 for a multisection manufactured home. The minimum amount that may be reimbursed under the fund is \$2,000 for a single section and \$4,000 for a multisection manufactured home. The manufactured home owner shall deliver to the manufactured home park owner the current certificate of title to the manufactured home duly endorsed by the owner of record, and valid releases of all liens shown on the certificate of title, and a statement from the county where the manufactured home is located evidencing that the personal property taxes have been paid. The manufactured home owner's application for funds under this paragraph must include a document certifying that the manufactured home cannot be relocated, that the lot rental is current, that the annual \$15 payments to the Minnesota manufactured home relocation trust fund have been paid when due, that the manufactured home owner has chosen to tender title under this section, and that the park owner agrees to make a payment to the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency in the amount established in subdivision 12, paragraph (a), less any documented costs submitted to the neutral third party, required for demolition and removal of the home, and any debris or refuse left on the lot, not to exceed \$1,500. The manufactured home owner must also provide a copy of the certificate of title endorsed by the owner of record, and certify to the neutral third party, with a copy to the park owner, that none of the exceptions to receipt of compensation under subdivision 12, paragraph (b), clauses (1) to (6), apply to the manufactured home owner, and that the home owner will vacate the home within 60 days after receipt of payment or the date of park closure, whichever is earlier, provided that the monthly lot rent is kept current.

(f) Notwithstanding paragraph (a), the manufactured home owner's compensation for relocation costs from the fund under section 462A.35, is the greater of the amount provided under this subdivision, or the amount under the local ordinance in effect on May 26, 2007, that is applicable to the manufactured home owner. Nothing in this paragraph is intended to increase the liability of the park owner.

(g) Neither the neutral third party nor the Minnesota Housing Finance Agency shall be liable to any person for recovery if the funds in the Minnesota manufactured home relocation trust fund are insufficient to pay the amounts claimed. The Minnesota Housing Finance Agency shall keep a record of the time and date of its approval of payment to a claimant.

(h)(1) By October 15, 2019, the Minnesota Housing Finance Agency shall post on its website and report to the chairs of the senate Finance Committee and house of representatives Ways and Means Committee on the Minnesota manufactured home relocation trust fund, including the account balance, payments to claimants, the amount of any advances to the fund, the amount of any insufficiencies encountered during the previous calendar year, and any itemized administrative charges or expenses deducted from the trust fund balance. If sufficient funds become available, the Minnesota Housing Finance Agency shall pay the manufactured home owner whose unpaid claim is the earliest by time and date of approval.

(2) Beginning in 2019, the Minnesota Housing Finance Agency shall post on its website and report to the chairs of the senate Finance Committee and house of representatives Ways and Means Committee by October 15 of each year on the Minnesota manufactured home relocation trust fund, including the aggregate account balance, the aggregate assessment payments received, summary information regarding each closed park including the total payments to claimants and payments received from each closed park, the amount of any advances to the fund, the amount of any insufficiencies encountered during the previous fiscal year, reports of neutral third parties provided

pursuant to subdivision 4, and any itemized administrative charges or expenses deducted from the trust fund balance, all of which should be reconciled to the previous year's trust fund balance. If sufficient funds become available, the Minnesota Housing Finance Agency shall pay the manufactured home owner whose unpaid claim is the earliest by time and date of approval.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 66. Minnesota Statutes 2020, section 327C.095, subdivision 16, is amended to read:

Subd. 16. **Reporting of licensed manufactured home parks.** The Department of Health or, if applicable, local units of government that have entered into a delegation of authority agreement with the Department of Health as provided in section 145A.07 shall provide, by March 31 of each year, a list of names and addresses of the manufactured home parks licensed in the previous year, and for each manufactured home park, the current licensed owner, the owner's address, the number of licensed manufactured home lots, and other data as they may request for the ~~Department of Management and Budget~~ Minnesota Housing Finance Agency to invoice each licensed manufactured home park in Minnesota.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 67. **[412.925] NATIVE LANDSCAPES.**

(a) A statutory city or home rule charter city shall allow an owner, authorized agent, or authorized occupant of any privately owned lands or premises, to install and maintain a managed natural landscape. For purposes of this section, the terms are defined as follows:

(1) "managed natural landscape" means a planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state;

(2) "meadow vegetation" means grasses and flowering broad-leaf plants that are native to, or adapted to, the state of Minnesota and that are commonly found in meadow and prairie plant communities, not including noxious weeds. Noxious weed shall have the meaning in section 18.77, subdivision 8;

(3) "ornamental plants" means grasses, perennials, annuals, and groundcovers purposely planted for aesthetic reasons;

(4) "rain garden" means a native plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of stormwater and accompanying pollutants from entering streams, lakes, and rivers; and

(5) "turf-grass lawn" means a lawn comprised mostly of grasses commonly used in regularly cut lawns or play areas, including but not limited to bluegrass, fescue, and ryegrass blends, intended to be maintained at a height of no more than eight inches.

(b) Managed natural landscapes may include plants and grasses in excess of eight inches in height and that have gone to seed, but may not include any noxious weeds and must be maintained.

(c) Except as part of a managed natural landscape as defined in this section, any weeds or grasses growing upon any lot or parcel of land in a city to a greater height than eight inches or that have gone or are about to go to seed are prohibited.

Sec. 68. Minnesota Statutes 2020, section 645.44, subdivision 5, is amended to read:

Subd. 5. **Holiday.** "Holiday" includes New Year's Day, January 1; Martin Luther King's Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the third Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19; Independence Day, July 4; Labor Day, the first Monday in September; Christopher Columbus Day, the second Monday in October; Veterans Day, November 11; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25; provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday, the following day shall be a holiday and, provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday. No public business shall be transacted on any holiday, except in cases of necessity and except in cases of public business transacted by the legislature, nor shall any civil process be served thereon. However, for the executive branch of the state of Minnesota, "holiday" also includes the Friday after Thanksgiving but does not include Christopher Columbus Day. Other branches of state government and political subdivisions shall have the option of determining whether Christopher Columbus Day and the Friday after Thanksgiving shall be holidays. Where it is determined that Columbus Day or the Friday after Thanksgiving is not a holiday, public business may be conducted thereon.

Any agreement between a public employer and an employee organization citing Veterans Day as the fourth Monday in October shall be amended to cite Veterans Day as November 11.

Sec. 69. **CANCELLATION OF DEBT RELATED TO MILITARY SALARY DIFFERENTIAL OVERPAYMENTS.**

Notwithstanding any other law to the contrary, any debt incurred prior to the effective date of this section by a current or former state employee on account of overpayment of military salary differential under Minnesota Statutes, section 43A.183, is canceled.

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

Sec. 70. **DEPARTMENT OF IRON RANGE RESOURCES AND REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM AUTHORIZATION.**

The commissioner of Iron Range resources and rehabilitation may provide separation and retention incentive programs for employees of the department that are consistent with the provisions of Laws 2009, chapter 78, article 7, section 2, as amended by Laws 2010, chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such incentives are payable solely by funds made available to the commissioner under Minnesota Statutes, chapter 298. Employees are not required to participate in the programs.

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

Sec. 71. **OFFICE OF SMALL AGENCIES STUDY.**

Subdivision 1. **Study; requirements.** The commissioner of administration must review the unique issues faced by small agencies other than the departments of the state government as designated in Minnesota Statutes, section 15.01. Small agencies include boards, commissions, councils, task forces, and authorities. The commissioner must assess whether the current support model provides adequate support for the small agencies as well as the volunteer board members. The study must examine how other states support their small agencies and provide recommendations on how to most effectively support small agencies in delivery of important functions of government.

Subd. 2. **Report.** By February 1, 2023, the commissioner of administration must submit the findings and recommendations of the study to the governor and the chairs and ranking minority members of the legislative committees with primary jurisdiction over state government.

Sec. 72. **STATE EMBLEMS REDESIGN COMMISSION.**

Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established. The purpose of the commission is to develop, design, and recommend to the legislature and governor new designs for the official state flag and the official state seal no later than January 1, 2023.

Subd. 2. **Membership; meetings.** (a) The commission consists of the following members:

(1) three members of the public, appointed by the governor;

(2) two members of the house of representatives, one each appointed by the speaker of the house and the minority leader of the house;

(3) two members of the senate, one representing the majority caucus and one representing the minority caucus, appointed by the Subcommittee on Committees of the Senate Committee on Rules and Administration;

(4) one member appointed by the Council for Minnesotans of African Heritage;

(5) one member appointed by the Minnesota Council on Latino Affairs;

(6) one member appointed by the Council on Asian-Pacific Minnesotans; and

(7) two members appointed by the Indian Affairs Council.

(b) The following serve as ex-officio, nonvoting members of the commission:

(1) the secretary of state or the secretary's designee;

(2) the executive director of the Minnesota Historical Society or the director's designee;

(3) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

(4) the chair of the Minnesota Arts Board or the chair's designee; and

(5) the executive director of Explore Minnesota Tourism or the director's designee.

(c) Appointments to the commission must be made no later than August 1, 2022. The voting members of the commission shall elect a chair and vice-chair. An appointee designated by the governor shall convene the commission's first meeting. Decisions of the commission must be made by majority vote. The Minnesota Historical Society must provide office space and administrative support to the commission.

Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes, chapter 13D.

Subd. 4. **Duties; form and style of recommended state emblems.** The commission shall develop, design, and recommend to the legislature and governor a new design for the official state seal and a new design for the official state flag. The designs must accurately and respectfully reflect Minnesota's shared history, resources, and diverse cultural communities. Symbols, emblems, or likenesses that represent only a single community or person,

regardless of whether real or stylized, may not be included in a design. The commission may solicit and secure the voluntary service and aid of vexillologists and other persons who have either technical or artistic skill in flag construction and design, or the design of official seals, to assist in the work. The commission must also solicit public feedback and suggestions to inform its work.

Subd. 5. **Report.** The commission shall make its recommendation in a report to the legislature and governor no later than January 1, 2023. In addition to the recommended designs, the commission's report must describe the symbols and other meanings incorporated in the design. The commission expires upon submission of its report.

Sec. 73. LEGISLATIVE ACTION; RETIREMENT OF CURRENT OFFICIAL SEAL AND FLAG.

The legislature intends to hold necessary votes on adoption of the State Emblems Redesign Commission's recommended designs during the 2023 regular session in an effort to ensure that a new official state seal and a new official state flag may each be adopted and become effective no later than May 11, 2023. The legislature is encouraged to adopt procedures that allow for the current official state flag and official state seal to be retired and replaced in a respectful manner, and its history preserved in an appropriate location on the State Capitol complex.

Sec. 74. LEGISLATIVE TASK FORCE ON AGING.

Subdivision 1. **Establishment.** A legislative task force is established to examine whether a state department on aging is necessary to:

- (1) develop plans for the aging and workforce demographics;
- (2) develop and guide restructuring of state and local policy, programs, and funding that is aimed at healthy aging in the community;
- (3) coordinate public, private, and independent sector endeavors for renovating system-based solutions that cover all major areas of the aging life experience, such as health, human services, housing, transportation, consumer affairs, employment and economic security, and business development;
- (4) focus state resources on aging visibility and developing priorities for an aging demographic;
- (5) develop measurable outcomes to address aging priorities while accounting for infrastructure differences such as transportation, Internet, and cell phone service across urban and rural localities;
- (6) support an aging population through statewide and local endeavors for people to remain in their communities; and
- (7) ensure all aging-related policies are inclusive of race, ethnicity, culture, geography, sexual orientation, abilities, and other characteristics that reflect the full population of the state.

Subd. 2. **Duties.** The task force review shall include but is not limited to:

- (1) all current aging-related governmental functions, programs, and services across all state departments;
- (2) the potential for public and private savings resulting from developing a state department on aging that leads and implements aging policies across all state agencies and departments;
- (3) current public strategies to plan and execute policies and funding statewide including:

(i) redefining work and retirement;

(ii) supporting caregivers of all ages;

(iii) sustaining neighborhoods and communities;

(iv) improving delivery systems for health care and long-term care services; and

(v) integrating the Minnesota Age Friendly Council;

(4) the necessity for planning and economic development for aging in the state to address:

(i) recognition of longevity and the impact it has on economics, the workforce, advancing technology and innovations, and perception of what it means to age;

(ii) creating and integrating housing, land-use, transportation, economic, social service, and health systems that support a high quality of life for individuals of all ages and abilities;

(iii) a multigenerational plan to reduce statewide risk of social isolation, poverty, declining health, and poor economic well-being;

(iv) long-term and sustainable systems change that will address transportation needs at the scale needed for an aging population;

(v) developing markets for financial products that allow older adults to safely access the equity in their homes;

(vi) increasing the availability of affordable rental housing;

(vii) increasing coordination between health services and housing supports; and

(viii) integrating aging in the community across the range of state and federal programs; and

(5) coordinating the review of aging issues across all state agencies, Tribal nations, cities, counties, businesses, and neighborhoods.

Subd. 3. Membership. (a) The task force shall include the following members:

(1) two members from the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader;

(2) two members from the senate, one appointed by the majority leader and one appointed by the minority leader;

(3) the chair of the Minnesota Board on Aging, or a board member as designee;

(4) the chair of the Minnesota Council on Disabilities, or an agency employee as designee;

(5) the chair of the Minnesota Indian Affairs Council, or a council member, except the legislative council member, as designee; and

(6) the director of the University of Minnesota Center for Healthy Aging and Innovation, or a University of Minnesota employee as a designee.

(b) The speaker of the house and the senate majority leader shall appoint a chair and a vice-chair for the membership of the task force. The chair and the vice-chair shall rotate after each meeting.

(c) The task force shall expire June 1, 2026.

Subd. 4. **Meetings.** (a) The task force shall meet at least once per month. The meetings shall take place in person in the Capitol Complex. If the Capitol Complex is closed to the public, the meetings shall be held remotely by video conference, telephone, or other remote means.

(b) The legislative member appointed as chair shall call the first monthly meeting no later than September 28, 2022.

Subd. 5. **Expenses; per diem.** Members serving on the task force shall receive the following per diem:

(1) the Board on Aging task force member who is a volunteer citizen member shall receive the per diem in Minnesota Statutes, section 15.059, subdivision 3;

(2) the Council on Disability task force member shall not receive a per diem;

(3) the Indian Affairs Council task force member who is a citizen member shall receive the per diem in Minnesota Statutes, section 15.059, subdivision 3;

(4) the University of Minnesota task force member shall not receive a per diem; and

(5) legislative members on the task force shall receive the standard per diem allowed during the legislature's interim period.

Subd. 6. **Report.** The task force shall submit a report with recommendations to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services finance and policy and state government by May 30, 2026.

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

Sec. 75. **ADVISORY COMMITTEE ON SERVICE WORKER STANDARDS.**

The commissioner of management and budget shall convene an advisory committee to review and make recommendations regarding updates and clarifications to the service worker class specifications under Minnesota Statutes, section 43A.071. By January 15, 2023, the commissioner shall report to the legislative committees with jurisdiction over state government employees on recommendations for changes to Minnesota Statutes, section 43A.071.

Sec. 76. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

Citizens currently appointed to the Mississippi River Parkway Commission under Minnesota Statutes, section 161.1419, subdivision 2, serve terms as follows:

(1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December 31, 2025;

(2) Grand Rapids, to but not including the city of Brainerd, for a term ending December 31, 2025;

(3) Brainerd, to but not including the city of Elk River, for a term ending December 31, 2025;

(4) Elk River, to but not including the city of Hastings, for a term ending December 31, 2025; and

(5) Hastings, to the Iowa border, for a term ending December 31, 2025.

Sec. 77. **REVISOR INSTRUCTION.**

(a) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal Analysis and the House Research Department shall conduct a study of Minnesota Statutes and Minnesota Rules to determine compliance with the provisions of the Equal Rights Amendment to the United States Constitution, specifically focusing on a review of sex-specific language and sex-specific treatments or requirements.

(b) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal Analysis and the House Research Department shall prepare a bill for the 2023 legislative session correcting any language in conflict with the Equal Rights Amendment.

Sec. 78. **REPEALER.**

Subdivision 1. **Critical IT Infrastructure.** Minnesota Statutes 2020, section 12.03, subdivision 5d, is repealed.

Subd. 2. **State emblems.** Minnesota Statutes 2020, sections 1.135; and 1.141, are repealed effective May 11, 2023.

Subd. 3. **Trustee Candidate Advisory Council.** Minnesota Statutes 2020, section 136F.03, is repealed.

Subd. 4. **Office of Collaboration and Dispute Resolution.** Minnesota Statutes 2020, sections 179.90; and 179.91, are repealed.

ARTICLE 3
CAMPAIGN FINANCE AND ELECTIONS

Section 1. Minnesota Statutes 2020, section 5B.06, is amended to read:

5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.

A program participant who is otherwise eligible to vote may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making a precinct determination, the secretary of state shall either (1) request from and receive from the county auditor or other election official the ballot for that precinct and ~~shall forward mail~~ the absentee ballot to the program participant ~~with the other~~, or (2) using the Minnesota statewide voter registration system, prepare the program participant's ballot for that precinct and mail the absentee ballot to the program participant. The secretary of state shall include with each mailed absentee ballot all corresponding materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation along with all other ballots. The name and address of a program participant must not be listed in the statewide voter registration system.

Sec. 2. Minnesota Statutes 2021 Supplement, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

(1) that a communication clearly identifies a candidate or a local candidate and uses words or phrases of express advocacy; or

(2) that a communication when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no reasonable interpretation other than as an appeal advocating the election or defeat of one or more clearly identified candidates.

Sec. 3. Minnesota Statutes 2020, section 10A.273, subdivision 1, is amended to read:

Subdivision 1. **Contributions during legislative session.** (a) A candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature, must not solicit or accept a contribution from a registered lobbyist, political committee, political fund, or an association not registered with the board during a regular session of the legislature.

(b) A registered lobbyist, political committee, political fund, or an association not registered with the board must not make a contribution to a candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature during a regular session of the legislature.

(c) A candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature must not solicit or accept, at any time of year, a contribution from a registered lobbyist, political committee, political fund, or an association not registered with the board, if in exchange for the contribution:

(1) a registered lobbyist or any other individual is granted special access to a meeting room, hospitality area, or other event space where candidates for the legislature or for constitutional office are likely to gather; and

(2) the purpose of granting the special access is to facilitate informal meetings or socialization with a candidate for the legislature or for constitutional office during a regular or special session of the legislature.

As used in this paragraph, "special access" means privileges to enter and use a space that is not freely available to members of the public or that is subject to the discretionary approval of the responsible candidate, principal campaign committee, or a political committee or party unit established by all or part of the party organization within a house of the legislature. A registered lobbyist, political committee, political fund, or an association not registered with the board is prohibited from offering or making a contribution that may not be solicited or accepted under this paragraph.

Sec. 4. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;

(2) presenting any document approved by the secretary of state as proper identification;

(3) presenting one of the following:

(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or

(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application.

(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; ~~a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed by the commissioner of health under chapter 144G; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; a setting authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; ~~a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless~~; a facility where a provider operates a residential treatment program as defined in section 245.462, subdivision 23; or a facility where a provider operates an adult foster care program as defined in section 245A.02, subdivision 6c.

(d) For tribal band members, an individual may prove residence for purposes of registering by:

(1) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual; or

(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

(e) A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application.

Sec. 5. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

- (1) will be at least 18 years old on election day;
- (2) am a citizen of the United States;
- (3) will have ~~resided~~ maintained residence in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;
- (7) have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence; and
- (8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 6. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

Subd. 3. **Deficient registration.** ~~No~~ (a) A voter registration application is not deficient if it contains the voter's:

(1) name, address, and date of birth;

(2) current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification number, the last four digits of the voter's Social Security number, if the voter has been issued a Social Security number;

(3) prior registration, if any; and

(4) signature.

(b) A voter registration application is not deficient due to any of the following:

(1) the absence of a zip code number does not cause the registration to be deficient;

(2) failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient. The election judges shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12; or

(3) the absence of a number listed under paragraph (a), clause (2), if the voter has not been issued one of those numbers and the information can be verified in another government database associated with the applicant's name and date of birth, or the application was accepted before January 1, 2004.

(c) A voter registration application:

(1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a voter registration application accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient; and

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number.

~~A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers.~~

~~A voter registration application (2) submitted electronically through the website of the secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.~~

(d) An election judge must request an individual to correct a voter registration application if it is deficient or illegible. An eligible voter must not be prevented from voting unless the voter's registration application is deficient or the voter's eligibility to vote is successfully challenged under section 201.195 or 204C.12.

Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

Subd. 8. **School district assistance.** School districts shall assist county auditors in determining the school district in which a voter ~~resides~~ maintains residence.

Sec. 8. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall prepare the master list for each county auditor. The records in the statewide registration system must be periodically corrected and updated by the county auditor. An updated master list for each precinct must be available for absentee voting at least 46 days before each election. A final corrected master list must be available ~~seven~~ 14 days before each election.

Sec. 9. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address in this state, the county auditor may change the voter's status to "inactive" in the statewide registration system and shall transmit a copy of the mailing to the auditor of the county in which the new address is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~ maintains residence in the next 47 days, the county auditor shall promptly update the voter's address in the statewide voter registration system. If there is not an election scheduled, the auditor may wait to update the voter's address until after the next list of address changes is received from the secretary of state. Once updated, the county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

Sec. 10. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

Subd. 3. **Use of change of address system.** (a) At least once each month the secretary of state shall obtain a list of individuals registered to vote in this state who have filed with the United States Postal Service a change of their permanent address. The secretary of state may also periodically obtain a list of individuals with driver's licenses or state identification cards to identify those who are registered to vote who have applied to the Department of Public Safety for a replacement driver's license or state identification card with a different address, and a list of individuals for whom the Department of Public Safety received notification of a driver's license or state identification card cancellation due to a change of residency out of state. However, the secretary of state shall not load data derived from these lists into the statewide voter registration system within the 47 days before the state primary or 47 days before a November general election.

(b) If the address is changed to another address in this state, the secretary of state shall locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the secretary must transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. For addresses for which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not voted or submitted a voter registration application since the address change, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:

- (1) name;
- (2) date of birth;
- (3) address;
- (4) driver's license or state identification card number;
- (5) the last four digits of an individual's Social Security number; and
- (6) the date that an individual's record was last updated.

If the secretary of state enters into such an agreement, the secretary and county auditors must process changes to voter records based upon that data in accordance with this section. Except as otherwise provided in this subdivision, when data is shared with the secretary of state by another state, the secretary of state must maintain the same data classification that the data had while it was in the possession of the state providing the data.

Sec. 11. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state or federal financial aid shall provide voter registration forms to each student as early as possible in the fall quarter. All school districts shall make available voter registration applications each May and September to all students registered as students of the school district who will be eligible to vote at the next election after those months. A school district has no obligation to provide voter registration applications to students who participate in a postsecondary education option program or who otherwise ~~reside~~ maintain residence in the district but do not attend a school operated by the district. A school district fulfills its obligation to a student under this section if it provides a voter registration application to the student one time. The forms must contain spaces for the information required in section 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and school districts may request these forms from the secretary of state. Institutions shall consult with their campus student government in determining the most effective means of distributing the forms and in seeking to facilitate election day registration of students under section 201.061, subdivision 3. School districts must advise students that completion of the voter registration application is not a school district requirement.

Sec. 12. Minnesota Statutes 2021 Supplement, section 201.225, subdivision 2, is amended to read:

Subd. 2. **Technology requirements.** An electronic roster must:

(1) be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;

(2) allow for data to be exported in a file format prescribed by the secretary of state;

(3) allow for data to be entered manually or by scanning a Minnesota driver's license or identification card to locate a voter record or populate a voter registration application that would be printed and signed and dated by the voter. The printed registration application can be either a printed form, labels printed with voter information to be affixed to a preprinted form, or a combination of both;

(4) allow an election judge to update data that was populated from a scanned driver's license or identification card;

(5) cue an election judge to ask for and input data that is not populated from a scanned driver's license or identification card that is otherwise required to be collected from the voter or an election judge;

(6) immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;

(7) immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter ~~resides~~ maintains residence in a different precinct;

(8) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged;

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be either a printed form or a label printed with the voter's information to be affixed to the oath;

(10) contain only preregistered voters within the precinct, and not contain preregistered voter data on voters registered outside of the precinct;

(11) be only networked within the polling location on election day, except for the purpose of updating absentee ballot records;

(12) meet minimum security, reliability, and networking standards established by the Office of the Secretary of State in consultation with the Department of Information Technology Services;

(13) be capable of providing a voter's correct polling place; and

(14) perform any other functions necessary for the efficient and secure administration of the participating election, as determined by the secretary of state.

Electronic rosters used only for election day registration do not need to comply with clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need to comply with clauses (4) and (5).

Sec. 13. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote at the time of the next state general election, may vote or be elected a delegate or officer at the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in the precinct where the voter ~~resides~~ maintains residence at the time of the caucus.

Sec. 14. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as defined by section 216B.02, subdivision 4.

Sec. 15. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision to read:

Subd. 4. **Emergency response providers.** Any trained or certified emergency response provider or utility worker who is deployed during the time period authorized by law for absentee voting, on election day, or during any state of emergency declared by the President of the United States or any governor of any state within the United States may vote by absentee ballot either as provided by sections 203B.04 to 203B.15 or 203B.16 to 203B.27.

Sec. 16. Minnesota Statutes 2020, section 203B.07, subdivision 1, is amended to read:

Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal clerk shall prepare, print, and transmit a return envelope, a signature envelope, a ~~ballot secrecy~~ envelope, and a copy of the directions for casting an absentee ballot to each applicant whose application for absentee ballots is accepted pursuant to section 203B.04. The county auditor or municipal clerk shall provide first class postage for the return envelope. The directions for casting an absentee ballot shall be printed in at least 14-point bold type with heavy leading and may be printed on the ~~ballot secrecy~~ envelope. When a person requests the directions in Braille or on audio file, the county auditor or municipal clerk shall provide them in the form requested. The secretary of state shall prepare Braille and audio file copies and make them available.

When a voter registration application is sent to the applicant as provided in section 203B.06, subdivision 4, the directions or registration application shall include instructions for registering to vote.

Sec. 17. Minnesota Statutes 2020, section 203B.07, subdivision 2, is amended to read:

Subd. 2. **Design of envelopes.** (a) The ~~return signature~~ envelope shall be of sufficient size to conveniently enclose and contain the ~~ballot secrecy~~ envelope and a folded voter registration application. The ~~return signature~~ envelope shall be designed to open on the left-hand end.

(b) The return envelope must be designed in one of the following ways:

(1) it must be of sufficient size to contain ~~an additional~~ a signature envelope ~~that when~~ and when the return envelope is sealed, it conceals the signature, identification, and other information; or

(2) it must be the signature envelope and provide an additional flap that when sealed, conceals the signature, identification, and other information.

(c) Election officials may open the flap or the ~~additional~~ return envelope at any time after receiving the returned ballot to inspect the returned certificate for completeness or to ascertain other information.

Sec. 18. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot shall be printed on the back of the ~~return signature~~ envelope. The certificate shall contain space for the voter's Minnesota driver's license number, state identification number, or the last four digits of the voter's Social Security number, or to indicate that the voter does not have one of these numbers. The space must be designed to ensure that the voter provides the same type of identification as provided on the voter's absentee ballot application for purposes of comparison. The certificate must also contain a statement to be signed and sworn by the voter indicating that the voter meets all of the requirements established by law for voting by absentee ballot and space for a statement signed by a person who is registered to vote in Minnesota or by a notary public or other individual authorized to administer oaths stating that:

(1) the ballots were displayed to that individual unmarked;

(2) the voter marked the ballots in that individual's presence without showing how they were marked, or, if the voter was physically unable to mark them, that the voter directed another individual to mark them; and

(3) if the voter was not previously registered, the voter has provided proof of residence as required by section 201.061, subdivision 3.

Sec. 19. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section. The county auditor shall make such polling place designations at least 14 weeks before the election. Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election.

Sec. 20. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

Subd. 2. ~~Town elections~~ **Voting booth; electronic ballot marker.** ~~Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election. The county auditor shall make such designations at least 14 weeks before the election. For purposes of this section, the county auditor must make available in each polling place (1) at least one voting booth in each polling place must be made available by the county auditor for this purpose. The county auditor must also make available, and (2) at least one electronic ballot marker in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.~~

Sec. 21. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by the county auditor, municipal clerk, or a deputy of the auditor or clerk.

Sec. 22. Minnesota Statutes 2021 Supplement, section 203B.082, subdivision 2, is amended to read:

Subd. 2. **Minimum security and integrity standards.** The county auditor or municipal clerk may provide locations at which a voter may deposit a completed absentee ballot enclosed in the completed signature envelope in a secure drop box, consistent with the following security and integrity standards:

(1) at least one location must be provided for every 50,000 registered voters in the jurisdiction. If there are fewer than 50,000 registered voters in the jurisdiction, the county auditor or municipal clerk must provide at least one location;

(2) if more than one location is required, the locations must be distributed in a manner that ensures equitable access to the drop boxes among all voters in the jurisdiction;

(3) at the request of a federally recognized Tribe with a reservation in the county, the county auditor must establish at least one ballot drop box on the reservation on a site selected by the Tribe that is accessible to the county auditor by a public road;

~~(4)~~ (4) each drop box must be continually recorded during the absentee voting period;

~~(2)~~ (5) each drop box must be designed to prevent an unauthorized person from moving, removing, or tampering with the drop box;

~~(3)~~ (6) each drop box placed in an outdoor location must be fastened to a building, bolted to a concrete pad, or otherwise attached to a similarly secure structure;

~~(4)~~ (7) ballots deposited in a drop box must be secured against access by any unauthorized person, and in the case of a drop box located in an outdoor location, the drop box must be secured against damage due to weather or other natural conditions;

(8) each drop box must be assigned an identification number that is unique to that drop box;

~~(5)~~ (9) each drop box must contain signage or markings that:

(i) clearly identifies the drop box as an official absentee ballot return location; ~~and~~

(ii) include the statement: "You can only return your own ballot in this drop box.";

~~(ii)~~ (iii) include the location and hours where an agent may return an absentee ballot; and

(iv) include the identification number assigned to the drop box;

~~(6)~~ (10) deposited ballots must be collected at least once per business day during the absentee voting period by the county auditor, municipal clerk, or an elections official trained by the county auditor or municipal clerk in the proper maintenance and handling of absentee ballots and absentee ballot drop boxes, and in the security measures used to protect absentee ballots; and

~~(7)~~ (11) ballots collected from each drop box must be properly date-stamped and stored in a locked ballot container or other secured and locked space consistent with any applicable laws governing the collection and storage of absentee ballots.

Sec. 23. Minnesota Statutes 2021 Supplement, section 203B.082, is amended by adding a subdivision to read:

Subd. 5. **Ballot collection log and report.** The county auditor or municipal clerk must maintain a log for each drop box. The log must include the unique identification number assigned to the drop box. The log must include the following information for each day during the absentee voting period:

(1) the date and time of each ballot collection;

(2) the person who collected the ballots; and

(3) the number of ballots collected.

Sec. 24. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk who has authority under section 203B.05 to administer absentee voting laws shall designate election judges to deliver absentee ballots in accordance with this section. The county auditor must also designate election judges to perform the duties in this section. A ballot may be delivered only to an eligible voter who is a temporary or permanent resident or patient in a health care facility or hospital located in the municipality in which the voter maintains residence. The ballots shall be delivered by two election judges, each of whom is affiliated with a different major political party. When the election judges deliver or return ballots as provided in this section, they shall travel together in the same vehicle. Both election judges shall be present when an applicant completes the certificate of eligibility and marks the absentee ballots, and may assist an applicant as provided in section 204C.15. The election judges shall deposit the return envelopes containing the marked absentee ballots in a sealed container and return them to the clerk on the same day that they are delivered and marked.

(b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor, absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a veterans home operated by the board of directors of the Minnesota veterans homes under chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

Sec. 25. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 2, is amended to read:

Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board shall take possession of all signature envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each signature envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the signature envelope are the same as the information provided on the absentee ballot application;

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the signature envelope;

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the ~~seventh~~ 14th day before the election, by absentee ballot.

The signature envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a signature envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the signature envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the secrecy envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and signature envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot signature envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 26. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted. After the close of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that an absentee ballot has been accepted must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal or state office, the auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

(1) by the county auditor or municipal clerk before election day;

(2) by the ballot board before election day; or

(3) by the election judges at the polling place on election day.

The record of a voter whose absentee ballot was received after the close of business on the ~~seventh~~ 14th day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.

Sec. 27. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 4, is amended to read:

Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 14th day before the election, the ballots from secrecy envelopes within the signature envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot is enclosed in the ~~ballot secrecy~~ envelope, the ballots must be returned in the manner provided by section 204C.25 for return of spoiled ballots, and may not be counted.

Sec. 28. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27 provide the exclusive voting procedure for United States citizens who are living indefinitely outside the territorial limits of the United States who meet all the qualifications of an eligible voter except residence in Minnesota, but who are authorized by federal law to vote in Minnesota because they or, if they have never ~~resided~~ maintained residence in the United States, a parent maintained residence in Minnesota for at least 20 days immediately prior to their departure from the United States. Individuals described in this subdivision shall be permitted to vote only for the offices of president, vice-president, senator in Congress, and representative in Congress.

Sec. 29. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

Subdivision 1. **Form.** Absentee ballots under sections 203B.16 to 203B.27 shall conform to the requirements of the Minnesota Election Law, except that modifications in the size or form of ballots or envelopes may be made if necessary to satisfy the requirements of the United States postal service. The return envelope must be designed in one of the following ways:

(1) it must be of sufficient size to contain ~~an additional~~ a signature envelope that when and when the return envelope is sealed, it conceals the signature, identification, and other information; or

(2) it must be the signature envelope and provide an additional flap that when sealed, conceals the signature, identification, and other information.

The flap or the ~~additional~~ return envelope must be perforated to permit election officials to inspect the returned certificate for completeness or to ascertain other information at any time after receiving the returned ballot without opening the ~~return~~ signature envelope.

Sec. 30. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

Subd. 3. **Back of return signature envelope.** On the back of the ~~return~~ signature envelope a certificate shall appear with space for:

(1) the voter's address of present or former residence in Minnesota;

(2) the voter's current e-mail address, if the voter has one;

(3) a statement indicating the category described in section 203B.16 to which the voter belongs;

(4) a statement that the voter has not cast and will not cast another absentee ballot in the same election or elections;

(5) a statement that the voter personally marked the ballots without showing them to anyone, or if physically unable to mark them, that the voter directed another individual to mark them; and

(6) the same voter's passport number, Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number as provided on the absentee ballot application; if the voter does not have access to any of these documents, the voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

The certificate shall also contain a signed oath in the form required by section 705 of the Help America Vote Act, Public Law 107-252, which must read:

"I swear or affirm, under penalty of perjury, that:

I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury."

Sec. 31. Minnesota Statutes 2020, section 203B.23, subdivision 2, is amended to read:

Subd. 2. **Duties.** (a) The absentee ballot board must examine all returned absentee ballot envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the absentee ballots in the manner provided in section 203B.24. If the certificate of voter eligibility is not printed on the ~~return or administrative~~ signature envelope, the certificate must be attached to the ~~ballot~~ secrecy envelope.

(b) The absentee ballot board must immediately examine the ~~return~~ signature envelopes or certificates of voter eligibility that are attached to the secrecy envelopes and mark them "accepted" or "rejected" during the 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board must provide the voter with a replacement absentee ballot and ~~return envelope~~ envelopes in place of the spoiled ballot.

(c) If a county has delegated the responsibility for administering absentee balloting to a municipality under section 203B.05, accepted absentee ballots must be delivered to the appropriate municipality's absentee ballot board. The absentee ballot board with the authority to open and count the ballots must do so in accordance with section 203B.121, subdivisions 4 and 5.

Sec. 32. Minnesota Statutes 2021 Supplement, section 203B.24, subdivision 1, is amended to read:

Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election judges shall compare the voter's name with the names recorded under section 203B.19 in the statewide registration system to insure that the ballot is from a voter eligible to cast an absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if the election judges are satisfied that:

(1) the voter's name and address on the signature envelope appears in substantially the same form as on the application records provided to the election judges by the county auditor;

(2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the Help America Vote Act, Public Law 107-252;

(3) the voter has set forth the same voter's passport number, or Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number as submitted on the application, if the voter has one of these documents;

(4) the voter is not known to have died; and

(5) the voter has not already voted at that election, either in person or by absentee ballot.

If the identification number described in clause (3) does not match the number as submitted on the application, the election judges must make a reasonable effort to satisfy themselves through other information provided by the applicant, or by an individual authorized to apply on behalf of the voter, that the ballots were returned by the same person to whom the ballots were transmitted.

An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the secrecy envelope before placing it in the ~~outer~~ white signature envelope is not a reason to reject an absentee ballot.

Election judges must note the reason for rejection on the back of the envelope in the space provided for that purpose.

Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall not be counted if the certificate on the ~~return~~ signature envelope is not properly executed. In all other respects the provisions of the Minnesota Election Law governing deposit and counting of ballots shall apply. Notwithstanding other provisions of this section, the counting of the absentee ballot of a deceased voter does not invalidate the election.

Sec. 33. Minnesota Statutes 2020, section 203B.28, is amended to read:

203B.28 POSTELECTION REPORT TO LEGISLATURE.

By January 15 of every odd-numbered year, the secretary of state shall provide to the chair and ranking minority members of the legislative committees with jurisdiction over elections a statistical report related to absentee voting in the most recent general election cycle. The statistics must be organized by county, and include:

(1) the number of absentee ballots transmitted to voters;

(2) the number of absentee ballots returned by voters;

(3) the number of absentee ballots that were rejected, categorized by the reason for rejection;

(4) the number of absentee ballots submitted pursuant to sections 203B.16 to 203B.27, along with the number of returned ballots that were accepted, rejected, and the reason for any rejections; ~~and~~

(5) the number of absentee ballots that were not counted because the ballot return envelope was received after the deadlines provided in this chapter; ~~and~~

(6) the number of absentee ballots by method of return, including drop box, mail, in-person, and direct balloting.

Sec. 34. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

Subd. 4a. **State and local offices.** Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

(1) for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;

(2) for supreme court justice, court of appeals judge, or district court judge, that the candidate is learned in the law;

(3) for county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;

(4) for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have ~~resided~~ maintained residence not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 35. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filled at the state general election shall be filed not more than 84 days nor less than 70 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions at least 77 days before the general election day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of that county. Affidavits and petitions for federal offices must be filed with the secretary of state. Affidavits and petitions for state offices must be filed with the secretary of state or with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Sec. 36. Minnesota Statutes 2021 Supplement, section 204B.09, subdivision 3, is amended to read:

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought not more than 84 days before the primary and no later than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies of the form to make the request. The filing officer shall not accept a written request later than 5:00 p.m. on the last day for filing a written request.

(b) A candidate for president of the United States who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for vice president of the United States. A candidate for vice president of the United States who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

(c) A candidate for governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for governor.

Sec. 37. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision to read:

Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in nomination for a federal office.

Sec. 38. Minnesota Statutes 2021 Supplement, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must designate by ordinance or resolution ~~a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made: any changes to a polling place location. A polling place must be maintained for the following calendar year unless changed:~~

(1) by ordinance or resolution by December 31 of the previous year;

~~(2)~~ (2) pursuant to section 204B.175;

~~(3)~~ (3) because a polling place has become unavailable;

~~(4)~~ (4) because a township designates one location for all state, county, and federal elections and one location for all township only elections; and

~~(5)~~ (5) pursuant to section 204B.14, subdivision 3.

(b) Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 39. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

Subd. 6. **High school students.** Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota or who is in a home school in compliance with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge in the county in which the student ~~resides~~ maintains residence, or a county adjacent to the county in which the student ~~resides~~ maintains residence. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least

ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance at the time of service as a trainee election judge.

Sec. 40. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a municipality shall be appointed by the governing body of the municipality. Election judges for precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. Except as otherwise provided in this section, appointments shall be made from the list of voters who ~~reside~~ maintain residence in each precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals who meet the qualifications to serve as an election judge, including persons on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated with a major political party. An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual's major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual's major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge. The appointments shall be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required.

Sec. 41. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~ may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The county board may provide for balloting by mail in unorganized territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

Sec. 42. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the

auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 43. Minnesota Statutes 2020, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election, except in overlapping school and municipality jurisdictions, where a mail election may include an office when one of the jurisdictions also has a question on the ballot. Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in

place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day.

Sec. 44. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for assistance because of inability to read English or physical inability to mark a ballot may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and in as secret a manner as circumstances permit. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot as directed by the voter. ~~No person who assists another voter as provided in the preceding sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the voter has voted or anything that took place while assisting the voter.

Sec. 45. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting space located in the Capitol complex area on the third Tuesday following the state general election to canvass the certified copies of the county canvassing board reports received from the county auditors and shall prepare a report that states:

- (1) the number of individuals voting in the state and in each county;
- (2) the number of votes received by each of the candidates, specifying the counties in which they were cast; and
- (3) the number of votes counted for and against each constitutional amendment, specifying the counties in which they were cast.

Upon completion of the canvass, the State Canvassing Board shall declare the candidates duly elected who received the highest number of votes for each federal and state office. All members of the State Canvassing Board shall sign the report and certify its correctness. The State Canvassing Board shall declare the result within three days after completing the canvass.

Sec. 46. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

Subd. 2. **Special election when legislature will be in session.** Except for vacancies in the legislature which occur at any time between the last day of session in an odd-numbered year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding even-numbered year, when a vacancy occurs and the legislature will be in session so that the individual elected as provided by this section could take office and exercise the duties of the office immediately upon election, the governor shall issue within five days after the vacancy occurs a writ calling for a special election. The special election shall be held as soon as possible, consistent with the notice requirements of section 204D.22, subdivision 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election must not be held during the four days before or the four days after a holiday as defined in section 645.44, subdivision 5.~~

Sec. 47. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

Subd. 3. **Notice of special election.** The county auditor of a county in which a special election is to be held shall direct the clerk of each municipality in which the election is to be held to post a notice of the special primary and special election at least ~~seven~~ 14 days before the special primary and at least ~~14~~ 21 days before the special election in the manner provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days before the special election, a single notice of both elections may be posted seven days before the primary.

When the special primary or special election is to be held on the same day as any other election, notice of the special primary or special election may be included in the notice of the other election, if practicable.

Sec. 48. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions shall be filed no later than ~~14~~ 21 days before the special primary.

Sec. 49. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on behalf of a candidate for municipal office in a city of the first class shall be signed by eligible voters who ~~reside~~ maintain residence in the election district from which the candidate is to be elected. The number of signers shall be at least 500, or two percent of the total number of individuals who voted in the municipality, ward, or other election district at the last preceding municipal general election, whichever is greater.

Sec. 50. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

Subd. 5. **School district canvassing board.** For the purpose of a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school district canvassing board shall consist of one member of the school board other than the clerk, selected by the board, the clerk of the school board, the county auditor of the county in which the greatest number of school district residents ~~reside~~ maintain residence, the court administrator of the district court of the judicial district in which the greatest number of school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board of the school district's most populous municipality. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of the individuals fails to appear at the meeting of the canvassing board, the county auditor shall appoint an eligible voter of the school district, who must not be a member of the school board, to fill the vacancy. Not more than two school board members shall serve on the canvassing board at one time. Four members constitute a quorum.

The school board shall serve as the school district canvassing board for the election of school board members.

Sec. 51. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

Subd. 5. **Board elections.** If the proposal for the establishment of election districts is approved by the voters, the board shall specify the election districts from which vacancies shall be filled as they occur until such time as each board member represents an election district. A candidate for school board member in a subsequent election must file an affidavit of candidacy to be elected as a school board member for the election district in which the candidate ~~resides~~ maintains residence. If there are as many election districts as there are members of the board, one and only one member of the board shall be elected from each election district. In school districts where one or more board members are elected by election districts, candidates must indicate on the affidavit of candidacy the number of the district from which they seek election or, if appropriate, that they seek election from one of the offices elected at large. If the election districts have two or three members each, the terms of the members must be staggered. Each board member must be a resident of the election district for which elected but the creation of an election district or a change in election district boundaries shall not disqualify a board member from serving for the remainder of a term.

Sec. 52. Minnesota Statutes 2020, section 207A.12, is amended to read:

207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.

(a) Except as otherwise provided by law, the presidential nomination primary must be conducted, and the results canvassed and returned, in the manner provided by law for the state primary.

(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must request the ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name of the political party whose ballot the voter requested. When posting voter history pursuant to section 201.171, the county auditor must include the name of the political party whose ballot the voter requested. The political party ballot selected by a voter is private data on individuals as defined under section 13.02, subdivision 12, except as provided in section 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must be permitted to cast a ballot at the presidential nomination primary consistent with the requirements of that section.

(c) Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results.

(d) The results of the presidential nomination primary must bind the election of delegates in each party.

Sec. 53. Minnesota Statutes 2021 Supplement, section 207A.13, subdivision 2, is amended to read:

Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential nomination primary must determine which candidates are to be placed on the presidential nomination primary ballot for that party. The chair of each participating party must submit to the secretary of state the names of the candidates to appear on the ballot for that party no later than 63 days before the presidential nomination primary. Once submitted, changes must not be made to the candidates that will appear on the ballot.

(b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the chair of each participating party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.

Sec. 54. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for statewide office, the contestant shall file the notice of contest with the court administrator of District Court in Ramsey County. For contests relating to any other office, the contestant shall file the notice of contest with the court administrator of district court in the county where the contestee ~~resides~~ maintains residence.

If the contest relates to a constitutional amendment, the contestant shall file the notice of contest with the court administrator of District Court in Ramsey County. If the contest relates to any other question, the contestant shall file the notice of contest with the court administrator of district court for the county or any one of the counties where the question appeared on the ballot.

Sec. 55. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written independent expenditure is: "This is an independent expenditure prepared and paid for by..... (name of entity participating in the expenditure), (address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)......" The address must be either the entity's mailing address or the entity's website, if the website includes the entity's mailing address. When a written independent expenditure is produced and disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) The required form of the disclaimer on a broadcast independent expenditure is: "This independent expenditure is paid for by (name of entity participating in the expenditure). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)......" When a broadcast independent expenditure is produced and disseminated without cost, the following disclaimer may be used: "..... (name of entity participating in the expenditure) is responsible for the contents of this independent expenditure. It is not coordinated with or approved by any candidate nor is any candidate responsible for it."

(c) The listing of the top three contributors required to be included in a disclaimer under this subdivision must identify by name the three individuals or entities making the largest aggregate contribution or contributions required to be reported under chapter 10A to the expending entity during the 12-month period preceding the first date at which the expenditure was published or presented to the public. Contributions to the expending entity that are segregated, tracked, and used for purposes other than expenditures requiring the disclaimer should not be included in calculating the top three contributors required to be identified under this subdivision.

Sec. 56. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to fund-raising tickets, business cards, personal letters, or similar items that are clearly being distributed by the candidate.

(b) This section does not apply to an individual or association that is not required to register or report under chapter 10A or 211A.

(c) This section does not apply to the following:

(1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer cannot be conveniently printed; and

(2) skywriting, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable; and

~~(3) online banner ads and similar electronic communications that link directly to an online page that includes the disclaimer.~~

(d) This section does not modify or repeal section 211B.06.

Sec. 57. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision to read:

Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules using the expedited process in section 14.389 to specify the form and content of the disclaimer required by those subdivisions for small electronic communications for which it is technologically impossible to clearly and conspicuously print the full disclaimer, including but not limited to online banner ads, text messages, social media communications, and small advertisements appearing on a mobile telephone or other handheld electronic device.

Sec. 58. **[211B.075] ABSENTEE BALLOT APPLICATIONS DISTRIBUTED BY COMMITTEES AND PRIVATE ORGANIZATIONS.**

(a) Any mailing sent by or on behalf of a committee or other private organization that includes an absentee ballot application or a sample ballot designed to encourage voting at an election must include the applicable set of statements, printed in capital letters on the outside of the mailing so that the statements are clearly visible at the time of opening, as follows:

(1) if an absentee ballot application is enclosed:

(i) "THIS IS AN ABSENTEE BALLOT APPLICATION, NOT AN OFFICIAL BALLOT"; and

(ii) "THIS IS NOT AN OFFICIAL COMMUNICATION FROM A UNIT OF GOVERNMENT"; and

(2) if a sample ballot is enclosed:

(i) "THIS IS A SAMPLE BALLOT, NOT AN OFFICIAL BALLOT"; and

(ii) "THIS IS NOT AN OFFICIAL COMMUNICATION FROM A UNIT OF GOVERNMENT."

(b) As used in this subdivision, "sample ballot" means a document enclosed in the mailing that is formatted and printed in a manner that would lead a reasonable person to believe the document is an official ballot. A document that contains the names of particular candidates or ballot questions alongside illustrations of a generic ballot or common ballot markings is not a sample ballot for purposes of this subdivision, so long as the format and style of the document would not lead a reasonable person to mistake it for an official ballot.

Sec. 59. **[211B.076] INTIMIDATION AND INTERFERENCE RELATED TO THE PERFORMANCE OF DUTIES BY AN ELECTION OFFICIAL; PENALTIES.**

Subdivision 1. **Definition.** For the purposes of this section, "election official" means a member of a canvassing board, the county auditor or municipal clerk charged with duties relating to elections, a member of an absentee ballot board, an election judge, an election judge trainee, or any other individual assigned by a state entity or municipal government to perform official duties related to elections.

Subd. 2. **Intimidation.** (a) A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal, against another with the intent to influence an election official in the performance of a duty of election administration.

(b) In a civil action brought to prevent and restrain violations of this subdivision or to require the payment of civil penalties, the moving party may show that the action or attempted action would cause a reasonable person to feel intimidated. The moving party does not need to show that the actor intended to cause the victim to feel intimidated.

Subd. 3. **Interfering with or hindering the administration of an election.** A person may not intentionally hinder, interfere with, or prevent an election official's performance of a duty related to election administration.

Subd. 4. **Dissemination of personal information about an election official.** (a) A person may not knowingly and without consent, make publicly available, including but not limited to through the Internet, personal information about an election official or an election official's family or household member if:

(1) the dissemination poses an imminent and serious threat to the official's safety or the safety of an official's family or household member; and

(2) the person making the information publicly available knows or reasonably should know of any imminent and serious threat.

(b) As used in this subdivision, "personal information" means the home address of the election official or a member of an election official's family, directions to that home, or photographs of that home.

Subd. 5. **Obstructing access.** A person may not intentionally and physically obstruct an election official's access to or egress from a polling place, meeting of a canvassing board, place where ballots and elections equipment are located or stored, or any other place where the election official performs a duty related to election administration.

Subd. 6. **Vicarious liability; conspiracy.** A person may be held vicariously liable for any damages resulting from the violation of this section and may be identified in an order restraining violations of this section if that person:

(1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite, compel, or coerce a person to violate any provision of this section; or

(2) conspires, combines, agrees, or arranges with another to either commit a violation of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to violate any provision of this section.

Subd. 7. **Criminal penalty.** A person who violates this section is guilty of a gross misdemeanor.

Subd. 8. **Attorney general; civil enforcement.** When the attorney general has information providing a reasonable ground to believe that any person has violated or is about to violate this section, the attorney general shall have the power to investigate those violations, or suspected violations, in the same manner as provided for by section 8.31, subdivisions 2 and 2a. The attorney general shall be entitled, on behalf of the state, to sue for and recover the same relief and remedies for violations of this section, or violations that are about to occur, as provided in section 8.31, subdivisions 3 and 3a.

Subd. 9. **Election official; civil remedies.** In addition to any remedies otherwise provided by law, an election official injured or threatened to be injured by a violation of this section may bring a civil action and obtain the following remedies:

(1) injunctive relief in any court of competent jurisdiction against any such violation or threatened violation without abridging the penalties provided by law; and

(2) damages, together with costs and disbursements, including costs of investigation and reasonable attorney fees, and other equitable relief as determined by the court.

Subd. 10. **Cumulative remedies.** Civil remedies allowable under this section are cumulative and do not restrict any other right or remedy otherwise available. Any civil action brought under this section must be commenced within two years after the cause of action accrues. Sections 211B.31 to 211B.37 do not apply to violations of this section.

EFFECTIVE DATE. This section is effective July 1, 2022, and applies to violations committed on or after that date.

Sec. 60. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

Subdivision 1. **Soliciting near polling places.** A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies only during voting hours and to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided in section 204B.49.

Sec. 61. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~ paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be filed with the office. The complaint must be finally disposed of by the office before the alleged violation may be prosecuted by a county attorney.

(b) Complaints arising under those sections and related to those individuals and associations specified in section 10A.022, subdivision 3, must be filed with the Campaign Finance and Public Disclosure Board.

(c) Violations of section 211B.076 may be enforced as provided in section 211B.076.

Sec. 62. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed shall hold office until the next annual town election, when a successor shall be elected for the unexpired term.

(b) When a vacancy occurs in a town office:

(1) with more than one year remaining in the term; and

(2) on or after the 14th day before the first day to file an affidavit of candidacy for the town election;

the vacancy must be filled by appointment. The person appointed serves until the next annual town election following the election for which affidavits of candidacy are to be filed, when a successor shall be elected for the unexpired term.

(c) A vacancy in the office of supervisor must be filled by an appointment committee comprised of the remaining supervisors and the town clerk.

(d) Any person appointed to fill the vacancy in the office of supervisor must, upon assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained residence in the town for at least 30 days.

(e) When, because of a vacancy, more than one supervisor is to be chosen at the same election, candidates for the offices of supervisor shall file for one of the specific terms being filled.

(f) When, for any reason, the town board or the appointment committee fails to fill a vacancy in the position of an elected town officer by appointment, a special election may be called. To call a special election, the supervisors and town clerk, or any two of them together with at least 12 other town freeholders, must file a statement in the town clerk's office. The statement must tell why the election is called and that the interests of the town require the election. When the town board or the appointment committee fails to fill a vacancy by appointment, a special town election may also be called on petition of 20 percent of the electors of the town. The percentage is of the number of voters at the last general election. A special town election must be conducted in the manner required for the annual town election.

(g) Law enforcement vacancies must be filled by appointment by the town board.

Sec. 63. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate for the hospital board shall file an affidavit of candidacy for the election either as member at large or as a member representing the city or town where the candidate ~~resides~~ maintains residence. The affidavit of candidacy must be filed with the city or town clerk not more than 98 days nor less than 84 days before the first Tuesday after the first Monday in November of the year in which the general election is held. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers. Ballots must be prepared as provided in the rules of the secretary of state. The ballots must be marked and initialed by at least two judges as official ballots and used exclusively at the election. Any proposition to be voted on may be printed on the ballot provided for the election of officers. The hospital board may also authorize the use of voting systems subject to chapter 206. Enough election judges may be appointed to receive the votes at each polling place. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy.

ARTICLE 4 BARBERING AND COSMETOLOGY

Section 1. Minnesota Statutes 2020, section 154.001, subdivision 2, is amended to read:

Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established to consist of four barber members and one public member, as defined in section 214.02, appointed by the governor.

(b) The barber members shall be persons who have practiced as registered barbers in this state for at least five years immediately prior to their appointment; shall be graduates from the 12th grade of a high school or have equivalent education, and shall have knowledge of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One of the barber members shall be a member of, or recommended by, a union of journeymen barbers that has existed at least two years, and one barber member shall be a member of, or recommended by, a professional organization of barbers.~~

Sec. 2. Minnesota Statutes 2020, section 154.003, is amended to read:

154.003 FEES.

(a) The fees collected, as required in this chapter, chapter 214, and the rules of the board, shall be paid to the board. The board shall deposit the fees in the general fund in the state treasury.

(b) The board shall charge the following fees:

(1) examination and certificate, registered barber, \$85;

(2) retake of written examination, \$10;

(3) examination and certificate, instructor, \$180;

(4) certificate, instructor, \$65;

(5) temporary teacher permit, \$80;

(6) temporary registered barber, military, \$85;

(7) temporary barber instructor, military, \$180;

(8) renewal of registration, registered barber, \$80;

(9) renewal of registration, instructor, \$80;

(10) renewal of temporary teacher permit, \$65;

(11) student permit, \$45;

(12) renewal of student permit, \$25;

(13) initial shop registration, \$85;

(14) initial mobile barber shop registration, \$150;

~~(14)~~ (15) initial school registration, \$1,030;

~~(15)~~ (16) renewal shop registration, \$85;

~~(16)~~ (17) renewal school registration, \$280;

(18) renewal mobile barber shop registration, \$100;

~~(47)~~ (19) restoration of registered barber registration, \$95;

~~(48)~~ (20) restoration of shop registration, \$105;

~~(49)~~ (21) change of ownership or location, \$55;

(22) restoration of mobile barber shop registration, \$120;

~~(20)~~ (23) duplicate registration, \$40;

~~(24)~~ (24) home study course, \$75;

~~(22)~~ (25) letter of registration verification, \$25; and

~~(23)~~ (26) reinspection, \$100.

(c) If the board uses a board-approved examination provider for the entire comprehensive examination or for a portion of the comprehensive examination, any fees required by that approved examination provider must be paid directly to the approved examination provider by the examinee and is not included and is separate from any required fees paid by the examinee to the board.

Sec. 3. Minnesota Statutes 2020, section 154.01, is amended to read:

154.01 REGISTRATION MANDATORY.

(a) The registration of the practice of barbering serves the public health and safety of the people of the state of Minnesota by ensuring that individuals seeking to practice the profession of barbering are appropriately trained in the use of the chemicals, tools, and implements of barbering and demonstrate the skills necessary to conduct barber services in a safe, sanitary, and appropriate environment required for infection control.

(b) No person shall practice, offer to practice, or attempt to practice barbering without a current certificate of registration as a registered barber, issued pursuant to provisions of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter by the Board of Barber Examiners.

(c) A registered barber must only provide barbering services in a registered barber shop ~~or~~ barber school, or mobile barber shop unless prior authorization is given by the board.

(d) No person shall operate a barber shop unless it is at all times under the direct supervision and management of a registered barber and the owner or operator of the barber shop possesses a current shop registration card, issued to the barber shop establishment address, ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

(e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering without a current certificate of registration as a registered instructor of barbering or a temporary permit as an instructor of barbering, as provided for the board by rule, issued ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners. Barber instruction must be provided in registered barber schools only.

(f) No person shall operate a barber school unless the owner or operator possesses a current certificate of registration as a barber school, issued ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

Sec. 4. Minnesota Statutes 2020, section 154.02, subdivision 1, is amended to read:

Subdivision 1. **What constitutes barbering.** Any one or any combination of the following practices when done upon the head, face, and neck for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment directly or indirectly or without payment for the public generally constitutes the practice of barbering within the meaning of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter: to shave the face or neck using a straight razor or other tool, trim the beard, clean, condition, cut, color, shape, or straighten the hair of any person of either sex for compensation or other reward received by the person performing such service or any other person; to give facial and scalp massage with oils, creams, lotions, or other preparations either by hand or mechanical appliances; to singe, shampoo the hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics, powders, oils, clays, or lotions to hair, scalp, face, or neck. The removal of hair through the process of waxing is not barbering.

Sec. 5. Minnesota Statutes 2020, section 154.02, subdivision 4, is amended to read:

Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate issued to an individual, barber shop, ~~or~~ barber school, or mobile barber shop that is in compliance with ~~the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter.

Sec. 6. Minnesota Statutes 2020, section 154.02, subdivision 5, is amended to read:

Subd. 5. **Designated registered barber.** The "designated registered barber" is a registered barber designated as the manager of a barber shop or a mobile barber shop.

Sec. 7. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to read:

Subd. 7. **Mobile barber shop.** A "mobile barber shop" means a barber shop that is operated in a mobile vehicle or a mobile structure for the exclusive use of practicing barbering services performed by a registered barber in compliance with this chapter.

Sec. 8. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to read:

Subd. 8. **Straight razor.** A razor with a rigid steel cutting blade or a replaceable blade that is hinged to a case that forms a handle when the razor is open for use.

Sec. 9. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to read:

Subd. 9. **Waxing.** The process of removing hair from a part of the body by applying wax and peeling off the wax.

Sec. 10. Minnesota Statutes 2020, section 154.05, is amended to read:

154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A REGISTERED BARBER.

(a) A person is qualified to receive a certificate of registration as a registered barber if the person:

(1) ~~has successfully completed ten grades of education~~ is at least 17 years of age;

(2) has successfully completed 1,500 hours of study in a board-approved barber school; and

(3) has passed ~~an a comprehensive examination conducted by the board~~ in accordance with section 154.09 to determine the person's fitness to practice barbering.

~~(b) A first time applicant for a certificate of registration to practice as a registered barber who fails to pass the comprehensive examination conducted by the board and who fails to pass a onetime retake of the written examination, shall complete an additional 500 hours of barber education before being eligible to retake the comprehensive examination as many times as necessary to pass.~~

Sec. 11. **[154.052] MOBILE BARBER SHOPS.**

Subdivision 1. Registration. (a) No person shall operate a mobile barber shop unless:

(1) at all times, the mobile barber shop is under the direct supervision and management of a registered barber; and

(2) the owner or operator of the mobile barber shop possesses a current mobile barber shop registration that was issued by the Board of Barber Examiners.

Subd. 2. Services and location reporting requirements. (a) A mobile barber shop is limited to providing only hair cutting and straight razor shave services.

(b) A mobile barber shop is subject to the barber shop requirements in this chapter and Minnesota Rules, except when this chapter or the rule conflicts with specific mobile barber shop requirements. Any reference to a barber shop in this chapter and in Minnesota Rules includes mobile barber shops, except when this chapter or the rule conflicts with specific mobile barber shop requirements.

(c) A mobile barber shop registration holder must:

(1) maintain a permanent address for receiving correspondence and service of process and provide an address where the mobile barber shop is kept when the mobile barber shop is not in service;

(2) visibly display the name of the mobile barber shop and the mobile barber shop's registration number as shown on the registration certificate on at least one exterior side of the mobile barber shop;

(3) supply to the board the make, model, and vehicle identification and license plate number of any vehicle or mobile structure used as a mobile barber shop. Each mobile barber shop registration is valid for only one specific mobile vehicle or mobile structure;

(4) have a functioning phone available at all times;

(5) submit to the board, on or before the first day of each month, the mobile barber shop's schedule of locations and times of operation during the month. The mobile barber shop registration holder must report any proposed changes to the schedule to the board via e-mail at the beginning of the week during which the changes will occur; and

(6) comply with the requirements of all federal, state, and local laws, rules, and ordinances.

Subd. 3. Water and wastewater requirements. (a) A mobile barber shop must have self-contained water holding tanks with gauges that indicate the levels in the tanks and reserve capabilities. The water supply tanks must be integrated and plumbed into the wastewater tanks or gray water tanks.

(b) A mobile barber shop must have a potable water capacity of not less than 20 gallons and a designated hose that the mobile barber shop only uses to fill the potable water tank.

(c) A mobile barber shop must have available hot water in a capacity of not less than five gallons or hot water on demand.

(d) A mobile barber shop must have a wastewater tank or gray water tank capacity that is 15 percent larger than the water supply holding tank.

(e) A mobile barber shop must not operate when:

(1) the available potable water supply is insufficient to comply with the infection control requirements in this chapter and Minnesota Rules; or

(2) a tank for wastewater, black water, or gray water is at 90 percent or greater capacity.

(f) A mobile barber shop must have a restroom in operating condition inside of the mobile barber shop that includes:

(1) an installed hand sink with potable water;

(2) soap;

(3) single-use towels; and

(4) a self-contained recirculating flush toilet with a holding tank or a properly maintained composting toilet.

(g) A mobile barber shop must discharge wastewater into a sanitary sewage system or a sanitary dumping station. When disposing of sewage and wastewater, a mobile barber shop must comply with all federal, state, and local environmental and sanitary regulations.

(h) In addition to the sink required in the restroom, the mobile barber shop must have at least one sink with hot and cold running water accessible to persons in the area where the mobile barber shop provides services. Sinks must be permanently installed and connected to the vehicle's or mobile structure's potable water supply and wastewater tanks.

Subd. 4. **Electrical and power requirements.** (a) If power for heating, air conditioning, and other equipment is supplied by a generator, the generator must be properly vented outside and all doors and windows must be closed when the generator is operating to avoid exhaust entering the mobile barber shop. The generator must comply with all applicable municipal noise ordinances.

(b) Liquefied petroleum gas systems installed in the mobile barber shop must comply with the current edition of the National Fire Protection Association Standard No. 58 LP-Gas Code as adopted under the State Fire Code. Use of portable heating units is prohibited.

(c) All heating and cooling systems must be factory installed and meet all state and federal regulations for mobile vehicle or mobile structure heating and cooling.

(d) The mobile barber shop must have working alarms for carbon monoxide, smoke, and combustible gas, either as single alarms or a combined alarm.

(e) All electrical wiring must comply with the State Electrical Code. Electrical equipment plugged into outlets must be UL-listed and must comply with state and local fire codes.

Subd. 5. **Safety, inspection, and infection control requirements.** (a) In addition to the safety and infection control requirements for barber shops in this chapter and Minnesota Rules, mobile barber shops must comply with the following requirements:

(1) the mobile barber shop must not provide services unless the mobile barber shop is parked with the engine off, stable, and leveled. The mobile barber shop must use stabilizing jacks when it is recommended by the manufacturer's instructions for the vehicle or mobile structure. The mobile barber shop must use at least two wheel chocks when the mobile barber shop is operating;

(2) the mobile barber shop must provide all services inside of the vehicle or mobile structure;

(3) all hazardous substances in the mobile barber shop must be stored upright in secured cabinets when the mobile barber shop is moving;

(4) the mobile barber shop must have a ventilation system that is sufficient to provide fresh air in the mobile barber shop; and

(5) all moving parts, including slide outs, disability ramps, and steps must be in good working order.

(b) Any duly authorized employee of the Board of Barber Examiners shall have authority to enter and inspect a mobile barber shop during normal business hours.

Subd. 6. **Compliance with local government law.** The mobile barber shop must comply with all city, township, and county ordinances regarding wastewater disposal, commercial motor vehicles, vehicle insurance, noise, signage, parking, commerce, business, and other local government requirements. The mobile barber shop owner must be informed about the requirements that apply to the mobile barber shop in each jurisdiction where the mobile barber shop operates, and must ensure that the mobile barber shop complies with those requirements.

Sec. 12. Minnesota Statutes 2020, section 154.07, subdivision 1, is amended to read:

Subdivision 1. **Admission requirements; course of instruction.** No barber school shall be approved by the board unless ~~it~~ the barber school requires, as a prerequisite to admission, ~~ten grades of an approved school or its equivalent, as determined by educational transcript, high school diploma, high school equivalency certificate, or an examination conducted by the commissioner of education, which shall issue a certificate that the student has passed the required examination, and unless it requires,~~ as a prerequisite to graduation, a course of instruction of at least 1,500 hours of not more than ten hours of schooling in any one working day. The course of instruction must include the following subjects: scientific fundamentals for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting and dyeing the hair; and the chemical waving and straightening of hair.

Sec. 13. Minnesota Statutes 2020, section 154.08, is amended to read:

154.08 APPLICATION; FEE.

Subdivision 1. **Application and fee requirements.** Each applicant for an examination shall:

(1) make an application to the Board of Barber Examiners or a board-approved examination provider on blank forms prepared and furnished by ~~it, the application to the board or the provider.~~ The application must contain proof under the applicant's oath of the particular qualifications and identity of the applicant;

(2) provide all documentation required in support of the application;

(3) pay to the board the required fee; ~~and~~

(4) upon acceptance of the notarized application, present a corresponding government-issued photo identification when the applicant appears for the examination; and

(5) file an application with the board no later than the twentieth day of the month preceding the month when the practical portion of the exam is administered.

Sec. 14. Minnesota Statutes 2020, section 154.09, is amended to read:

154.09 EXAMINATIONS, CONDUCT AND SCOPE.

Subdivision 1. Examination dates. The board or a board-approved examination provider shall conduct practical examinations of applicants for certificates of registration to practice as registered barbers not ~~more than six less than four~~ times each year, at such time and place as the board may determine. ~~Additional~~ Written examinations may be scheduled ~~by the board~~ and conducted by board staff or a board-approved provider as designated by the board.

Subd. 2. Documentation required. The ~~proprietor owner or operator~~ of a barber school must file an affidavit with the board of hours completed by students applying to take the ~~registered barber comprehensive~~ examination. Students must complete the full 1,500-hour curriculum in a barber school approved by the board ~~within the past four years~~ to be eligible for examination. ~~Barber students who have completed barber school more than four years prior to application, that have not obtained a barber registration, license, or certificate in any jurisdiction must complete an additional 500 hours of barber school education to be eligible for the registered barber examination.~~

Subd. 3. Examinations for registration restoration. ~~Registered barbers that fail~~ An individual who fails to renew ~~their~~ the individual's barber registration for four or more years ~~are~~ is required to purchase and complete the "Home Study Course for Barbers" program that was prepared and approved by the board before the individual is eligible to take the ~~registered barber comprehensive~~ examination to reinstate the individual's registration.

Subd. 4. Examinations for individuals seeking reciprocity. An individual who must pass the comprehensive examination under section 154.11 must purchase and complete the "Home Study Course for Barbers" program that was prepared and approved by the board before the individual is eligible to take the comprehensive examination.

Subd. 5. Contents of examination. The comprehensive examination of applicants for certificates of registration as barbers shall include:

(1) a practical ~~demonstration~~ portion that consists of: a haircut, and three of the following practical services that the board shall determine: shave, beard trim, shampoo, perm wrap, facial, or color application; and

(2) a written test. ~~The examination must cover~~ portion that covers the subjects taught in barber schools ~~registered with the board, including~~ as required by this chapter, applicable state ~~statute~~ statutes, and ~~rule~~ rules.

Subd. 6. Examination grading. The comprehensive examination must be graded as follows:

(1) the grading for the practical portion of the examination must be on a scale of one to 100, with 100 representing a perfect score. A score of 75 must be the minimum passing grade for the haircut portion and 75 must be the minimum passing score for the average of the remaining parts of the practical examination; and

(2) the grading criteria for the written portion of the examination and the passing grade must be established by the board or a board-approved examination provider for each written examination at the time of the examination's preparation. The lowest passing grade established must not be less than 55.

Subd. 7. **Failure of examination.** (a) An individual who does not pass one portion of the comprehensive examination within a year of passing the other portion of the comprehensive examination must retake the entire comprehensive examination.

(b) An individual who has failed a portion of the comprehensive examination may retake that portion of the examination within a year of passing the other portion after meeting the requirements of this chapter, paying any required fees and making an application to the board as required by section 154.08.

Sec. 15. Minnesota Statutes 2020, section 154.11, subdivision 1, is amended to read:

Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the requirements for barber registration in ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter and either has a currently active license, certificate of registration, or equivalent as a practicing barber or instructor of barbering as verified from another state or, if presenting foreign country credentials as verified by a board-approved professional credential evaluation provider, which in the discretion of the board has substantially the same requirements for registering barbers and instructors of barbering as required ~~by sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ in this chapter shall, upon payment of the required fee, be issued a certificate of registration without examination.

(b) Individuals without a current documented license, certificate of registration, or equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber education as verified by the barber school attended in the other state or if presenting foreign country education as verified by a board-approved professional credential evaluation provider, completed within the previous four years, which, in the discretion of the board, has substantially the same requirements as required in ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter will be eligible for examination.

(c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject to all the requirements of section 154.05.

Sec. 16. Minnesota Statutes 2020, section 154.11, is amended by adding a subdivision to read:

Subd. 4. **Examination of cosmetologists.** a) A person may be credited with up to 1,000 hours of study, which in the discretion of the board has curriculum requirements that are equivalent to the requirements in section 154.07 toward the 1,500 hours of study required under section 154.05 if the person:

(1) has a currently active license as a practicing cosmetologist and the license is verified by the issuing state;

(2) has a certificate of registration or equivalent as a practicing cosmetologist and the certificate is verified by the issuing state; or

(3) has credentials as a practicing cosmetologist from a foreign country that are verified by a board-approved professional credential evaluation provider and the board has determined that the foreign country's curriculum requirements are substantially similar to the requirements in section 154.07.

(b) After a person with credited hours under paragraph (a) completes the remaining required hours in a board-approved barber school and meets the requirement of section 154.05, clause (1), the person is eligible for examination.

Sec. 17. Minnesota Statutes 2020, section 155A.20, is amended to read:

155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.

(a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ nine members, appointed by the governor as follows:

(1) two cosmetologists, one of whom is recommended by a professional association of cosmetologists, nail technicians, and estheticians;

(2) two school instructors, one of whom is teaching at a public cosmetology school in the state and one of whom is teaching at a private cosmetology school in the state;

(3) one esthetician;

(4) one advanced practice esthetician;

~~(4)~~ (5) one nail technician; and

(6) one hair technician; and

~~(5)~~ (7) one public member, as defined in section 214.02.

(b) All cosmetologist, esthetician, and nail technician members must be currently licensed in the field of cosmetology, nail technology, or ~~esthetics, esthiology~~ in Minnesota, have practiced in the licensed occupation for at least five years immediately prior to their appointment, be graduates from grade 12 of high school or have equivalent education, and have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and 2110.

(c) Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services, and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214.

(d) Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors.

EFFECTIVE DATE. This section is effective January 1, 2023.

Sec. 18. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician, advanced practice esthetician, hair technician, nail technician ~~practitioner~~, or eyelash technician ~~practitioner~~, and who has a manager license and provides any services under that license, as defined in subdivision 3.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 19. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare and present the theoretical and practical education of cosmetology to persons who seek to practice cosmetology. ~~An instructor must maintain an active operator or manager's license in the area in which the instructor holds an instructor's license. As long as an instructor holds an active instructor license, the board must ensure that the instructor's license as an operator or a salon manager in the same field automatically continues to be active. The board must not assess an instructor any fees for an operator or a salon manager license while an instructor holds an active instructor license.~~

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 20. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager in the practice of cosmetology, esthology, advanced practice esthology, hair technology services, nail technology services, or eyelash technology services.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 21. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision to read:

Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation, performs personal services for the cosmetic care of hair on the scalp. Hair technician services include cutting hair and the application of dyes, bleach, reactive chemicals, keratin, or other preparations to color or alter the structure of hair. A person who only performs hairstyling as defined by subdivision 19 is not a hair technician.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 22. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this subdivision.

(b) Three-year license fees are as follows:

(1) \$195 initial practitioner, manager, or instructor license, divided as follows:

(i) \$155 for each initial license; and

(ii) \$40 for each initial license application fee;

(2) \$115 renewal of practitioner license, divided as follows:

(i) \$100 for each renewal license; and

(ii) \$15 for each renewal application fee;

(3) \$145 renewal of manager or instructor license, divided as follows:

(i) \$130 for each renewal license; and

(ii) \$15 for each renewal application fee;

- (4) \$350 initial salon license, divided as follows:
 - (i) \$250 for each initial license; and
 - (ii) \$100 for each initial license application fee;
- (5) \$225 renewal of salon license, divided as follows:
 - (i) \$175 for each renewal; and
 - (ii) \$50 for each renewal application fee;
- (6) \$4,000 initial school license, divided as follows:
 - (i) \$3,000 for each initial license; and
 - (ii) \$1,000 for each initial license application fee; and
- (7) \$2,500 renewal of school license, divided as follows:
 - (i) \$2,000 for each renewal; and
 - (ii) \$500 for each renewal application fee.
- (c) Penalties may be assessed in amounts up to the following:
 - (1) reinspection fee, \$150;
 - (2) manager and owner with expired practitioner found on inspection, \$150 each;
 - (3) expired practitioner or instructor found on inspection, \$200;
 - (4) expired salon found on inspection, \$500;
 - (5) expired school found on inspection, \$1,000;
 - (6) failure to display current license, \$100;
 - (7) failure to dispose of single-use equipment, implements, or materials as provided under section 155A.355, subdivision 1, \$500;
 - (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355, subdivision 2, \$500;
 - (9) performing nail or cosmetology services in esthetician salon, or performing esthetician or cosmetology services in a nail salon, \$500;
 - (10) owner and manager allowing an operator to work as an independent contractor, \$200;
 - (11) operator working as an independent contractor, \$100;
 - (12) refusal or failure to cooperate with an inspection, \$500;

(13) practitioner late renewal fee, \$45; and

(14) salon or school late renewal fee, \$50.

(d) Administrative fees are as follows:

(1) homebound service permit, \$50 three-year fee;

(2) name change, \$20;

(3) certification of licensure, \$30 each;

(4) duplicate license, \$20;

(5) special event permit, \$75 per year;

~~(6) \$100 for each temporary military license for a cosmetologist, nail technician, esthetician, or advanced practice esthetician one year fee;~~

~~(7)~~ (6) expedited initial individual license, \$150;

~~(8)~~ (7) expedited initial salon license, \$300;

~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and

~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 23. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** A person must hold an individual license to practice in the state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician, advanced practice esthetician, manager, or instructor.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 24. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:

Subd. 5a. **Temporary military license.** The board shall establish temporary licenses for a cosmetologist, hair technician, nail technician, and esthetician in accordance with section 197.4552. A temporary license is valid for a three-year license cycle. An applicant may only apply once for a temporary license.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 25. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of three years. The board may extend a licensee's operator or salon manager license when issuing a new instructor license to the licensee to match expiration dates.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 26. Minnesota Statutes 2020, section 155A.27, subdivision 10, is amended to read:

Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail technician, ~~or esthetician, or eyelash technician~~ may be licensed in Minnesota if the individual has completed cosmetology school in a state or country with the same or greater school hour requirements, has an active license in that state or country, and has passed a board-approved theory and practice-based examination, the Minnesota-specific written operator examination for cosmetologist, hair technician, nail technician, ~~or esthetician, or eyelash technician~~. If a test is used to verify the qualifications of trained cosmetologists, the test should be translated into the nonresident's native language within the limits of available resources. Licenses shall not be issued under this subdivision for managers or instructors.

(b) If an individual has less than the required number of school hours, the individual must have had a current active license in another state or country for at least three years and have passed a board-approved theory and practice-based examination, and the Minnesota-specific written operator examination for cosmetologist, hair technician, nail technician, ~~or esthetician, or eyelash technician~~. If a test is used to verify the qualifications of trained cosmetologists, the test should be translated into the nonresident's native language within the limits of available resources. Licenses must not be issued under this subdivision for managers or instructors.

(c) Applicants claiming training and experience in a foreign country shall supply official English-language translations of all required documents from a board-approved source.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 27. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision to read:

Subd. 11. **Reciprocity for barbers.** A barber who has a currently active registration under Minnesota Statutes, chapter 154, may be granted credit, as determined by rule, toward the required hours of study required for licensure in cosmetology or hair technology.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 28. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician, eyelash technician, or salon manager, the applicant must complete four hours of continuing education credits from a board-approved continuing education provider during the three years prior to the applicant's renewal date. One credit hour of the requirement must include instruction pertaining to state laws and rules governing the practice of cosmetology. Three credit hours must include instruction pertaining to health, safety, and infection control matters consistent with the United States Department of Labor's Occupational Safety and Health Administration standards applicable to the practice of cosmetology, or other applicable federal health, infection control, and safety standards, and must be regularly updated so as to incorporate newly developed standards and accepted professional best practices. Credit hours earned are valid for three years and may be applied simultaneously to all individual licenses held by a licensee under this chapter.

(b) ~~Effective August 1, 2017,~~ In addition to the hours of continuing education credits required under paragraph (a), to qualify for license renewal under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician, or salon manager, the applicant must also complete a four credit hour continuing education course from a board-approved continuing education provider based on any of the following within the licensee's scope of practice:

(1) product chemistry and chemical interaction;

- (2) proper use and maintenance of machines and instruments;
- (3) business management, professional ethics, and human relations; or
- (4) techniques relevant to the type of license held.

Credits are valid for three years and must be completed with a board-approved provider of continuing education during the three years prior to the applicant's renewal date and may be applied simultaneously to other individual licenses held as applicable, except that credits completed under this paragraph must not duplicate credits completed under paragraph (a).

(c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license, or an inactive license.

Sec. 29. Minnesota Statutes 2020, section 155A.29, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation unless the services are provided by a licensee in a licensed salon or as otherwise provided in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold more than one type of salon license.~~

Sec. 30. Minnesota Statutes 2020, section 155A.30, subdivision 2, is amended to read:

Subd. 2. **Standards.** The board shall by rule establish minimum standards of course content and length specific to the educational preparation prerequisite to testing and licensing as cosmetologist, hair technician, esthetician, ~~and advanced practice esthetician~~, nail technician, and eyelash technician.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 31. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

Subd. 3. **Applications.** Application for a license shall be prepared on forms furnished by the board and shall contain the following and such other information as may be required:

- (1) the name of the school, together with ownership and controlling officers, members, and managing employees;
- (2) the specific fields of instruction which will be offered and reconciliation of the course content and length to meet the minimum standards, as prescribed in subdivision 2;
- (3) the place or places where instruction will be given;
- (4) a listing of the equipment available for instruction in each course offered;
- (5) the maximum enrollment to be accommodated;
- (6) a listing of instructors, all of whom shall be licensed as provided in section 155A.27, subdivision 2, except that any school may use occasional instructors or lecturers who would add to the general or specialized knowledge of the students but who need not be licensed;

(7) a current balance sheet, income statement or documentation to show sufficient financial worth and responsibility to properly conduct a school and to assure financial resources ample to meet the school's financial obligations;

(8) other financial guarantees which would assure protection of the public as determined by rule; and

(9) a copy of ~~all written material which the school uses to solicit prospective students, including but not limited to a tuition and fee schedule, and all catalogues, brochures and other recruitment advertisements. Each school shall annually, on a date determined by the board, file with the board any new or amended materials which it has distributed during the past year.~~ written materials that the school will use for prospective student enrollment, including the enrollment contract, student handbook, and tuition and fee information.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 32. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

Subd. 4. **Verification of application.** Each application shall be signed and certified to under oath by the proprietor if the applicant is a proprietorship, by the managing partner if the applicant is a partnership, or by the authorized officers of the applicant if the applicant is a corporation, association, company, firm, society or trust, except that schools in the Minnesota State Colleges and Universities system and secondary schools must provide a signature from the dean, principal, or other authorized signatory.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 33. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than ten hours per day per student.

(b) Instruction must be given within a licensed school building except as provided for in paragraph (c). ~~Online instruction is permitted for board approved theory-based classes.~~ Instruction may be given online for theory-based portions of a board-approved curriculum. Practice-based ~~classes~~ portions of a board-approved curriculum must not be given online.

(c) Schools may offer field trips outside of a licensed school building if the field trips are related to the course curriculum for industry educational purposes.

Sec. 34. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING GROUP.**

The board shall establish a working group to study and report to the legislative committees with jurisdiction over the Board of Cosmetologist Examiners by January 1, 2024, on:

(1) evaluating the salon manager license and school manager license;

(2) evaluating the scope and requirements for special event services and homebound services permits and considering merging both permits; and

(3) evaluating an endorsement-based licensing structure.

Sec. 35. **REVISOR INSTRUCTION.**

The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board of Cosmetology" wherever it appears in Minnesota Statutes.

Sec. 36. **REPEALER.**

Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; and 2100.3200, are repealed."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to state government; appropriating money for certain government agencies; allowing certain contracts; determining acceptance of certain collateral by the executive council; designating Juneteenth; defining certain terms; specifying emergency management provisions; modifying data practices provisions; amending provisions of the Legislative Salary Council; changing the revolving fund for services rate and statewide systems services; providing changes to state budget and finance sections; moving the Office of Collaborations and Dispute Resolution under the Department of Administration; establishing the Office of Enterprise Translations; creating the language access service account; changing provisions for grant administration, solicitation process, affirmative action measures, technology accessibility standards, hiring processes, salary differential benefits, supported work practices, deposit and investment of local public funds, Minnesota State Colleges and Universities, burial grounds, manufactured homes, managed natural landscapes, military salary differential, Mississippi River Parkway Commission, campaign finance and elections, barbering, and cosmetology; creating certain separation and retention incentive programs; requiring an Office of Small Agency study; establishing State Emblems Redesign Commission, Legislative Task Force on Aging, and Advisory Committee on Service Worker Standards; requiring reports; setting certain fees; amending Minnesota Statutes 2020, sections 3.303, subdivision 6; 5B.06; 9.031, subdivision 3; 10.55; 10A.273, subdivision 1; 12.03, by adding subdivisions; 12.21, subdivision 2; 12.31, subdivision 2; 12.35, subdivision 4; 12.36; 13.04, subdivision 4; 13.072, subdivision 1; 15A.0825, subdivisions 1, 2, 3; 16A.126, subdivision 1; 16A.1286, subdivision 2; 16A.15, subdivision 3; 16B.33, subdivisions 1, 3, 3a, by adding a subdivision; 16B.98, by adding a subdivision; 16C.10, subdivision 2; 16C.32, subdivision 1; 43A.01, subdivision 2; 43A.02, by adding subdivisions; 43A.04, subdivisions 1a, 4, 7; 43A.09; 43A.10, subdivisions 2a, 7; 43A.14; 43A.15, subdivision 14, by adding a subdivision; 43A.183, subdivisions 1, 2; 43A.19, subdivision 1; 43A.191; 43A.21, subdivisions 1, 2, 3, by adding a subdivision; 43A.36, subdivision 1; 43A.421; 82.75, subdivision 8; 118A.09, subdivisions 1, 2; 136F.02, subdivision 1; 138.081, subdivision 3; 138.665, subdivision 2; 154.001, subdivision 2; 154.003; 154.01; 154.02, subdivisions 1, 4, 5, by adding subdivisions; 154.05; 154.07, subdivision 1; 154.08; 154.09; 154.11, subdivision 1, by adding a subdivision; 155A.20; 155A.23, subdivisions 8, 11, 18, by adding a subdivision; 155A.25, subdivision 1a; 155A.27, subdivisions 1, 5a, 6, 10, by adding a subdivision; 155A.271, subdivision 1; 155A.29, subdivision 1; 155A.30, subdivisions 2, 3, 4, 11; 161.1419, subdivision 2; 201.061, subdivision 3; 201.071, subdivisions 1, 3, 8; 201.091, subdivision 2; 201.12, subdivision 2; 201.13, subdivision 3; 201.1611, subdivision 1; 202A.16, subdivision 1; 203B.01, by adding a subdivision; 203B.02, by adding a subdivision; 203B.07, subdivisions 1, 2, 3; 203B.081, subdivisions 1, 2, 3; 203B.11, subdivision 1; 203B.121, subdivision 3; 203B.16, subdivision 2; 203B.21, subdivisions 1, 3; 203B.23, subdivision 2; 203B.28; 204B.06, subdivision 4a; 204B.09, subdivision 1; 204B.13, by adding a subdivision; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.45, subdivisions 1, 2; 204B.46; 204C.15, subdivision 1; 204C.33, subdivision 3; 204D.19, subdivision 2; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 5; 205A.10, subdivision 5; 205A.12, subdivision 5; 207A.12; 209.021, subdivision 2; 211B.04, subdivisions 2, 3, by adding a subdivision; 211B.11, subdivision 1; 211B.32, subdivision 1; 307.08, as amended; 327C.095, subdivisions 12, 13, 16; 367.03, subdivision 6; 447.32, subdivision 4; 645.44, subdivision 5; Minnesota Statutes 2021 Supplement, sections 10A.01, subdivision 16a; 201.225, subdivision 2; 203B.082, subdivision 2, by adding a subdivision;

203B.121, subdivisions 2, 4; 203B.24, subdivision 1; 204B.09, subdivision 3; 204B.16, subdivision 1; 207A.13, subdivision 2; Laws 2021, First Special Session chapter 12, article 1, section 11, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 16B; 16E; 43A; 118A; 154; 211B; 412; repealing Minnesota Statutes 2020, sections 1.135; 1.141; 12.03, subdivision 5d; 136F.03; 179.90; 179.91; Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; 2100.3200."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Sundin from the Committee on Agriculture Finance and Policy to which was referred:

H. F. No. 4366, A bill for an act relating to agriculture; establishing cooperative grants for farmers; establishing the grain indemnity fund; making policy and technical changes to agricultural provisions; providing criminal penalties; appropriating money; amending Minnesota Statutes 2020, sections 17.041, subdivision 1; 17.117, subdivisions 9, 9a, 10, 11, 11a; 17.118, subdivisions 1, 3, 4; 41B.047, subdivision 3; 223.17, subdivisions 7, 7a; 223.175; 223.19; 232.22, subdivision 5; Minnesota Statutes 2021 Supplement, section 41A.21, subdivisions 2, 6; Laws 2021, First Special Session chapter 3, article 1, section 2; proposing coding for new law in Minnesota Statutes, chapters 17; 103F; 223; repealing Minnesota Statutes 2020, sections 223.17, subdivisions 4, 8; 232.22, subdivisions 4, 6, 6a, 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
APPROPRIATIONS

Section 1. Laws 2021, First Special Session chapter 3, article 1, section 2, is amended to read:

Sec. 2. **DEPARTMENT OF AGRICULTURE**

Subdivision 1. Total Appropriation	\$ 59,303,000	\$ 59,410,000
	<u>63,803,000</u>	<u>107,910,000</u>

Appropriations by Fund

	2022	2023
General	58,904,000	59,011,000
	<u>63,404,000</u>	<u>107,511,000</u>
Remediation	399,000	399,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Protection Services**

	Appropriations by Fund	
	2022	2023
General	19,384,000	19,610,000 <u>43,231,000</u>
Remediation	399,000	<u>399,000</u>

(a) \$399,000 the first year and \$399,000 the second year are from the remediation fund for administrative funding for the voluntary cleanup program.

(b) \$175,000 the first year and \$175,000 the second year are for compensation for destroyed or crippled livestock under Minnesota Statutes, section 3.737. The first year appropriation may be spent to compensate for livestock that were destroyed or crippled during fiscal year 2021. If the amount in the first year is insufficient, the amount in the second year is available in the first year. The commissioner may use up to \$5,000 each year to reimburse expenses incurred by university extension educators to provide fair market values of destroyed or crippled livestock. If the commissioner receives federal dollars to pay claims for destroyed or crippled livestock, an equivalent amount of this appropriation may be used to reimburse nonlethal prevention methods performed by federal wildlife services staff.

(c) \$155,000 the first year and \$155,000 the second year are for compensation for crop damage under Minnesota Statutes, section 3.7371. If the amount in the first year is insufficient, the amount in the second year is available in the first year. The commissioner may use up to \$10,000 of the appropriation each year to reimburse expenses incurred by the commissioner or the commissioner's approved agent to investigate and resolve claims, as well as for costs associated with training for approved agents. The commissioner may use up to \$20,000 of the appropriation each year to make grants to producers for measures to protect stored crops from elk damage.

If the commissioner determines that claims made under Minnesota Statutes, section 3.737 or 3.7371, are unusually high, amounts appropriated for either program may be transferred to the appropriation for the other program.

(d) \$225,000 the first year and \$225,000 the second year are for additional funding for the noxious weed and invasive plant program.

(e) \$2,000,000 the second year is for a transfer to the noxious weed and invasive plant species assistance account established under Minnesota Statutes, section 18.89, for grants to local units of government and Tribal Nations for noxious weed detection,

control, and management. Of this amount, the commissioner must award a onetime grant of \$10,000 to each county to assist county agricultural inspectors in the implementation and enforcement of the Minnesota Noxious Weed Law and to educate county residents regarding agricultural topics, including but not limited to noxious weeds. This is a onetime appropriation.

~~(e)~~ (f) \$50,000 the first year is for additional funding for the industrial hemp program for IT development. This is a onetime appropriation and is available until June 30, 2023.

~~(f)~~ (g) \$110,000 the first year and \$110,000 the second year are for additional meat and poultry inspection services. The commissioner is encouraged to seek inspection waivers, matching federal dollars, and offer more online inspections for the purposes under this paragraph.

~~(g)~~ (h) \$825,000 the first year and \$825,000 the second year are to replace capital equipment in the Department of Agriculture's analytical laboratory.

~~(h)~~ (i) \$274,000 the first year and \$550,000 the second year are to maintain the current level of service delivery.

(j) \$100,000 the second year is to support laboratory testing for the Minnesota meat and poultry inspection program. The base for this appropriation is \$50,000 in fiscal year 2024 and thereafter.

(k) \$6,500,000 the second year is for grants to the Board of Regents of the University of Minnesota to fund the Forever Green Initiative and protect the state's natural resources while increasing the efficiency, profitability, and productivity of Minnesota farmers by incorporating perennial and winter-annual crops into existing agricultural practices. Of this amount, up to \$5,000,000 is for equipment and physical infrastructure to support breeding and agronomic activities necessary to develop perennial and winter-annual crops. This appropriation is available until June 30, 2028. The base for this appropriation is \$1,500,000 in fiscal year 2024 and thereafter.

(l) \$9,000,000 the second year is for grants to organizations in Minnesota to develop enterprises, supply chains, and markets for continuous living cover crops and cropping systems in the early stage of commercial development, Kernza perennial grain, winter camelina, hybrid hazelnuts, and elderberry. A grant award must not exceed \$750,000 per organization. A multiyear project may receive grant dollars for up to three years. In consultation with interested stakeholders, the commissioner must develop a process to award grants. At the time of application, the commissioner must notify applicants of any grant recipient requirements. The commissioner must appoint a technical review panel to review and

rank eligible applicants and give preference to applicants that are well-positioned to expand the profitable commercialization of the crops identified in this paragraph. The technical review panel must include at least one representative from the University of Minnesota's Forever Green Initiative and one representative from the Agricultural Utilization Research Institute. The commissioner must consider the recommendations of the technical review panel when selecting grant recipients. Beginning February 1, 2023, and annually thereafter until February 1, 2029, the commissioner must submit a report on grant utilization to the legislative committees with jurisdiction over agriculture finance and policy. This is a onetime appropriation and is available until June 30, 2028.

(m) \$6,725,000 the second year is for the soil health financial assistance program. This is a onetime appropriation and is available until June 30, 2027.

(n) \$2,000,000 the second year is for transfer to the pollinator research account established under Minnesota Statutes, section 18B.051. This is a onetime appropriation.

(o) \$371,000 the second year is to regulate plastic-coated fertilizer and plastic-coated pesticide. The base for this appropriation is \$358,000 in fiscal year 2024 and thereafter.

(p) \$100,000 is to develop and promote consumer guidance regarding seed treated with neonicotinoid pesticide under Minnesota Statutes, section 21.915. This is a onetime appropriation.

(q) \$425,000 is to analyze, develop, and plan a streamlined food safety regulatory program in Minnesota. This is a onetime appropriation and is available until June 30, 2025.

Subd. 3. Agricultural Marketing and Development

4,200,000

~~4,205,000~~
5,465,000

(a) \$186,000 the first year and \$186,000 the second year are for transfer to the Minnesota grown account and may be used as grants for Minnesota grown promotion under Minnesota Statutes, section 17.102. Grants may be made for one year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2023, for Minnesota grown grants in this paragraph are available until June 30, 2025.

(b) \$50,000 the first year is to expand international marketing opportunities for farmers and value-added processors, including in-market representation in Taiwan. This is a onetime appropriation and is available until June 30, 2023.

(c) \$634,000 the first year and \$634,000 the second year are for continuation of the dairy development and profitability enhancement programs including dairy profitability teams and dairy business planning grants under Minnesota Statutes, section 32D.30.

(d) \$50,000 the first year and \$50,000 the second year are for additional funding for mental health outreach and support to farmers and others in the agricultural community, including a 24-hour hotline, stigma reduction, and educational offerings. These are onetime appropriations.

(e) The commissioner may use funds appropriated in this subdivision for annual cost-share payments to resident farmers or entities that sell, process, or package agricultural products in this state for the costs of organic certification. The commissioner may allocate these funds for assistance to persons transitioning from conventional to organic agriculture.

(f) \$100,000 the first year and \$100,000 the second year are for the farm safety grant and outreach programs under Minnesota Statutes, section 17.1195. Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance does not cancel at the end of the first year and is available in the second year. These are onetime appropriations.

(g) \$54,000 the first year and \$109,000 the second year are to maintain the current level of service delivery.

(h) \$1,250,000 the second year is to create and implement a program to support farmers markets and direct marketing producers. Of this amount, \$1,000,000 is for a grant to the Minnesota Farmers' Market Association for awards to farmers' markets not exceeding \$5,000 per market location for equipment and infrastructure. The Minnesota Farmers' Market Association may use up to 6.5 percent of the grant awarded under this paragraph for administrative expenses. This is a onetime appropriation and is available until June 30, 2024.

(i) \$10,000 the second year is to provide an interim report on the Statewide Cooperative Partnership for Local and Regional Markets, including recommendations for strengthening local and regional food systems. No later than February 1, 2023, the commissioner must submit the report to the legislative committees with jurisdiction over agriculture policy and finance. This is a onetime appropriation.

Subd. 4. Agriculture, Bioenergy, and Bioproduct Advancement

25,343,000

~~25,357,000~~
33,513,000

(a) \$9,300,000 the first year and \$9,300,000 the second year are for transfer to the agriculture research, education, extension, and technology transfer account under Minnesota Statutes, section 41A.14, subdivision 3. Of these amounts: at least \$600,000 the first year and \$600,000 the second year are for the Minnesota Agricultural Experiment Station's agriculture rapid response fund under Minnesota Statutes, section 41A.14, subdivision 1, clause (2); \$2,000,000 the first year and \$2,000,000 the second year are for grants to the Minnesota Agriculture Education Leadership Council to enhance agricultural education with priority given to Farm Business Management challenge grants; \$350,000 the first year and \$350,000 the second year are for potato breeding; and \$450,000 the first year and \$450,000 the second year are for the cultivated wild rice breeding project at the North Central Research and Outreach Center to include a tenure track/research associate plant breeder. The commissioner shall transfer the remaining funds in this appropriation each year to the Board of Regents of the University of Minnesota for purposes of Minnesota Statutes, section 41A.14. Of the amount transferred to the Board of Regents, up to \$1,000,000 each year is for research on avian influenza, salmonella, and other turkey-related diseases. By January 15, 2023, entities receiving grants for potato breeding and wild rice breeding are requested to report to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture and higher education regarding the use of the grant money and to provide an update on the status of research and related accomplishments.

To the extent practicable, money expended under Minnesota Statutes, section 41A.14, subdivision 1, clauses (1) and (2), must supplement and not supplant existing sources and levels of funding. The commissioner may use up to one percent of this appropriation for costs incurred to administer the program.

(b) \$16,028,000 the first year and ~~\$16,028,000~~ \$24,184,000 the second year are for the agricultural growth, research, and innovation program under Minnesota Statutes, section 41A.12. Except as provided below, the commissioner may allocate the appropriation each year among the following areas: facilitating the start-up, modernization, improvement, or expansion of livestock operations including beginning and transitioning livestock operations with preference given to robotic dairy-milking equipment; providing funding not to exceed \$800,000 ~~each~~ the first year to develop and enhance farm-to-school markets for Minnesota farmers by providing more fruits, vegetables, meat, grain, and dairy for Minnesota children in school and child care settings including, at the commissioner's discretion, reimbursing schools for purchases from local farmers; assisting value-added

agricultural businesses to begin or expand, to access new markets, or to diversify, including plant-based foods and aquaponics systems; providing funding not to exceed \$600,000 ~~each~~ the first year for urban youth agricultural education or urban agriculture community development of which \$10,000 ~~each year~~ is for transfer to the emerging farmer account under Minnesota Statutes, section 17.055, subdivision 1a; providing funding not to exceed \$450,000 ~~each~~ the first year for the good food access program under Minnesota Statutes, section 17.1017; facilitating the start-up, modernization, or expansion of other beginning and transitioning farms including by providing loans under Minnesota Statutes, section 41B.056; sustainable agriculture on-farm research and demonstration; development or expansion of food hubs and other alternative community-based food distribution systems; enhancing renewable energy infrastructure and use; crop research; Farm Business Management tuition assistance; and good agricultural practices and good handling practices certification assistance. The commissioner may use up to 6.5 percent of this appropriation for costs incurred to administer the program.

Of the amount appropriated for the agricultural growth, research, and innovation program under Minnesota Statutes, section 41A.12:

(1) \$1,000,000 the first year and \$1,000,000 the second year are for distribution in equal amounts to each of the state's county fairs to preserve and promote Minnesota agriculture;

(2) \$4,500,000 the first year and ~~\$4,500,000~~ \$7,500,000 the second year are for incentive payments and paying claims not otherwise paid under Minnesota Statutes, sections 41A.16, 41A.17, 41A.18, and 41A.20. Notwithstanding Minnesota Statutes, section 16A.28, the first year appropriation is available until June 30, 2023, and the second year appropriation is available until June 30, 2024. If this appropriation exceeds the total amount for which all producers are eligible in a fiscal year, the balance of the appropriation is available for other purposes under this paragraph. The base appropriation under this clause is \$6,500,000 in fiscal year 2024 and thereafter;

(3) \$3,000,000 the first year and \$3,000,000 the second year are for grants that enable retail petroleum dispensers, fuel storage tanks, and other equipment to dispense biofuels to the public in accordance with the biofuel replacement goals established under Minnesota Statutes, section 239.7911. A retail petroleum dispenser selling petroleum for use in spark ignition engines for vehicle model years after 2000 is eligible for grant money under this clause if the retail petroleum dispenser has no more than 10 retail petroleum dispensing sites and each site is located in Minnesota. The grant money must be used to replace or upgrade equipment that does not have the ability to be certified for E25. A grant award must not exceed 65 percent of the cost of the

appropriate technology. A grant award must not exceed \$200,000 per station. The commissioner must cooperate with biofuel stakeholders in the implementation of the grant program. The commissioner, in cooperation with any economic or community development financial institution and any other entity with which it contracts, must submit a report on the biofuels infrastructure financial assistance program by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over agriculture policy and finance. The annual report must include but not be limited to a summary of the following metrics: (i) the number and types of projects financed; (ii) the amount of dollars leveraged or matched per project; (iii) the geographic distribution of financed projects; (iv) any market expansion associated with upgraded infrastructure; (v) the demographics of the areas served; (vi) the costs of the program; and (vii) the number of grants to minority-owned or female-owned businesses;

(4) \$750,000 the first year and ~~\$750,000~~ \$3,750,000 the second year are for grants to facilitate the start-up, modernization, or expansion of meat, poultry, egg, and milk processing facilities. A grant award under this clause must not exceed \$200,000. Any unencumbered balance at the end of the second year does not cancel until June 30, 2024, and may be used for other purposes under this paragraph. The appropriations under this clause are onetime; ~~and~~

(5) \$1,400,000 the first year and \$1,400,000 the second year are for livestock investment grants under Minnesota Statutes, section 17.118. Any unencumbered balance at the end of the second year does not cancel until June 30, 2024, and may be used for other purposes under this paragraph. The appropriations under this clause are onetime;

(6) \$300,000 the second year is for farm business management tuition assistance with priority to specialty crop farmers, urban farmers, and farmers facing mediation, and support for new urban and specialty crop instructor positions, including translation and outreach. Any unencumbered balance at the end of the second year does not cancel and is available until June 30, 2024. The appropriation under this clause is onetime;

(7) \$1,600,000 the second year is to develop and enhance farm-to-school markets for Minnesota farmers by providing more fruits, vegetables, meat, grain, and dairy for Minnesota children in school and child care settings, including reimbursing schools and child care providers for purchases from local farmers;

(8) \$1,000,000 the second year is for urban youth agricultural education or urban agriculture community development. Of this amount, \$10,000 is for transfer to the emerging farmer account under Minnesota Statutes, section 17.055, subdivision 1a; and

(9) \$1,000,000 the second year is for the good food access program under Minnesota Statutes, section 17.1017.

Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance does not cancel at the end of the first year and is available for the second year, and appropriations encumbered under contract on or before June 30, 2023, for agricultural growth, research, and innovation grants are available until June 30, 2026.

The base amount for the agricultural growth, research, and innovation program is ~~\$16,053,000~~ \$18,995,000 in fiscal year 2024 and ~~\$16,053,000~~ \$18,995,000 in fiscal year 2025, and includes funding for incentive payments under Minnesota Statutes, sections 41A.16, 41A.17, 41A.18, and 41A.20.

(c) \$15,000 the first year and \$29,000 the second year are to maintain the current level of service delivery.

Subd. 5. Administration and Financial Assistance

9,977,000	9,839,000
<u>14,477,000</u>	<u>25,302,000</u>

(a) \$474,000 the first year and \$474,000 the second year are for payments to county and district agricultural societies and associations under Minnesota Statutes, section 38.02, subdivision 1. Aid payments to county and district agricultural societies and associations shall be disbursed no later than July 15 of each year. These payments are the amount of aid from the state for an annual fair held in the previous calendar year.

(b) \$387,000 the first year and \$337,000 the second year are for farm advocate services. Of these amounts, \$100,000 the first year and \$50,000 the second year are for a pilot program creating farmland access teams to provide technical assistance to potential beginning farmers. The farmland access teams must assist existing farmers and beginning farmers on transitioning farm ownership and operation. Services provided by teams may include but are not limited to providing mediation assistance, designing contracts, financial planning, tax preparation, estate planning, and housing assistance. Of this amount for farm transitions, up to \$50,000 the first year may be used to upgrade the Minnesota FarmLink web application that connects farmers looking for land with farmers looking to transition their land.

(c) \$47,000 the first year and \$47,000 the second year are for grants to the Northern Crops Institute that may be used to purchase equipment. These are onetime appropriations.

(d) \$238,000 the first year and ~~\$238,000~~ \$260,000 the second year are for ~~transfer to the Board of Trustees of the Minnesota State Colleges and Universities for statewide mental health counseling support to farm families and business operators through the~~

~~Minnesota State Agricultural Centers of Excellence. South Central College and Central Lakes College shall serve as the fiscal agents. a pass-through grant to Region Five Development Commission to provide, in collaboration with Farm Business Management, statewide mental health counseling support to Minnesota farm operators, families, and employees, and individuals who work with Minnesota farmers in a professional capacity. Region Five Development Commission may use up to 6.5 percent of the grant awarded under this paragraph for administration.~~

(e) \$1,700,000 the first year and \$1,700,000 the second year are for grants to Second Harvest Heartland on behalf of Minnesota's six Feeding America food banks for the following:

(1) to purchase milk for distribution to Minnesota's food shelves and other charitable organizations that are eligible to receive food from the food banks. Milk purchased under the grants must be acquired from Minnesota milk processors and based on low-cost bids. The milk must be allocated to each Feeding America food bank serving Minnesota according to the formula used in the distribution of United States Department of Agriculture commodities under The Emergency Food Assistance Program. Second Harvest Heartland may enter into contracts or agreements with food banks for shared funding or reimbursement of the direct purchase of milk. Each food bank that receives funding under this clause may use up to two percent for administrative expenses;

(2) to compensate agricultural producers and processors for costs incurred to harvest and package for transfer surplus fruits, vegetables, and other agricultural commodities that would otherwise go unharvested, be discarded, or sold in a secondary market. Surplus commodities must be distributed statewide to food shelves and other charitable organizations that are eligible to receive food from the food banks. Surplus food acquired under this clause must be from Minnesota producers and processors. Second Harvest Heartland may use up to 15 percent of each grant awarded under this clause for administrative and transportation expenses; and

(3) to purchase and distribute protein products, including but not limited to pork, poultry, beef, dry legumes, cheese, and eggs to Minnesota's food shelves and other charitable organizations that are eligible to receive food from the food banks. Second Harvest Heartland may use up to two percent of each grant awarded under this clause for administrative expenses. Protein products purchased under the grants must be acquired from Minnesota processors and producers.

Of the amount appropriated under this paragraph, at least \$600,000 each year must be allocated under clause (1). Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance the first year does not cancel and is available in the second year.

Second Harvest Heartland must submit quarterly reports to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture finance in the form prescribed by the commissioner. The reports must include but are not limited to information on the expenditure of funds, the amount of milk or other commodities purchased, and the organizations to which this food was distributed.

(f) \$250,000 the first year and \$250,000 the second year are for grants to the Minnesota Agricultural Education and Leadership Council for programs of the council under Minnesota Statutes, chapter 41D.

(g) \$1,437,000 the first year and \$1,437,000 the second year are for transfer to the agricultural and environmental revolving loan account established under Minnesota Statutes, section 17.117, subdivision 5a, for low-interest loans under Minnesota Statutes, section 17.117. The base for appropriations under this paragraph in fiscal year 2024 and thereafter is \$1,425,000. The commissioner must examine how the department could use up to one-third of the amount transferred to the agricultural and environmental revolving loan account under this paragraph to award grants to rural landowners to replace septic systems that inadequately protect groundwater. No later than February 1, 2022, the commissioner must report to the legislative committees with jurisdiction over agriculture finance and environment finance on the results of the examination required under this paragraph. The commissioner's report may include other funding sources for septic system replacement that are available to rural landowners.

(h) \$150,000 the first year and \$150,000 the second year are for grants to the Center for Rural Policy and Development. These are onetime appropriations.

(i) \$150,000 the first year is to provide grants to Central Lakes College for the purposes of designing, building, and offering credentials in the area of meat cutting and butchery that align with industry needs as advised by local industry advisory councils. Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance does not cancel at the end of the first year and is available for the second year. The commissioner may only award a grant under this paragraph if the grant is matched by a like amount from another funding source. The commissioner must seek matching dollars from Minnesota State Colleges and Universities or other entities. The appropriation is onetime and is available until June 30, 2024. Any money remaining on June 30, 2024, must be transferred to the agricultural growth, research, and innovation program under Minnesota Statutes, section 41A.12, and is available until June 30, 2025. Grants may be used for costs including but not limited to:

(1) facility renovation to accommodate meat cutting;

- (2) curriculum design and approval from the Higher Learning Commission;
- (3) program operational start-up costs;
- (4) equipment required for a meat cutting program; and
- (5) meat handling start-up costs in regard to meat access and market channel building.

No later than January 15, 2023, Central Lakes College must submit a report outlining the use of grant money to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over agriculture and higher education.

(j) \$2,000 the first year is for grants to the Minnesota State Poultry Association. This is a onetime appropriation. Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(k) \$17,000 the first year and \$17,000 the second year are for grants to the Minnesota State Horticultural Society. These are onetime appropriations.

(l) \$18,000 the first year and \$18,000 the second year are for grants to the Minnesota Livestock Breeders Association. These are onetime appropriations.

(m) The commissioner shall continue to increase connections with ethnic minority and immigrant farmers to farming opportunities and farming programs throughout the state.

(n) \$25,000 the first year and \$25,000 the second year are for grants to the Southern Minnesota Initiative Foundation to promote local foods through an annual event that raises public awareness of local foods and connects local food producers and processors with potential buyers.

(o) \$75,000 the first year and \$75,000 the second year are for grants to Greater Mankato Growth, Inc., for assistance to agriculture-related businesses to promote jobs, innovation, and synergy development. These are onetime appropriations.

(p) \$75,000 the first year and \$75,000 the second year are for grants to the Minnesota Turf Seed Council for basic and applied research. The Minnesota Turf Seed Council may subcontract with a qualified third party for some or all of the basic or applied research. No later than January 15, 2023, the Minnesota Turf Seed Council must submit a report outlining the use of the grant money and related accomplishments to the chairs and ranking minority

members of the legislative committees with jurisdiction over agriculture. ~~These are onetime appropriations.~~ Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(q) \$150,000 the first year and \$150,000 the second year are to establish an emerging farmer office and hire a full-time emerging farmer outreach coordinator. The emerging farmer outreach coordinator must engage and support emerging farmers regarding resources and opportunities available throughout the Department of Agriculture and the state. For purposes of this paragraph, "emerging farmer" has the meaning provided in Minnesota Statutes, section 17.055, subdivision 1. Of the amount appropriated each year, \$25,000 is for translation services for farmers and cottage food producers.

(r) \$222,000 the first year and \$286,000 the second year are to maintain the current level of service delivery.

(s) \$2,600,000 the second year is for grants to organizations to:

(1) provide technical and culturally appropriate services to emerging farmers and related businesses; and

(2) help emerging farmers pay for up to two years of coverage under the federal micro farm insurance program.

The commissioner may use up to 6.5 percent of this appropriation for administrative costs. This is a onetime appropriation and is available until June 30, 2024.

(t) \$2,000,000 the second year is to support the IT modernization efforts, including laying the technology foundations needed for improving customer interactions with the department for licensing and payments. This is a onetime appropriation and is available until June 30, 2025.

(u) \$4,500,000 the first year is for transfer to the agricultural emergency account established under Minnesota Statutes, section 17.041, for emergency preparedness and response activities. Of this amount, up to \$1,500,000 is for the University of Minnesota Veterinary Diagnostic Laboratory. This is a onetime appropriation.

(v) \$3,000,000 the second year is for grants to Second Harvest Heartland for hunger relief. Of this amount, \$500,000 is for The Good Acre's Local Emergency Assistance Farmer Fund (LEAFF) program. The base for this appropriation is \$1,350,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025, of which \$250,000 each year is for the LEAFF program.

(w) \$500,000 the second year is for transfer to the Board of Trustees of the Minnesota State Colleges and Universities to support livestock processing technical education at Central Lakes College and Ridgewater College. Money may be used for the purposes included in paragraph (i) and for student financial assistance and outreach to prospective students and employers. The commissioner may only transfer money under this paragraph if the transferred amount is matched by a like amount from another funding source. This is a onetime appropriation and is available until June 30, 2024.

(x) \$141,000 the second year is for additional funding to administer the beginning farmer tax credit. The base for this appropriation is \$56,000 in fiscal year 2024 and \$0 in fiscal year 2025.

(y) \$1,500,000 the second year is for a grant to the Ag Innovation Campus to continue construction of a soybean processing and research facility. This is a onetime appropriation.

(z) \$100,000 the second year is to provide technical assistance and leadership in the development of a comprehensive and well-documented state aquaculture plan. The commissioner must provide the state aquaculture plan to the legislative committees with jurisdiction over agriculture finance and policy by February 15, 2024. This is a onetime appropriation and is available until June 30, 2024.

(aa) \$3,000,000 the second year is to award and administer down payment assistance grants under Minnesota Statutes, section 17.133. The base for this appropriation is \$1,000,000 in fiscal year 2024 and thereafter.

(bb) \$1,000,000 the second year is for transfer to the Board of Regents of the University of Minnesota to evaluate, propagate, and maintain the genetic diversity of oilseeds, grains, grasses, legumes, and other plants including flax, timothy, barley, rye, triticale, alfalfa, orchard grass, clover, and other species and varieties that were in commercial distribution and use in Minnesota before 1970, excluding wild rice. This appropriation includes funding for associated extension and outreach to small and BIPOC farmers. This is a onetime appropriation.

(cc) \$100,000 the second year is for grants and other forms of financial assistance to meat and poultry processors with no more than 50 full-time equivalent employees to reimburse costs incurred to attend courses or trainings or receive technical assistance during fiscal year 2023 that support the processors' development of sanitation standard operating procedures, hazard analysis critical control point plans, or business plans. This is a onetime appropriation.

(dd) \$500,000 the second year is for grants to secondary career and technical education programs for the purpose of offering instruction in meat cutting and butchery. This is a onetime appropriation and is available until June 30, 2025. Grant-eligible costs include but are not limited to:

- (1) equipment required for a meat cutting program;
- (2) facility renovation to accommodate meat cutting; and
- (3) training faculty to teach the fundamentals of meat processing.

The commissioner may issue grants of up to \$100,000 under this paragraph, of which up to ten percent may be used for faculty training. The commissioner may prioritize applicants that coordinate with meat cutting and butchery programs at the Minnesota State Colleges and Universities system and local industry partners.

(ee) \$1,000,000 the second year is for a grant or other form of financial assistance to the city of South St. Paul to provide financial assistance to any business engaged in the meat processing industry and currently conducting operations in a building or buildings constructed on or before January 1, 1947, and located east of Concord Street, north of Grand Avenue, and south of Hardman Avenue in South St. Paul. Costs eligible for financial assistance include any one or combination of the following costs incurred by the city of South St. Paul or a qualified business: site acquisition costs or costs associated with the exchange or transfer of real estate; relocation costs; predesign; design; sewer, water, and stormwater infrastructure; site preparation; engineering; and construction costs. This is a onetime appropriation and is available until June 30, 2024.

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

Sec. 2. Laws 2021, First Special Session chapter 3, article 1, section 4, is amended to read:

<p>Sec. 4. AGRICULTURAL UTILIZATION RESEARCH INSTITUTE</p>	<p>\$ 4,543,000 <u>4,743,000</u></p>	<p>\$ 4,043,000 <u>7,243,000</u></p>
---	--	--

(a) \$150,000 the first year and \$150,000 the second year are for a meat scientist.

(b) \$500,000 the first year is for grants to organizations to acquire, host, and operate a mobile slaughter unit. The mobile unit must coordinate with Minnesota state two-year colleges that have meat cutting programs to accommodate training as it relates to animal slaughter. The mobile unit may coordinate with livestock producers who desire to provide value-added meat products by utilizing the mobile slaughter unit. The mobile unit may be used

for research, training outside of the two-year colleges, and other activities that align with industry needs. The Agricultural Utilization Research Institute may only award a grant under this paragraph if the grant amount is matched by a like amount from another funding source. The Agricultural Utilization Research Institute must seek matching dollars from Minnesota State Colleges and Universities or other entities for purposes of this paragraph. The appropriation under this paragraph is onetime and is available until June 30, 2024. Any money remaining on June 30, 2024, must be transferred to the commissioner of agriculture for the agricultural growth, research, and innovation program under Minnesota Statutes, section 41A.12, and is available until June 30, 2025. By January 15, 2023, the institute must report to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture regarding the status of the project, including the status of the use of any state or matching dollars to complete the project.

(c) \$2,000,000 the second year is to acquire property, construct, and equip offices and research laboratories and related infrastructure at the Agricultural Utilization Research Institute's Crookston and Waseca facilities. This is a onetime appropriation.

(d) \$1,000,000 the second year is for equipment upgrades, equipment replacement, installation expenses, and laboratory infrastructure at the Agricultural Utilization Research Institute's laboratories in Crookston, Marshall, and Waseca. This is a onetime appropriation and is available until June 30, 2026.

(e) \$200,000 each year is to maintain the current level of service delivery.

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

ARTICLE 2 STATUTORY CHANGES

Section 1. Minnesota Statutes 2020, section 13.643, is amended by adding a subdivision to read:

Subd. 8. Mental or behavioral health data. (a) The following data collected and maintained by the Department of Agriculture, Minnesota State Colleges and Universities, and any other pass-through recipients about any individual who seeks assistance with a mental or behavioral health issue or who contacts the Minnesota Farm and Rural Helpline are private or nonpublic:

(1) data that identify the individual; and

(2) data provided by the individual identifying another person.

(b) The Department of Agriculture, Minnesota State Colleges and Universities, and any other pass-through recipients may release data collected under this subdivision to appropriate parties in connection with an emergency if knowledge of the data is necessary to protect the health or safety of any person.

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

Sec. 2. Minnesota Statutes 2020, section 17.041, subdivision 1, is amended to read:

Subdivision 1. **Establishment; appropriation.** An agricultural emergency account is established in the agricultural fund. Money in the account, including interest, is appropriated to the commissioner for emergency preparedness and response activities for agricultural emergencies affecting producers of livestock, poultry, crops, or other agricultural products. Eligible uses include agency costs directly attributed to preparing for and responding to agricultural emergencies and purchasing necessary equipment and reimbursing costs incurred by local units of government that are not eligible for reimbursement from other sources.

Sec. 3. **[17.1016] COOPERATIVE GRANTS.**

Subdivision 1. **Definitions.** For purposes of this section:

(1) "agricultural commodity" and "agricultural product processing facility" have the meanings given in section 17.101, subdivision 5; and

(2) "agricultural service" means an action made under the direction of a farmer that provides value to another entity. Agricultural service includes grazing to manage vegetation.

Subd. 2. **Grant program.** (a) The commissioner may establish and implement a grant program to help farmers finance new cooperatives that organize for purposes of operating an agricultural product processing facility or marketing an agricultural product or agricultural service.

(b) To be eligible for this program, a grantee must:

(1) be a cooperative organized under chapter 308A;

(2) certify that all control and equity in the cooperative is from farmers, family farm partnerships, family farm limited liability companies, or family farm corporations as defined in section 500.24, subdivision 2, who are actively engaged in agricultural commodity production;

(3) be operated primarily to process agricultural commodities or market agricultural products or services produced in Minnesota; and

(4) receive agricultural commodities produced primarily by shareholders or members of the cooperative.

(c) The commissioner may receive applications and make grants up to \$50,000 to eligible grantees for feasibility, marketing analysis, assistance with organizational development, financing and managing new cooperatives, product development, development of business and marketing plans, and predesign of facilities including site analysis, development of bid specifications, preliminary blueprints and schematics, and completion of purchase agreements and other necessary legal documents.

Sec. 4. Minnesota Statutes 2020, section 17.117, subdivision 9, is amended to read:

Subd. 9. **Allocation rescission.** (a) Continued availability of allocations granted to a local government unit is contingent upon the commissioner's approval of the local government unit's annual report. The commissioner shall review this annual report to ensure that the past and future uses of the funds are consistent with the comprehensive water management plan, other local planning documents, the requirements of the funding source, and compliance to program requirements. If the commissioner concludes the past or intended uses of the money are not consistent with these requirements, the commissioner shall rescind all or part of the allocation awarded to a local government unit.

(b) The commissioner may rescind funds allocated to the local government unit that are not designated to committed projects or disbursed within one year from the date of the allocation agreement.

~~(c) An additional year to use the undisbursed portion of an allocation may be granted by the commissioner under extenuating circumstances.~~ The commissioner may rescind uncommitted allocations.

Sec. 5. Minnesota Statutes 2020, section 17.117, subdivision 9a, is amended to read:

Subd. 9a. **Authority and responsibilities of local government units.** (a) A local government unit that enters into an allocation agreement with the commissioner:

(1) is responsible for the local administration and implementation of the program in accordance with this section;

(2) may submit applications for allocations to the commissioner;

(3) shall identify, develop, determine eligibility, define and approve projects, designate maximum loan amounts for projects, and certify completion of projects implemented under this program. In areas where no local government unit has applied for funds under this program, the commissioner may appoint a local government unit to review and certify projects or the commissioner may assume the authority and responsibility of the local government unit;

(4) shall certify as eligible only projects that are within its geographic jurisdiction or within the geographic area identified in its local comprehensive water management plans or other local planning documents;

(5) may require withholding by the local lender of all or a portion of the loan to the borrower until satisfactory completion of all required components of a certified project;

~~(6) must identify which account is used to finance an approved project if the local government unit has allocations from multiple accounts in the agricultural and environmental revolving accounts;~~

~~(7)~~ (6) shall report to the commissioner annually the past and intended uses of allocations awarded; and

~~(8)~~ (7) may request additional funds in excess of their allocation when funds are available in the agricultural and environmental revolving accounts, as long as all other allocation awards to the local government unit have been used or committed.

(b) If a local government unit withdraws from participation in this program, the local government unit, or the commissioner in accordance with the priorities established under subdivision 6a, may designate another local government unit that is eligible under subdivision 6 as the new local government unit responsible for local administration of this program. This designated local government unit may accept responsibility and administration of allocations awarded to the former responsible local government unit.

Sec. 6. Minnesota Statutes 2020, section 17.117, subdivision 10, is amended to read:

Subd. 10. **Authority and responsibilities of local lenders.** (a) Local lenders may enter into lender agreements with the commissioner.

(b) Local lenders may enter into loan agreements with borrowers to finance eligible projects under this section.

~~(c) The local lender shall notify the local government unit of the loan amount issued to the borrower after the closing of each loan.~~

~~(d)~~ (c) Local lenders with local revolving loan accounts created before July 1, 2001, may continue to retain and use those accounts in accordance with their lending agreements for the full term of those agreements.

~~(e)~~ (d) Local lenders, including local government units designating themselves as the local lender, may enter into participation agreements with other lenders.

~~(f)~~ (e) Local lenders may enter into contracts with other lenders for the limited purposes of loan review, processing and servicing, or to enter into loan agreements with borrowers to finance projects under this section. Other lenders entering into contracts with local lenders under this section must meet the definition of local lender in subdivision 4, must comply with all provisions of the lender agreement and this section, and must guarantee repayment of the loan funds to the local lender.

~~(g)~~ (f) When required by the local government unit, a local lender must withhold all or a portion of the loan disbursement for a project until notified by the local government unit that the project has been satisfactorily completed.

~~(h)~~ (g) The local lender is responsible for repaying all funds provided by the commissioner to the local lender.

~~(i)~~ (h) The local lender is responsible for collecting repayments from borrowers. If a borrower defaults on a loan issued by the local lender, it is the responsibility of the local lender to obtain repayment from the borrower. Default on the part of borrowers shall have no effect on the local lender's responsibility to repay its obligations to the commissioner whether or not the local lender fully recovers defaulted amounts from borrowers.

~~(j)~~ (i) The local lender shall provide sufficient collateral or protection to the commissioner for the funds provided to the local lender. The commissioner must approve the collateral or protection provided.

Sec. 7. Minnesota Statutes 2020, section 17.117, subdivision 11, is amended to read:

Subd. 11. **Loans issued to borrower.** (a) Local lenders may issue loans only for projects that are approved and certified by the local government unit as meeting priority needs identified in a comprehensive water management plan or other local planning documents, are in compliance with accepted practices, standards, specifications, or criteria, and are eligible for financing under Environmental Protection Agency or other applicable guidelines.

(b) The local lender may use any additional criteria considered necessary to determine the eligibility of borrowers for loans.

(c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

~~(1) no loan to a borrower may exceed \$200,000; and~~

~~(2) no borrower shall, at any time, have multiple loans from this program with a total outstanding loan balance of more than \$200,000.~~

(d) The maximum term length for projects in this paragraph is ten years.

(e) Fees charged at the time of closing must:

(1) be in compliance with normal and customary practices of the local lender;

(2) be in accordance with published fee schedules issued by the local lender;

- (3) not be based on participation program; and
- (4) be consistent with fees charged other similar types of loans offered by the local lender.
- (f) The interest rate assessed to an outstanding loan balance by the local lender must not exceed three percent per year.

Sec. 8. Minnesota Statutes 2020, section 17.117, subdivision 11a, is amended to read:

Subd. 11a. **Eligible projects.** (a) All projects that remediate or mitigate adverse environmental impacts are eligible if the project is eligible under an allocation agreement.

(b) A manure management project is eligible if the project remediates or mitigates impacts from facilities with less than 1,000 animal units as defined in Minnesota Rules, chapter 7020, and otherwise meets the requirements of this section.

(c) A drinking water project is eligible if the project:

(1) remediates ~~the or mitigates the inadequate flow,~~ adverse environmental impacts or presence of contaminants in ~~private well~~ privately owned water supplies that are used for drinking water by people or livestock, privately owned water service lines, or privately owned plumbing and fixtures;

(2) implements best management practices that are intended to achieve drinking water standards or adequate flow; and

(3) otherwise meets the requirements of this section.

Sec. 9. Minnesota Statutes 2020, section 17.118, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The commissioner may award a livestock investment grant to a person who raises livestock in this state equal to ten percent of the first ~~\$500,000~~ \$250,000 of qualifying expenditures, provided the person makes qualifying expenditures of at least \$4,000. The commissioner may award multiple livestock investment grants to a person over the life of the program ~~as long as the cumulative amount does not exceed \$50,000.~~

Sec. 10. Minnesota Statutes 2020, section 17.118, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** ~~(a)~~ To be eligible for a livestock investment grant, a person must:

(1) be a resident of Minnesota or an entity specifically defined in section 500.24, subdivision 2, that is eligible to own farmland and operate a farm in this state under section 500.24;

(2) be the principal operator of the farm;

(3) hold a feedlot registration, if required; and

(4) apply to the commissioner on forms prescribed by the commissioner including a statement of the qualifying expenditures made during the qualifying period along with any proof or other documentation the commissioner may require.

~~(b) The \$50,000 maximum grant applies at the entity level for partnerships, S corporations, C corporations, trusts, and estates as well as at the individual level. In the case of married individuals, the grant is limited to \$50,000 for a married couple.~~

Sec. 11. Minnesota Statutes 2020, section 17.118, subdivision 4, is amended to read:

Subd. 4. **Process.** The commissioner, in consultation with the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over agriculture finance, shall develop competitive eligibility criteria and may allocate grants on a needs basis. ~~The commissioner shall place any eligible unfunded applications on a waiting list and, notwithstanding subdivision 2, paragraph (d), give them consideration during the next fiscal year in which program funding is available.~~ The commissioner shall notify in writing any applicant who applies for a grant and is ineligible under the provisions of this section as well as any applicant whose application is received or reviewed after the fiscal year funding limit has been reached.

Sec. 12. **[17.133] FARM DOWN PAYMENT ASSISTANCE GRANTS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Eligible farmer" means an individual who at the time that the grant is awarded:

(1) is a resident of Minnesota who intends to acquire farmland located within the state and provide the majority of the day-to-day physical labor and management of the farm;

(2) grosses no more than \$250,000 per year from the sale of farm products; and

(3) has not, and whose spouse has not, at any time had a direct or indirect ownership interest in farmland.

(c) "Farm down payment" means an initial, partial payment required by a lender or seller to purchase farmland.

Subd. 2. **Grants.** The commissioner must award farm down payment assistance grants of up to \$15,000 per eligible farmer. An eligible farmer must match the grant with at least an equivalent amount of other funding. An eligible farmer must commit to own and farm the land purchased with assistance provided under this section for at least five years. For each year that a grant recipient does not own and farm the land during the five-year period, the grant recipient must pay a penalty to the commissioner equal to 20 percent of the grant amount.

Sec. 13. **[17.994] SOIL HEALTH FINANCIAL ASSISTANCE PROGRAM.**

Subdivision 1. **Establishment.** The soil health financial assistance program is established to promote soil health practices that mitigate climate change impacts, improve water quality, and provide related public benefits.

Subd. 2. **Financial assistance.** (a) The commissioner may provide financial assistance to local governments, private sector providers, or farmers to cover the costs of specialized equipment and technology necessary to implement and sustain soil health practices, including equipment technology purchases or subscriptions, services to landowners, and other equipment purchases or financial assistance that the commissioner considers appropriate to promote healthy soil.

(b) The commissioner must establish costs eligible for financial assistance under this section.

(c) The commissioner must prioritize or weigh program implementation elements based on considerations including:

(1) support for soil health principles;

(2) supporting participants or participation in the Minnesota agricultural water quality certification program established under Minnesota Statutes, sections 17.9891 to 17.993;

(3) reducing or avoiding greenhouse gas emissions; and

(4) other beneficial public or private programs or initiatives to achieve program results.

Sec. 14. Minnesota Statutes 2020, section 18B.01, is amended by adding a subdivision to read:

Subd. 20b. **Plastic.** "Plastic" means an organic or petroleum derivative synthetic or a semisynthetic organic solid that is moldable, and to which additives or other substances may have been added. Plastic does not mean natural polymers that have not been chemically modified.

Sec. 15. Minnesota Statutes 2020, section 18B.01, is amended by adding a subdivision to read:

Subd. 20c. **Plastic-coated pesticide.** "Plastic-coated pesticide" means a pesticide coated with or microencapsulated by plastic.

Sec. 16. Minnesota Statutes 2020, section 18B.051, is amended to read:

18B.051 POLLINATOR HABITAT AND RESEARCH ACCOUNT.

Subdivision 1. **Account established.** A pollinator ~~habitat and~~ research account is established in the agricultural fund. Money in the account, including interest, is appropriated to the Board of Regents of the University of Minnesota for pollinator research and outreach including, but not limited to:

(1) pesticide, parasite, and climate disruption impacts;

(2) science-based best practices; and

(3) the identification and establishment of habitat beneficial to pollinators.

Subd. 2. **Expiration.** This section expires July 1, ~~2022~~ 2025.

Sec. 17. Minnesota Statutes 2020, section 18B.07, is amended by adding a subdivision to read:

Subd. 9. **Plastic-coated pesticide prohibited.** A person may not sell, offer for sale, use, or apply a plastic-coated pesticide.

EFFECTIVE DATE. This section is effective January 1, 2025, for nonagricultural pesticide, and January 1, 2026, for agricultural pesticide.

Sec. 18. Minnesota Statutes 2020, section 18C.005, is amended by adding a subdivision to read:

Subd. 26a. **Plastic.** "Plastic" has the meaning given in section 18B.01, subdivision 20b.

Sec. 19. Minnesota Statutes 2020, section 18C.005, is amended by adding a subdivision to read:

Subd. 26b. **Plastic-coated fertilizer.** "Plastic-coated fertilizer" means a fertilizer coated with or microencapsulated by plastic.

Sec. 20. Minnesota Statutes 2020, section 18C.201, is amended by adding a subdivision to read:

Subd. 8. **Plastic-coated fertilizer prohibited.** A person may not sell, offer for sale, use, or apply a plastic-coated fertilizer.

EFFECTIVE DATE. This section is effective January 1, 2025, for nonagricultural fertilizer, and January 1, 2026, for agricultural fertilizer.

Sec. 21. Minnesota Statutes 2020, section 21.81, is amended by adding a subdivision to read:

Subd. 5a. **Coated agricultural seed.** "Coated agricultural seed" means any seed unit covered with a coating material.

Sec. 22. Minnesota Statutes 2020, section 21.86, subdivision 2, is amended to read:

Subd. 2. **Miscellaneous violations.** No person may:

(a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or alter or falsify any seed tests, laboratory reports, records, or other documents to create a misleading impression as to kind, variety, history, quality, or origin of the seed;

(b) hinder or obstruct in any way any authorized person in the performance of duties under sections 21.80 to 21.92;

(c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of any lot of seed held under a stop sale order or attached tags, except with express permission of the enforcing officer for the purpose specified;

(d) use the word "type" in any labeling in connection with the name of any agricultural seed variety;

(e) use the word "trace" as a substitute for any statement which is required;

(f) plant any agricultural seed which the person knows contains weed seeds or noxious weed seeds in excess of the limits for that seed; ~~or~~

(g) advertise or sell seed containing patented, protected, or proprietary varieties used without permission of the patent or certificate holder of the intellectual property associated with the variety of seed; ~~or~~

(h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid pesticide.

Sec. 23. **[21.915] PESTICIDE TREATED SEED USE AND DISPOSAL; CONSUMER GUIDANCE REQUIRED.**

(a) The commissioner, in consultation with the commissioner of the Pollution Control Agency, must develop and maintain consumer guidance regarding the proper use and disposal of seed treated with neonicotinoid pesticide.

(b) A person selling seed treated with neonicotinoid pesticide at retail must post in a conspicuous location the guidance developed by the commissioner under paragraph (a).

Sec. 24. Minnesota Statutes 2020, section 28A.08, is amended by adding a subdivision to read:

Subd. 4. **Food handler license account; appropriation.** A food handler license account is established in the agricultural fund. The commissioner must deposit fees and penalties paid under subdivision 3 in this account. Money in the account, including interest, is appropriated to the commissioner for expenses relating to licensing and inspecting food handlers under chapters 28 to 34A or rules adopted under one of those chapters.

Sec. 25. Minnesota Statutes 2020, section 28A.09, is amended by adding a subdivision to read:

Subd. 3. **Vending machine inspection account; appropriation.** A vending machine inspection account is established in the agricultural fund. The commissioner must deposit fees paid under subdivision 1 in this account. Money in the account, including interest, is appropriated to the commissioner for expenses relating to identifying and inspecting food vending machines under chapters 28 to 34A or rules adopted under one of those chapters.

Sec. 26. Minnesota Statutes 2020, section 28A.10, is amended to read:

28A.10 POSTING OF LICENSE; RULES.

All such licenses shall be issued for a period of one year and shall be posted or displayed in a conspicuous place at the place of business so licensed. Except as provided in sections 28A.08, subdivision 4; 28A.09, subdivision 3; 29.22, subdivision 4; and 31.39, all such license fees and penalties collected by the commissioner shall be deposited into the state treasury and credited to the general fund. The commissioner may adopt such rules in conformity with law as the commissioner deems necessary to effectively and efficiently carry out the provisions of sections 28A.01 to 28A.16.

Sec. 27. Minnesota Statutes 2020, section 28A.21, subdivision 2, is amended to read:

Subd. 2. **Membership.** (a) The Food Safety and Defense Task Force consists of:

- (1) the commissioner of agriculture or the commissioner's designee;
- (2) the commissioner of health or the commissioner's designee;
- (3) a representative of the United States Food and Drug Administration;
- (4) a representative of the United States Department of Agriculture;
- (5) a representative of the Agricultural Utilization Research Institute;
- (6) one member of the Minnesota Grocers Association;
- (7) one member from the University of Minnesota knowledgeable in food and food safety issues; and
- (8) ~~nine~~ ten members appointed by the governor who are interested in food and food safety, of whom:
 - (i) two persons are health or food professionals;
 - (ii) one person represents a statewide general farm organization;
 - (iii) one person represents a local food inspection agency;

(iv) one person represents a food-oriented consumer group; ~~and~~

(v) one person represents a Minnesota-based manufacturer of microbial detection equipment and remediation products; and

(vi) one person is knowledgeable in cybersecurity.

(b) Members shall serve without compensation. Members appointed by the governor shall serve four-year terms.

Sec. 28. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in Minnesota unless the person is registered with the Board of Animal Health and meets all the requirements for farmed Cervidae under this section. Cervidae possessed in violation of this subdivision may be seized and destroyed by the commissioner of natural resources.

(b) A person whose registration is revoked by the board is ineligible for future registration under this section unless the board determines that the person has undertaken measures that make future escapes extremely unlikely.

(c) The board must not approve a new registration under this subdivision for farmed white-tailed deer. This paragraph does not prohibit a person holding a valid registration to possess farmed white-tailed deer from selling or transferring the person's registration to a family member who resides in this state and is related to the person within the third degree of kindred according to the rules of civil law. A registration to possess farmed white-tailed deer may be sold or transferred only once under this paragraph. Before the board approves a sale or transfer under this paragraph, the board must verify that the farmed white-tailed deer herd is free from chronic wasting disease and the person or eligible family member must pay a onetime transfer fee of \$500 to the board.

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

Sec. 29. Minnesota Statutes 2020, section 41A.16, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must source from Minnesota at least 80 percent of the biomass used to produce an advanced biofuel, except that, if a facility is sited 50 miles or less from the state border, biomass used to produce an advanced biofuel may be sourced from outside of Minnesota, but only if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility or from within Minnesota. The facility must be located in Minnesota, must begin production at a specific location by ~~June 30, 2025~~ December 31, 2022, and must not begin operating above 23,750 MMBtu of quarterly advanced biofuel production before July 1, 2015. Eligible facilities include existing companies and facilities that are adding advanced biofuel production capacity, or retrofitting existing capacity, as well as new companies and facilities. Production of conventional corn ethanol and conventional biodiesel is not eligible. Eligible advanced biofuel facilities must produce at least 1,500 MMBtu of advanced biofuel quarterly.

(b) No payments shall be made for advanced biofuel production that occurs after June 30, 2035, for those eligible biofuel producers under paragraph (a), provided that an eligible producer may continue to receive payments equal to the difference between the claims for payment filed under subdivision 6 and the pro rata amount received as of June 30, 2035, until the full amounts of the original claims are paid.

(c) An eligible producer of advanced biofuel shall not transfer the producer's eligibility for payments under this section to an advanced biofuel facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Renewable chemical production for which payment has been received under section 41A.17, and biomass thermal production for which payment has been received under section 41A.18, are not eligible for payment under this section.

(f) Biobutanol is eligible under this section.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2020, and applies to claims filed after January 1, 2020.

Sec. 30. Minnesota Statutes 2020, section 41A.16, subdivision 2, is amended to read:

Subd. 2. **Payment amounts; limits.** (a) The commissioner shall make payments to eligible producers of advanced biofuel. The amount of the payment for each eligible producer's annual production is \$2.1053 per MMBtu for advanced biofuel production from cellulosic biomass, and \$1.053 per MMBtu for advanced biofuel production from sugar, starch, oil, or animal fat at a specific location for ten years after the start of production.

(b) Total payments under this section to an eligible biofuel producer in a fiscal year may not exceed the amount necessary for 2,850,000 MMBtu of biofuel production. Total payments under this section to all eligible biofuel producers in a fiscal year may not exceed the amount necessary for 17,100,000 MMBtu of biofuel production. If the total amount for which all producers are eligible in a quarter exceeds the amount available for payments, the commissioner shall make the payments on a pro rata basis. An eligible producer may reapply for payment of the difference between the claim for payment filed under subdivision 6 and the pro rata amount received:

(1) until the full amount of the original claim is paid; and

(2) subject to available money appropriated for the express purpose of paying claims not otherwise paid.

(c) For purposes of this section, an entity that holds a controlling interest in more than one advanced biofuel facility is considered a single eligible producer.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2020, and applies to claims filed after January 1, 2020.

Sec. 31. Minnesota Statutes 2020, section 41A.17, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must source from Minnesota at least 80 percent of the biomass used to produce a renewable chemical, except that, if a facility is sited 50 miles or less from the state border, biomass used to produce a renewable chemical may be sourced from outside of Minnesota, but only if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility or from within Minnesota. The facility must be located in Minnesota, must begin production at a specific location by ~~June 30, 2025~~ December 31, 2022, and must not begin production of 250,000 pounds of chemicals quarterly before January 1, 2015. Eligible facilities include existing companies and facilities that are adding production capacity, or retrofitting existing capacity, as well as new companies and facilities. Eligible renewable chemical facilities must produce at least 250,000 pounds of renewable chemicals quarterly. Renewable chemicals produced through processes that are fully commercial before January 1, 2000, are not eligible.

(b) No payments shall be made for renewable chemical production that occurs after June 30, 2035, for those eligible renewable chemical producers under paragraph (a), provided that an eligible producer may continue to receive payments equal to the difference between the claims for payment filed under subdivision 5 and the pro rata amount received as of June 30, 2035, until the full amounts of the original claims are paid.

(c) An eligible producer of renewable chemicals shall not transfer the producer's eligibility for payments under this section to a renewable chemical facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Advanced biofuel production for which payment has been received under section 41A.16, and biomass thermal production for which payment has been received under section 41A.18, are not eligible for payment under this section.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2020, and applies to claims filed after January 1, 2020.

Sec. 32. Minnesota Statutes 2020, section 41A.17, subdivision 2, is amended to read:

Subd. 2. **Payment amounts; bonus; limits.** (a) The commissioner shall make payments to eligible producers of renewable chemicals located in the state. The amount of the payment for each producer's annual production is \$0.03 per pound of sugar-derived renewable chemical, \$0.03 per pound of cellulosic sugar, starch, oil, or animal fat, and \$0.06 per pound of cellulosic-derived renewable chemical produced at a specific location for ten years after the start of production.

(b) An eligible facility producing renewable chemicals using agricultural cellulosic biomass is eligible for a 20 percent bonus payment for each pound produced from agricultural biomass that is derived from perennial crop or cover crop biomass.

(c) Total payments under this section to an eligible renewable chemical producer in a fiscal year may not exceed the amount necessary for 99,999,999 pounds of renewable chemical production. Total payments under this section to all eligible renewable chemical producers in a fiscal year may not exceed the amount necessary for 599,999,999 pounds of renewable chemical production. If the total amount for which all producers are eligible in a quarter exceeds the amount available for payments, the commissioner shall make the payments on a pro rata basis. An eligible producer may reapply for payment of the difference between the claim for payment filed under subdivision 5 and the pro rata amount received:

(1) until the full amount of the original claim is paid; and

(2) subject to available money appropriated for the express purpose of paying claims not otherwise paid.

(d) An eligible facility may blend renewable chemicals with other chemicals that are not renewable chemicals, but only the percentage attributable to renewable chemicals in the blended product is eligible to receive payment.

(e) For purposes of this section, an entity that holds a controlling interest in more than one renewable chemical production facility is considered a single eligible producer.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2020, and applies to claims filed after January 1, 2020.

Sec. 33. Minnesota Statutes 2020, section 41A.18, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must source from Minnesota at least 80 percent of the biomass used for biomass thermal production, except that, if a facility is sited 50 miles or less from the state border, biomass used for biomass thermal production may be sourced from outside of Minnesota, but

only if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility, or from within Minnesota. Biomass must be from agricultural or forestry sources. The facility must be located in Minnesota, must have begun production at a specific location by ~~June 30, 2025~~ December 31, 2022, and must not begin before July 1, 2015. Eligible facilities include existing companies and facilities that are adding production capacity, or retrofitting existing capacity, as well as new companies and facilities. Eligible biomass thermal production facilities must produce at least 250 MMBtu of biomass thermal quarterly.

(b) No payments shall be made for biomass thermal production that occurs after June 30, 2035, for those eligible biomass thermal producers under paragraph (a), provided that an eligible producer may continue to receive payments equal to the difference between the claims for payment filed under subdivision 5 and the pro rata amount received as of June 30, 2035, until the full amounts of the original claims are paid.

(c) An eligible producer of biomass thermal production shall not transfer the producer's eligibility for payments under this section to a biomass thermal production facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Biofuel production for which payment has been received under section 41A.16, and renewable chemical production for which payment has been received under section 41A.17, are not eligible for payment under this section.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2020, and applies to claims filed after January 1, 2020.

Sec. 34. Minnesota Statutes 2020, section 41A.18, subdivision 2, is amended to read:

Subd. 2. **Payment amounts; bonus; limits; blending.** (a) The commissioner shall make payments to eligible producers of biomass thermal located in the state. The amount of the payment for each producer's annual production is \$5.00 per MMBtu of biomass thermal production produced at a specific location for ten years after the start of production.

(b) An eligible facility producing biomass thermal using agricultural cellulosic biomass is eligible for a 20 percent bonus payment for each MMBtu produced from agricultural biomass that is derived from perennial crop or cover crop biomass.

(c) Total payments under this section to an eligible thermal producer in a fiscal year may not exceed the amount necessary for 30,000 MMBtu of thermal production. Total payments under this section to all eligible thermal producers in a fiscal year may not exceed the amount necessary for 150,000 MMBtu of total thermal production. If the total amount for which all producers are eligible in a quarter exceeds the amount available for payments, the commissioner shall make the payments on a pro rata basis. An eligible producer may reapply for payment of the difference between the claim for payment filed under subdivision 5 and the pro rata amount received:

(1) until the full amount of the original claim is paid; and

(2) subject to available money appropriated for the express purpose of paying claims not otherwise paid.

(d) An eligible facility may blend a cellulosic feedstock with other fuels in the biomass thermal production facility, but only the percentage attributable to biomass meeting the cellulosic forestry biomass requirements or agricultural cellulosic biomass sourcing plan is eligible to receive payment.

(e) When a facility is eligible due to adding production capacity or retrofitting existing capacity, the entire amount of biomass meeting the cellulosic forestry biomass requirements or agricultural cellulosic biomass sourcing plan is assumed to have been used for the biomass thermal production from the added or retrofitted production capacity.

(f) For purposes of this section, an entity that holds a controlling interest in more than one biomass thermal production facility is considered a single eligible producer.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2020, and applies to claims filed after January 1, 2020.

Sec. 35. Minnesota Statutes 2021 Supplement, section 41A.19, is amended to read:

41A.19 REPORT; INCENTIVE PROGRAMS.

By January 15 each year, the commissioner shall report on the incentive programs under sections 41A.16, 41A.17, 41A.18, 41A.20, and 41A.21 to the legislative committees with jurisdiction over environment policy and finance and agriculture policy and finance. The report shall include information on production and incentive expenditures under the programs, as well as the following information that the commissioner must require of each producer who receives a payment during the reporting period:

(1) the producer's business structure;

(2) the name and address of the producer's parent company, if any;

(3) a cumulative list of all financial assistance received from all grantors for the project;

(4) goals for the number of jobs created and progress in achieving these goals, which may include separate goals for the number of part-time or full-time jobs, or, in cases where job loss is specific and demonstrable, goals for the number of jobs retained;

(5) equity hiring goals and progress in achieving these goals;

(6) wage goals and progress in achieving these goals for all jobs created or maintained by the producer;

(7) board member and executive compensation;

(8) evidence of compliance with environmental permits;

(9) the producer's intended and actual use of payments received from the commissioner; and

(10) if applicable, the latest financial audit opinion statement produced by a certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants.

Sec. 36. Minnesota Statutes 2021 Supplement, section 41A.21, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** (a) A facility eligible for payment under this section must source at least 80 percent of its forest resources raw materials from Minnesota. The facility must be located in Minnesota; must begin construction activities by December 31, 2022, for a specific location; must ~~begin production~~ have produced at least one OSB square foot on a 3/8-inch nominal basis at a specific location by June 30, 2025; and must not begin operating before January 1, 2022. Eligible facilities must be new OSB construction sites with total capital investment in excess of

\$250,000,000. Eligible OSB production facilities must produce at least ~~200,000,000~~ 50,000,000 OSB square feet on a 3/8-inch nominal basis of OSB each ~~year~~ quarter. At least one product produced at the facility should be a wood-based wall or roof structural sheathing panel that has an integrated, cellulose-based paper overlay that serves as a water resistive barrier.

(b) No payments shall be made for OSB production that occurs after June 30, 2036, for those eligible producers under paragraph (a).

(c) An eligible producer of OSB shall not transfer the producer's eligibility for payments under this section to a facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

Sec. 37. Minnesota Statutes 2021 Supplement, section 41A.21, subdivision 6, is amended to read:

Subd. 6. **Appropriation.** (a) In fiscal year 2025, a sum sufficient to make the payments required by this section, not to exceed \$1,500,000, is appropriated from the general fund to the commissioner. This is a onetime appropriation.

(b) From fiscal year 2026 through fiscal year 2034, a sum sufficient to make the payments required by this section, not to exceed \$3,000,000 in a fiscal year, is annually appropriated from the general fund to the commissioner.

(c) The commissioner may use up to 6.5 percent of this appropriation for costs incurred to administer the program.

Sec. 38. Minnesota Statutes 2020, section 41B.047, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** To be eligible for this program, a borrower must:

(1) meet the requirements of section 41B.03, subdivision 1;

(2) certify that the damage or loss was (i) sustained within a county that was the subject of a state or federal disaster declaration; (ii) due to the confirmed presence of a highly contagious animal disease in Minnesota; (iii) due to an infectious human disease for which the governor has declared a peacetime emergency; or (iv) due to an emergency as determined by the authority;

(3) demonstrate an ability to repay the loan; and

(4) have received at least ~~50~~ 20 percent of ~~average~~ annual gross income from farming ~~for in~~ the past ~~three years~~ year.

Sec. 39. Minnesota Statutes 2020, section 223.17, subdivision 4, is amended to read:

Subd. 4. **Bond.** (a) Except as provided in paragraphs (c) to (e), before a grain buyer's license is issued, the applicant for the license must file with the commissioner a bond in a penal sum prescribed by the commissioner but not less than the following amounts:

(1) \$10,000 for grain buyers whose gross annual purchases are \$100,000 or less;

- (2) \$20,000 for grain buyers whose gross annual purchases are more than \$100,000 but not more than \$750,000;
 - (3) \$30,000 for grain buyers whose gross annual purchases are more than \$750,000 but not more than \$1,500,000;
 - (4) \$40,000 for grain buyers whose gross annual purchases are more than \$1,500,000 but not more than \$3,000,000;
 - (5) \$50,000 for grain buyers whose gross annual purchases are more than \$3,000,000 but not more than \$6,000,000;
 - (6) \$70,000 for grain buyers whose gross annual purchases are more than \$6,000,000 but not more than \$12,000,000;
 - (7) \$125,000 for grain buyers whose gross annual purchases are more than \$12,000,000 but not more than \$24,000,000; and
 - (8) \$150,000 for grain buyers whose gross annual purchases exceed \$24,000,000.
- (b) The amount of the bond shall be based on the most recent gross annual grain purchase report of the grain buyer.
- (c) A first-time applicant for a grain buyer's license shall file a \$50,000 bond with the commissioner. This bond shall remain in effect for the first year of the license. Thereafter, the licensee shall comply with the applicable bonding requirements contained in paragraph (a), clauses (1) to (8).
- (d) In lieu of the bond required by this subdivision the applicant may deposit with the commissioner of management and budget an irrevocable bank letter of credit as defined in section 336.5-102, in the same amount as would be required for a bond.
- (e) A grain buyer who purchases grain immediately upon delivery solely with cash; a certified check; a cashier's check; or a postal, bank, or express money order is exempt from this subdivision if the grain buyer's gross annual purchases are ~~\$100,000~~ \$250,000 or less.
- (f) Bonds must be continuous until canceled. To cancel a bond, a surety must provide 90 days' written notice of the bond's termination date to the licensee and the commissioner.

Sec. 40. Minnesota Statutes 2020, section 223.17, subdivision 6, is amended to read:

Subd. 6. **Financial statements.** (a) Except as allowed in paragraph (c), a grain buyer licensed under this chapter must annually submit to the commissioner a financial statement prepared in accordance with generally accepted accounting principles. The annual financial statement required under this subdivision must also:

- (1) include, but not be limited to the following:
 - (i) a balance sheet;
 - (ii) a statement of income (profit and loss);
 - (iii) a statement of retained earnings;

(iv) a statement of changes in financial position; and

(v) a statement of the dollar amount of grain purchased in the previous fiscal year of the grain buyer;

(2) be accompanied by a compilation report of the financial statement that is prepared by a grain commission firm or a management firm approved by the commissioner or by an independent public accountant, in accordance with standards established by the American Institute of Certified Public Accountants;

(3) be accompanied by a certification by the chief executive officer or the chief executive officer's designee of the licensee, and where applicable, all members of the governing board of directors under penalty of perjury, that the financial statement accurately reflects the financial condition of the licensee for the period specified in the statement;

(4) for grain buyers purchasing under ~~\$5,000,000~~ \$7,500,000 of grain annually, be reviewed by a certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants, and must show that the financial statements are free from material misstatements. The grain buyer must post the review required under this clause on a website maintained by the buyer and available to the public; and

(5) for grain buyers purchasing ~~\$5,000,000~~ \$7,500,000 or more of grain annually, be audited by a certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants and must include an opinion statement from the certified public accountant. The grain buyer must post the audit report and opinion statement required under this clause on a website maintained by the buyer and available to the public.

(b) Only one financial statement must be filed for a chain of warehouses owned or operated as a single business entity, unless otherwise required by the commissioner. All financial statements filed with the commissioner are private or nonpublic data as provided in section 13.02.

(c) A grain buyer who purchases grain immediately upon delivery solely with cash; a certified check; a cashier's check; or a postal, bank, or express money order is exempt from this subdivision if the grain buyer's gross annual purchases are ~~\$100,000~~ \$250,000 or less.

(d) The commissioner shall annually provide information on a person's fiduciary duties to each licensee. To the extent practicable, the commissioner must direct each licensee to provide this information to all persons required to certify the licensee's financial statement under paragraph (a), clause (3).

Sec. 41. **REVISOR INSTRUCTION.**

The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section 18B.01, so the defined terms are in alphabetical order and adjust any cross-references accordingly."

Delete the title and insert:

"A bill for an act relating to agriculture; establishing grant programs; classifying certain data; dedicating certain revenues; making policy and technical changes to agricultural and animal health provisions; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 13.643, by adding a subdivision; 17.041, subdivision 1; 17.117, subdivisions 9, 9a, 10, 11, 11a; 17.118, subdivisions 1, 3, 4; 18B.01, by adding subdivisions; 18B.051; 18B.07, by adding a subdivision; 18C.005, by adding subdivisions; 18C.201, by adding a subdivision; 21.81, by adding a subdivision; 21.86, subdivision 2; 28A.08, by adding a subdivision; 28A.09, by adding a

subdivision; 28A.10; 28A.21, subdivision 2; 35.155, subdivision 10; 41A.16, subdivisions 1, 2; 41A.17, subdivisions 1, 2; 41A.18, subdivisions 1, 2; 41B.047, subdivision 3; 223.17, subdivisions 4, 6; Minnesota Statutes 2021 Supplement, sections 41A.19; 41A.21, subdivisions 2, 6; Laws 2021, First Special Session chapter 3, article 1, sections 2; 4; proposing coding for new law in Minnesota Statutes, chapters 17; 21."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Hausman from the Committee on Housing Finance and Policy to which was referred:

H. F. No. 4376, A bill for an act relating to housing; appropriating money for the governor's supplemental housing budget; appropriating money for the Minnesota Housing Finance Agency; appropriating money for the Department of Human Rights to investigate income discrimination in housing; establishing the community stabilization housing program; establishing the strengthening supportive housing model program; modifying eligible uses for loans and grants; amending Minnesota Statutes 2020, sections 462A.201, subdivision 2; 462A.204, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
HOUSING APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are added to the appropriations in Laws 2021, First Special Session chapter 8, or other law, to specified agencies. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2022</u>	<u>2023</u>

Sec. 2. **HOUSING FINANCE AGENCY**

Subdivision 1. <u>Total Appropriation</u>	<u>\$229,617,000</u>
--	-----------------------------

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. <u>Challenge Program</u>	<u>20,000,000</u>
--	--------------------------

(a) This appropriation is for the economic development and housing challenge program under Minnesota Statutes, sections 462A.07, subdivision 14, and 462A.33.

(b) In fiscal years 2024 and 2025, \$17,117,000 is added to the agency's base.

Subd. 3. Housing Trust Fund

10,000,000

This appropriation is for deposit in the housing trust fund account created under Minnesota Statutes, section 462A.201, and may be used for the purposes provided in that section. In fiscal years 2024 and 2025, \$10,000,000 is added to the agency's base.

Subd. 4. Homework Starts with Home

10,000,000

(a) This appropriation is for the homework starts with home program under Minnesota Statutes, sections 462A.201, subdivision 2, paragraph (a), clause (4), and 462A.204, subdivision 8, to provide assistance to homeless or highly mobile families with minor children or with adult children eligible for enrollment in an academic program through grade 12. Funding must prioritize families with younger children not yet in school who are identified as being at risk of homelessness or experiencing homelessness.

(b) In fiscal years 2024 and 2025, \$10,000,000 is added to the agency's base.

Subd. 5. Family Homeless Prevention

14,000,000

(a) This appropriation is for the family homeless prevention and assistance programs under Minnesota Statutes, section 462A.204.

(b) In fiscal years 2024 and 2025, \$10,000,000 is added to the agency's base.

Subd. 6. Community Stabilization

100,000,000

(a) This appropriation is for the community stabilization program under Minnesota Statutes, section 462A.41, to finance improvements for naturally occurring affordable housing.

(b) In fiscal years 2024 and 2025, \$40,000,000 is added to the agency's base.

Subd. 7. Flexible Financing for Capital Costs

5,000,000

This appropriation is to provide gap financing to rental housing developments financed by the agency. This is a onetime appropriation.

Subd. 8. Strengthening Supportive Housing Model

5,000,000

This appropriation is for the strengthening supportive housing model program under Minnesota Statutes, section 462A.42, to provide funding to strengthen supportive housing for individuals and families who are at risk of homelessness or have experienced homelessness. In fiscal years 2024 and 2025, \$5,000,000 is added to the agency's base.

Subd. 9. Lead-Safe Homes**2,000,000**

This appropriation is for the lead-safe homes grant program under Minnesota Statutes, section 462A.2095. This is a onetime appropriation.

Subd. 10. Stable Housing Mediation**425,000**

This appropriation is for the housing mediation grant program for grants to mediation facilities certified by the state under Minnesota Statutes, section 494.015. This is a onetime appropriation.

Subd. 11. Homeownership Education, Counseling, and Training Program**1,000,000**

This appropriation is for the homeownership education, counseling, and training program under Minnesota Statutes, section 462A.209. This is a onetime appropriation.

Subd. 12. First-Generation Homebuyers Down Payment Assistance Fund**50,000,000**

This appropriation is for a grant to Midwest Minnesota Community Development Corporation (MMCDC) for a first-generation homebuyers down payment assistance fund. This is a onetime appropriation and is available until June 30, 2025.

Subd. 13. Local Housing Trust Fund Grants**7,000,000**

This appropriation is for the local housing trust fund grant program. This is a onetime appropriation.

Subd. 14. Manufactured Home Park Cooperative Purchase Program**5,192,000**

This appropriation is for the manufactured home park cooperative purchase program. This is a onetime appropriation.

Sec. 3. DEPARTMENT OF HUMAN RIGHTS**\$383,000**

(a) \$383,000 in fiscal year 2023 is to the commissioner of human rights for increased capacity and associated costs to investigate sources of income discrimination cases in housing.

(b) In fiscal years 2024 and 2025, \$383,000 is added to the department's base.

ARTICLE 2
HOUSING FINANCE GRANT PROGRAMS AND POLICY

Section 1. Minnesota Statutes 2020, section 462A.201, subdivision 2, is amended to read:

Subd. 2. **Low-income housing.** (a) The agency may use money from the housing trust fund account to provide loans or grants for:

(1) projects for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing units, including temporary and transitional housing;

(2) the costs of operating rental housing, as determined by the agency, that are unique to the operation of low-income rental housing or supportive housing;

(3) rental assistance, either project-based or tenant-based; and

(4) programs to secure stable housing for families with minor children eligible for enrollment in a prekindergarten through grade 12 academic program or with adult children eligible for enrollment in an academic program through grade 12.

For purposes of this section, "transitional housing" has the meaning given by the United States Department of Housing and Urban Development. Loans or grants for residential housing for migrant farmworkers may be made under this section.

(b) The housing trust fund account must be used for the benefit of persons and families whose income, at the time of initial occupancy, does not exceed 60 percent of median income as determined by the United States Department of Housing and Urban Development for the metropolitan area. At least 75 percent of the funds in the housing trust fund account must be used for the benefit of persons and families whose income, at the time of initial occupancy, does not exceed 30 percent of the median family income for the metropolitan area as defined in section 473.121, subdivision 2. For purposes of this section, a household with a housing assistance voucher under Section 8 of the United States Housing Act of 1937, as amended, is deemed to meet the income requirements of this section.

The median family income may be adjusted for families of five or more.

(c) Rental assistance under this section must be provided by governmental units which administer housing assistance supplements or by for-profit or nonprofit organizations experienced in housing management. Rental assistance shall be limited to households whose income at the time of initial receipt of rental assistance does not exceed 60 percent of median income, as determined by the United States Department of Housing and Urban Development for the metropolitan area. Priority among comparable applications for tenant-based rental assistance will be given to proposals that will serve households whose income at the time of initial application for rental assistance does not exceed 30 percent of median income, as determined by the United States Department of Housing and Urban Development for the metropolitan area. Rental assistance must be terminated when it is determined that 30 percent of a household's monthly income for four consecutive months equals or exceeds the market rent for the unit in which the household resides plus utilities for which the tenant is responsible. Rental assistance may only be used for rental housing units that meet the housing maintenance code of the local unit of government in which the unit is located, if such a code has been adopted, or the housing quality standards adopted by the United States Department of Housing and Urban Development, if no local housing maintenance code has been adopted.

(d) In making the loans or grants, the agency shall determine the terms and conditions of repayment and the appropriate security, if any, should repayment be required. To promote the geographic distribution of grants and loans, the agency may designate a portion of the grant or loan awards to be set aside for projects located in specified congressional districts or other geographical regions specified by the agency. The agency may adopt rules for awarding grants and loans under this subdivision.

Sec. 2. Minnesota Statutes 2020, section 462A.204, subdivision 8, is amended to read:

Subd. 8. **School Stability for learning and development.** (a) The agency in consultation with the Interagency Council on Homelessness may establish a ~~school~~ school stability for learning and development project under the family homeless prevention and assistance program. The purpose of the project is to secure stable housing for families with ~~school-age~~ minor children who have moved frequently, ~~for families with adult children eligible for enrollment in an academic program through grade 12 who have moved frequently,~~ and for unaccompanied youth. For purposes of this subdivision, "unaccompanied youth" are minors who are leaving foster care or juvenile correctional facilities, or minors who meet the definition of a child in need of services or protection under section 260C.007, subdivision 6, but for whom no court finding has been made pursuant to that statute.

(b) The agency shall make grants to family homeless prevention and assistance projects in communities with a school or schools that have a significant degree of student mobility or in communities with a significant degree of homelessness among families with minor children.

(c) Each project must be designed to reduce school absenteeism; stabilize children in one home setting or, at a minimum, in one school setting; and reduce shelter usage. Each project must include plans for the following:

(1) targeting of families with minor children ~~who are eligible for a prekindergarten through grade 12 academic program and~~ or with adult children eligible for enrollment in an academic program through grade 12 if those families are living in overcrowded conditions in their current housing; are paying more than 50 percent of their income for rent; or who lack a fixed, regular, and adequate nighttime residence;

(2) targeting of unaccompanied youth in need of an alternative residential setting;

(3) connecting families with the social services necessary to maintain the families' stability in their home, including but not limited to housing navigation, legal representation, and family outreach; and

(4) one or more of the following:

(i) provision of rental assistance for a specified period of time, which may exceed 24 months; or

(ii) provision of support and case management services to improve housing stability, including but not limited to housing navigation and family outreach.

(d) In selecting projects for funding under this subdivision, preference shall be given to organizations granted funding under section 462A.201, subdivision 2, paragraph (a), clause (4).

(e) No grantee under this subdivision is required to have an advisory committee as described in subdivision 6.

Sec. 3. **[462A.2095] LEAD-SAFE HOMES GRANT PROGRAM.**

Subdivision 1. **Establishment.** The Housing Finance Agency shall establish a lead-safe homes grant program to provide grants to increase lead testing and make residential rental units lead safe. The initial pilot program shall provide one grant to a project serving an area in a metropolitan county, as defined in section 473.121, subdivision 4, and one grant to a project serving an area outside a metropolitan county with a priority for targeting grant resources to landlords and tenants where there are high concentrations of lead poisoning in children based on information provided by the commissioner of health.

Subd. 2. **Eligibility.** (a) Eligible grantees must be a nonprofit or political subdivision capable of providing funding and services to a defined geographic area. The grant programs receiving funding under this section must provide lead risk assessments completed by a lead inspector or a lead risk assessor licensed by the commissioner of health pursuant to section 144.9505 for properties built before 1978 to determine the presence of lead hazards and to provide interim controls to reduce lead health hazards. The grant program must provide funding for testing and lead hazard reduction to:

(1) landlords of residential buildings with 11 units or less where the tenant's income does not exceed 60 percent of area median income;

(2) landlords of residential buildings with 12 units or more where at least 50 percent of the tenants are below 60 percent of the median income; and

(3) a tenant with an income that does not exceed 60 percent of area median income.

(b) A landlord or tenant must first access other available state and federal funding related to lead testing and lead hazard reduction for which they are eligible.

(c) Up to ten percent of a grant award to a nonprofit or political subdivision may be used to administer the grant and provide education and outreach about lead health hazards.

Subd. 3. **Short title.** This section shall be known as the "Dustin Luke Shields Act."

Sec. 4. Minnesota Statutes 2020, section 462A.37, subdivision 2, is amended to read:

Subd. 2. **Authorization.** (a) The agency may issue up to \$30,000,000 in aggregate principal amount of housing infrastructure bonds in one or more series to which the payment made under this section may be pledged. The housing infrastructure bonds authorized in this subdivision may be issued to fund loans, or grants for the purposes of clause (4), on terms and conditions the agency deems appropriate, made for one or more of the following purposes:

(1) to finance the costs of the construction, acquisition, and rehabilitation of supportive housing for individuals and families who are without a permanent residence;

(2) to finance the costs of the acquisition and rehabilitation of foreclosed or abandoned housing to be used for affordable rental housing and the costs of new construction of rental housing on abandoned or foreclosed property where the existing structures will be demolished or removed;

(3) to finance that portion of the costs of acquisition of property that is attributable to the land to be leased by community land trusts to low- and moderate-income home buyers;

(4) to finance the acquisition, improvement, and infrastructure of manufactured home parks under section 462A.2035, subdivision 1b;

(5) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of senior housing, with up to 20 percent of the units serving low-income individuals of any age;

(6) to finance the costs of acquisition and rehabilitation of federally assisted rental housing and for the refinancing of costs of the construction, acquisition, and rehabilitation of federally assisted rental housing, including providing funds to refund, in whole or in part, outstanding bonds previously issued by the agency or another government unit to finance or refinance such costs; ~~and~~

(7) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of single-family housing; and

(8) to finance the costs of construction, acquisition, and rehabilitation of permanent housing that is affordable to households with incomes at or below 50 percent of the area median income for the applicable county or metropolitan area as published by the Department of Housing and Urban Development, as adjusted for household size.

(b) Among comparable proposals for permanent supportive housing, preference shall be given to permanent supportive housing for veterans and other individuals or families who:

(1) either have been without a permanent residence for at least 12 months or at least four times in the last three years; or

(2) are at significant risk of lacking a permanent residence for 12 months or at least four times in the last three years.

(c) Among comparable proposals for senior housing, the agency must give priority to requests for projects that:

(1) demonstrate a commitment to maintaining the housing financed as affordable to seniors;

(2) leverage other sources of funding to finance the project, including the use of low-income housing tax credits;

(3) provide access to services to residents and demonstrate the ability to increase physical supports and support services as residents age and experience increasing levels of disability;

(4) provide a service plan containing the elements of clause (3) reviewed by the housing authority, economic development authority, public housing authority, or community development agency that has an area of operation for the jurisdiction in which the project is located; and

(5) include households with incomes that do not exceed 30 percent of the median household income for the metropolitan area.

(d) To the extent practicable, the agency shall balance the loans made between projects in the metropolitan area and projects outside the metropolitan area. Of the loans made to projects outside the metropolitan area, the agency shall, to the extent practicable, balance the loans made between projects in counties or cities with a population of 20,000 or less, as established by the most recent decennial census, and projects in counties or cities with populations in excess of 20,000.

(e) Among comparable proposals for permanent housing, the agency must give preference to projects that will provide housing that is affordable to households at or below 30 percent of area median income.

(f) If a loan recipient uses the loan for any of the purposes in paragraph (a) on a building containing more than four units, the recipient must construct, convert, or otherwise adapt the building to include:

(1) the greater of at least one unit or at least five percent of units that are accessible units, as defined by section 1002 of the current State Building Code Accessibility Provisions for Dwelling Units in Minnesota, and include at least one roll-in shower; and

(2) the greater of at least one unit or at least five percent of units that are sensory-accessible units that include:

(i) soundproofing between shared walls for first and second floor units;

- (ii) no florescent lighting in units and common areas;
- (iii) low-fume paint;
- (iv) low-chemical carpet; and
- (v) low-chemical carpet glue in units and common areas.

Nothing in this paragraph relieves projects being funded by these loans from meeting other applicable accessibility requirements.

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

Sec. 5. Minnesota Statutes 2020, section 462A.37, is amended by adding a subdivision to read:

Subd. 2i. **Additional authorization.** In addition to the amount authorized in subdivisions 2 to 2h, the agency may issue up to \$400,000,000 in housing infrastructure bonds in one or more series to which the payments under this section may be pledged.

EFFECTIVE DATE. This section is effective the day following final enactment. If the authorization in this section is enacted more than once in the 2022 legislative session, the authorization must be given effect only once.

Sec. 6. **[462A.41] COMMUNITY STABILIZATION PROGRAM.**

Subdivision 1. **Establishment.** The agency shall establish a community stabilization program for the purpose of providing grants or loans for the preservation of naturally occurring affordable housing through acquisition or rehabilitation.

Subd. 2. **Definitions.** For the purposes of this section, "naturally occurring affordable housing" means:

(1) multiunit rental housing that:

(i) is at least 20 years old; and

(ii) has rents in a majority of units that are affordable to households at or below 60 percent of the greater of state or area median income as determined by the United States Department of Housing and Urban Development; or

(2) owner-occupied housing located in communities where market pressures or significant deferred rehabilitation needs, as defined by the agency, are creating opportunities for displacement or the loss of owner-occupied housing affordable to households at or below 115 percent of the greater of state or area median income as determined by the United States Department of Housing and Urban Development.

Subd. 3. **Eligible recipients.** (a) Grants or loans may be made to a local unit of government; a federally recognized American Indian tribe located in Minnesota or its Tribally Designated Housing Entity; a private developer; limited equity cooperatives; cooperatives created under chapter 308A or 308B; community land trusts created for the purposes outlined in section 462A.31, subdivision 1; or a nonprofit organization.

(b) The agency shall make a grant to a statewide intermediary to facilitate the acquisition and associated rehabilitation of existing multiunit rental housing and may use an intermediary or intermediaries for the acquisition and associated rehabilitation of owner-occupied housing.

Subd. 4. **Eligible uses.** The program shall provide grants or loans for the purpose of acquisition, rehabilitation, interest rate reduction, or gap financing of housing to support the preservation of naturally occurring affordable housing. Priority in funding shall be given to proposals that serve lower incomes and maintain longer periods of affordability.

Subd. 5. **Owner-occupied housing income limits.** Households served through grants or loans related to owner-occupied housing must have, at initial occupancy, income that is at or below 115 percent of the greater of state or area median income as determined by the United States Department of Housing and Urban Development.

Subd. 6. **Multifamily housing rent limits.** Multifamily housing financed through grants or loans under this section must remain affordable to low-income or moderate-income households as defined by the agency.

Subd. 7. **Application.** (a) The agency shall develop forms and procedures for soliciting and reviewing applications for loans or grants under this section. The agency shall consult with interested stakeholders when developing the guidelines and procedures for the program.

(b) Notwithstanding any other applicable law, the agency may accept applications on a noncompetitive, rolling basis in order to provide funds for eligible properties as they become available.

Subd. 8. **Voucher requirement for multifamily properties.** Rental properties that receive funds must accept rental subsidies, including but not limited to vouchers under Section 8 of the United States Housing Act of 1937, as amended.

Sec. 7. **[462A.42] STRENGTHENING SUPPORTIVE HOUSING MODEL.**

Subdivision 1. **Establishment.** The agency shall establish a strengthening supportive housing model program for the purpose of providing funding to strengthen supportive housing for individuals and families who are at risk of homelessness or have experienced homelessness.

Subd. 2. **Definition.** For the purposes of this section, "supportive housing" means housing that is not time-limited and provides or coordinates with linkages to services necessary for residents to maintain housing stability and maximize opportunities for education and employment.

Subd. 3. **Eligible recipients.** Funding may be made to a local unit of government, a federally recognized American Indian Tribe or its Tribally Designated Housing Entity located in Minnesota, a private developer, or a nonprofit organization.

Subd. 4. **Eligible uses.** (a) Funds shall be used to cover costs needed for supportive housing to operate effectively that are not covered by other federal or state resources. Costs may include but are not limited to building operating expenses such as front desk, tenant service coordination, revenue shortfall, and security costs.

(b) Funds shall be used to create partnerships with the health care sector and other sectors to demonstrate sustainable ways to provide services for supportive housing residents, improve access to health care, and reduce the use of expensive emergency and institutional care. This may be done in partnership with other state agencies, including the Department of Health and the Department of Human Services.

Subd. 5. **Application.** The commissioner shall develop forms and procedures for soliciting and reviewing applications for funding under this section. The commissioner shall consult with interested stakeholders when developing the guidelines and procedures for the program.

Sec. 8. Minnesota Statutes 2020, section 500.20, subdivision 2a, is amended to read:

Subd. 2a. **Restriction of duration of condition.** Except for any right to reenter or to repossess as provided in subdivision 3, all private covenants, conditions, or restrictions created by which the title or use of real property is affected, cease to be valid and operative 30 years after the date of the deed, or other instrument, or the date of the probate of the will, creating them, and may be disregarded.

This subdivision does not apply to covenants, conditions, or restrictions:

(1) that were created before August 1, 1959, under which a person who owns or has an interest in real property against which the covenants, conditions, or restrictions have been filed claims a benefit of the covenant, condition, or restriction if the person records in the office of the county recorder or files in the office of the registrar of titles in the county in which the real estate affected is located, on or before March 30, 1989, a notice sworn to by the claimant or the claimant's agent or attorney: setting forth the name of the claimant; describing the real estate affected; describing the deed, instrument, or will creating the covenant, condition, or restriction; and stating that the covenant, condition, or restriction is not nominal and may not be disregarded under subdivision 1;

(2) that are created by the declaration, bylaws, floor plans, or condominium plat of a condominium created before August 1, 1980, under chapter 515, or created on or after August 1, 1980, under chapter 515A or 515B, or by any amendments of the declaration, bylaws, floor plans, or condominium plat;

(3) that are created by the articles of incorporation, bylaws, or proprietary leases of a cooperative association formed under chapter 308A;

(4) that are created by a declaration or other instrument that authorizes and empowers a corporation of which the qualification for being a stockholder or member is ownership of certain parcels of real estate, to hold title to common real estate for the benefit of the parcels;

(5) that are created by a deed, declaration, reservation, or other instrument by which one or more portions of a building, set of connecting or adjacent buildings, or complex or project of related buildings and structures share support, structural components, ingress and egress, or utility access with another portion or portions;

(6) that were created after July 31, 1959, under which a person who owns or has an interest in real estate against which covenants, conditions, or restrictions have been filed claims a benefit of the covenants, conditions, or restrictions if the person records in the office of the county recorder or files in the office of the registrar of titles in the county in which the real estate affected is located during the period commencing on the 28th anniversary of the date of the deed or instrument, or the date of the probate of the will, creating them and ending on the 30th anniversary, a notice as described in clause (1); ~~or~~

(7) that are created by a declaration or bylaws of a common interest community created under or governed by chapter 515B, or by any amendments thereto; or

(8) that are created by a declaration or other instrument required by a government entity related to affordable housing.

A notice filed in accordance with clause (1) or (6) delays application of this subdivision to the covenants, conditions, or restrictions for a period ending on the later of seven years after the date of filing of the notice, or until final judgment is entered in an action to determine the validity of the covenants, conditions, or restrictions, provided in the case of an action the summons and complaint must be served and a notice of lis pendens must be recorded in the office of the county recorder or filed in the office of the registrar of titles in each county in which the real estate affected is located within seven years after the date of recording or filing of the notice under clause (1) or (6).

County recorders and registrars of titles shall accept for recording or filing a notice conforming with this subdivision and charge a fee corresponding with the fee charged for filing a notice of lis pendens of similar length. The notice may be discharged in the same manner as a notice of lis pendens and when discharged, together with the information included with it, ceases to constitute either actual or constructive notice.

Sec. 9. **MINNESOTA STABLE HOUSING MEDIATION GRANT PROGRAM.**

The commissioner of the Housing Finance Agency shall establish a housing mediation grant program to increase access to voluntary housing mediation services for renters and homeowners. The grant program shall provide funding to mediation facilities certified by the state under Minnesota Statutes, section 494.015, that can increase access to housing mediation throughout the state, increase the availability of culturally specific dispute resolution programs, reduce the need for court actions, and bring stability in housing. The grant funding must be used to:

(1) provide mediation services to benefit renters, property owners, households, utility providers, and homeowners statewide and increase awareness of access to mediation services and expand statewide mediation services;

(2) provide eviction prevention services including access to mediation services that prevent eviction court costs and reduce negative consequences to families, schools, employers, neighborhoods, and communities;

(3) partner with culturally specific dispute resolution programs to provide training and assist in providing mediation services virtually and in person;

(4) increase mediation services for seniors and tenants with disabilities and illnesses who face housing instability;

(5) increase the diversity of the housing mediator roster;

(6) integrate existing and future housing mediation services with legal assistance and court services programs; and

(7) develop and administer evaluation tools in order to design, modify, and replicate effective program outcomes.

Sec. 10. **FIRST-GENERATION HOMEBUYERS DOWN PAYMENT ASSISTANCE FUND.**

Subdivision 1. **Establishment.** A first-generation homebuyers down payment assistance fund is established as a pilot project under the administration of the Midwest Minnesota Community Development Corporation (MMCDC), a community development financial institution (CDFI) as defined under the Riegle Community Development and Regulatory Improvement Act of 1994, to provide targeted assistance to eligible first-generation homebuyers.

Subd. 2. **Eligible homebuyer.** For purposes of this section, "eligible first-generation homebuyer" means an individual:

(1) whose income is at or below 100 percent of the area median income at the time of purchase;

(2) who is a first-time homebuyer as defined under Code of Federal Regulations, title 24, section 92.2;

(3) who is preapproved for a first mortgage loan; and

(4) whose parent or prior legal guardian does not, or did not at the time of their death, own a home.

An eligible homebuyer must complete an approved homebuyer education course prior to signing a purchase agreement and, following the purchase of the home, must occupy it as the homebuyer's primary residence. The home must be purchased within the maximum loan amount established by the federal Housing Finance Agency, and the eligible homebuyer must contribute a minimum of \$1,000 to down payment or closing costs.

Subd. 3. **Use of funds.** Assistance under this section is limited to ten percent of the purchase price of a home, not to exceed \$30,000 per eligible first-generation homebuyer. The assistance must be provided in the form of a loan that is forgivable at a rate of 20 percent per year on the day after the anniversary date of the note. The prorated balance due is repayable if the property converts to nonowner occupancy, is sold, is subjected to an ineligible refinance, is subjected to an unauthorized transfer of title, or is subjected to a completed foreclosure action within the five-year loan term. Recapture can be waived in the event of financial or personal hardship. The loan may be reserved and used for closing costs, down payment, or principal reduction. The loan must be used in conjunction with a conforming first mortgage loan that is fully amortizing and meets the standards of a qualified mortgage or meets the minimum standards for exemption under Code of Federal Regulations, title 12, section 1026.43. The loan may be used in conjunction with funds from other programs for which the eligible homebuyer may qualify and the loan may be placed in any priority position.

Subd. 4. **Administration.** The first-generation homebuyers down payment assistance fund is available statewide and shall be administered by MMCDC, the designated central CDFI. MMCDC may originate and service funds and authorize other CDFIs, Tribal entities, and nonprofit organizations administering down payment assistance to reserve, originate, fund, and service funds for eligible first-generation homebuyers. Administrative costs must not exceed \$3,000 per loan. Any funds made available due to early resale of a home must be returned to MMCDC for redistribution to eligible first-generation homebuyers.

Subd. 5. **Legislative auditor.** The first-generation homebuyers down payment assistance fund is subject to audit by the legislative auditor. MMCDC and participating CDFIs must cooperate with the audit.

Subd. 6. **Creditor immunity for reliance on borrower self-attestations.** No creditor shall be subject to liability, including monetary penalties or requirements to indemnify a federal or state agency or repurchase a loan that has been sold or securitized, for the provision of down payment assistance under this section to a borrower who does not meet the eligibility requirements if the creditor does so in good faith reliance on borrower attestations of eligibility required by this section or regulation.

Subd. 7. **Report to legislature.** By January 15 each year, the fund administrator, MMCDC, must report to the chairs and ranking minority members of the legislative committees with jurisdiction over housing with the following information:

- (1) the number and amount of loans closed;
- (2) the median loan amount;
- (3) the number and amount of loans issued by race or ethnic categories;
- (4) the median home purchase price;
- (5) the type of mortgage;
- (6) the total amount returned to the fund; and
- (7) the number and amount of loans issued by county.

Subd. 8. **Sunset.** This section sunsets June 30, 2025.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 11. **MANUFACTURED HOME PARK COOPERATIVE PURCHASE PROGRAM.**

(a) The Housing Finance Agency shall establish a manufactured home park cooperative purchase program for grants to nonprofit organizations to assist manufactured home park residents in organizing and purchasing manufactured home parks, and for grants to provide down payment assistance to residents to purchase manufactured home parks.

(b) The agency may develop criteria for grant requests under this section. Within 90 days of final enactment, the commissioner shall develop the forms, applications, and reporting requirements for use by eligible organizations. In developing these materials, the commissioner shall consult with manufactured housing cooperatives, resident-owned manufactured home communities, and nonprofit organizations working with manufactured housing cooperatives and resident-owned communities.

(c) Grantees must use funds to assist in the creation and preservation of housing that is affordable to households with incomes at or below 80 percent of the greater of state or area median income.

(d) A deed purchased with a grant under this section must contain a covenant running with the land requiring that the land be used as a manufactured home park for 30 years from the date of purchase.

(e) For purposes of this section, "manufactured home," "manufactured home park," "park owner," "representative acting on behalf of residents," "resident," and "resident association" have the meanings given in Minnesota Statutes, section 327C.01.

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

Sec. 12. **LOCAL HOUSING TRUST FUND GRANTS.**

(a) As provided in this section, the Housing Finance Agency shall award grants to local housing trust funds established under Minnesota Statutes, section 462C.16, to incentivize local funding.

(b) A grantee is eligible to receive a grant amount equal to 100 percent of the public revenue committed to the local housing trust fund from any source other than the state or federal government, up to \$150,000, and in addition, an amount equal to 50 percent of the public revenue committed to the local housing trust fund from any source other than the state or federal government that is more than \$150,000 but not more than \$300,000.

(c) \$100,000 of the appropriation in paragraph (b) is for technical assistance grants to local and regional housing trust funds. A housing trust fund may apply for a technical assistance grant at the time and in the manner and form required by the agency. The agency shall make grants on a first-come, first-served basis. A technical assistance grant must not exceed \$5,000.

(d) A grantee must use grant funds within eight years of receipt for purposes (1) authorized under Minnesota Statutes, section 462C.16, subdivision 3, and (2) benefiting households with incomes at or below 115 percent of the state median income. A grantee must return any grant funds not used for these purposes within eight years of receipt to the commissioner of the Housing Finance Agency for deposit into the housing development fund.

EFFECTIVE DATE. This section is effective July 1, 2022.

ARTICLE 3
HOUSING FINANCE TECHNICAL CHANGES

Section 1. Minnesota Statutes 2020, section 462A.03, subdivision 13, is amended to read:

Subd. 13. **Eligible mortgagor.** "Eligible mortgagor" means a nonprofit or cooperative housing corporation; the Department of Administration for the purpose of developing community-based programs as defined in section 252.50; a limited profit entity or a builder as defined by the agency in its rules, which sponsors or constructs residential housing as defined in subdivision 7; or a natural person of low or moderate income, except that the return to a limited dividend entity shall not exceed 15 percent of the capital contribution of the investors or such lesser percentage as the agency shall establish in its rules, provided that residual receipts funds of a limited dividend entity may be used for agency-approved, housing-related investments owned by the limited dividend entity without regard to the limitation on returns. Owners of existing residential housing occupied by renters shall be eligible for rehabilitation loans, only if, as a condition to the issuance of the loan, the owner agrees to conditions established by the agency in its rules relating to rental or other matters that will ~~insure~~ ensure that the housing will be occupied by persons and families of low or moderate income. The agency shall require by rules that the owner give preference to those persons of low or moderate income who occupied the residential housing at the time of application for the loan.

Sec. 2. Minnesota Statutes 2021 Supplement, 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. Rehabilitation may include the addition or rehabilitation of a detached accessory dwelling unit. 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. 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. 3. Minnesota Statutes 2020, section 462A.05, is amended by adding a subdivision to read:

Subd. 42. **Indian Tribes.** Notwithstanding any other provision in this chapter, at its discretion the agency may make any federally recognized Indian Tribe in Minnesota, or their associated Tribally Designated Housing Entity (TDHE) as defined by United States Code, title 25, section 4103(22), eligible for funding authorized under this chapter.

Sec. 4. Minnesota Statutes 2020, section 462A.05, is amended by adding a subdivision to read:

Subd. 43. **Housing disparities.** The agency must prioritize its use of appropriations for any program under this chapter to serve households most affected by housing disparities.

Sec. 5. Minnesota Statutes 2020, section 462A.07, subdivision 9, is amended to read:

Subd. 9. **Priority where State Building Code is adopted.** It may establish such rules as may be necessary to ~~insure~~ ensure that priority for assistance by the agency will be given to projects located in municipal jurisdictions or counties, which have adopted the uniform State Building Code.

Sec. 6. Minnesota Statutes 2020, section 462A.07, subdivision 10, is amended to read:

Subd. 10. **Human rights.** It may establish and enforce such rules as may be necessary to ~~insure~~ ensure compliance with chapter 363A, and to ~~insure~~ ensure that occupancy of housing assisted under this chapter shall be open to all persons, and that contractors and subcontractors engaged in the construction of such housing shall provide an equal opportunity for employment to all persons, without discrimination as to race, color, creed, religion, national origin, sex, marital status, age, and status with regard to public assistance or disability.

Sec. 7. Minnesota Statutes 2020, section 462A.07, subdivision 14, is amended to read:

Subd. 14. **American Indians.** (a) It may engage in housing programs for low- and moderate-income American Indians developed and administered separately or in combination by the Minnesota Chippewa tribe, the Red Lake band of Chippewa Indians, and the Sioux communities as determined by such tribe, band, or communities. In furtherance of the policy of economic integration stated in section 462A.02, subdivision 6, it may engage in housing programs for American Indians who intend to reside on reservations and who are not persons of low and moderate income, provided that the aggregate dollar amount of the loans for persons who are not of low- or moderate-income closed in each lender's fiscal year shall not exceed an amount equal to 25 percent of the total dollar amount of all loans closed by that lender during the same fiscal year. In developing such housing programs, the tribe, band, or communities shall take into account the housing needs of all American Indians residing both on and off reservations within the state. A plan for each such program, which specifically describes the program content, utilization of funds, administration, operation, implementation and other matter, as determined by the agency, must be submitted to the agency for its review and approval prior to the making of eligible loans pursuant to section 462A.21. All such programs must conform to rules promulgated by the agency concerning program administration, including but not limited to rules concerning costs of administration; the quality of housing; interest rates, fees, and charges in connection with making eligible loans; and other matters determined by the agency to be necessary in order to effectuate the purposes of this subdivision and section 462A.21, subdivisions 4b and 4c. All such programs must provide for a reasonable balance in the distribution of funds appropriated for the purpose of this section between American Indians residing on and off reservations within the state. Nothing in this section shall preclude such tribe, band, or communities from requesting and receiving cooperation, advice, and assistance from the agency as regards program development, operation, delivery, financing, or administration. As a condition to the making of such eligible loans, the Minnesota Chippewa tribe, the Red Lake band of Chippewa Indians, and the Sioux communities shall:

(1) enter into a loan agreement and other contractual arrangements with the agency for the purpose of transferring the allocated portion of loan funds and to ~~insure~~ ensure compliance with the provisions of this section and this chapter; and

(2) agree that all of their official books and records related to such housing programs shall be subjected to audit by the legislative auditor in the manner prescribed for agencies of state government.

The agency shall submit a biennial report concerning the various housing programs for American Indians, and related receipts and expenditures as provided in section 462A.22, subdivision 9, and such tribe, band, or communities to the extent that they administer such programs, shall be responsible for any costs and expenses related to such administration provided, however, they shall be eligible for payment for costs, expenses, and services pursuant to subdivision 12 and section 462A.21. The agency may provide or cause to be provided essential general technical services as set forth in subdivision 2, and general consultative project assistance services, including, but not limited to, management training, and home ownership counseling as set forth in subdivision 3. Members of boards, committees, or other governing bodies of the tribe, band, and communities administering the programs authorized by this subdivision must be compensated for those services as provided in section 15.0575.

(b) The agency may engage in demonstration projects to encourage the participation of financial institutions or other leveraging sources in providing housing opportunities for American Indians. The agency shall consult with the Minnesota Chippewa tribe, the Red Lake band of Chippewa Indians, and the Sioux communities in developing the demonstration projects. The income limits specified in paragraph (a) do not apply to the demonstration projects.

(c) The agency may make home improvement loans under this subdivision without regard to household income.

Sec. 8. Minnesota Statutes 2020, section 462A.204, subdivision 3, is amended to read:

Subd. 3. **Set aside.** At least one grant must be awarded in an area located outside of the metropolitan area. A county, a group of contiguous counties jointly acting together, a Tribe, a group of Tribes, or a community-based nonprofit organization ~~with a sponsoring resolution from each of the county boards of the counties located within its operating jurisdiction~~ may apply for and receive grants ~~for areas located outside the metropolitan area.~~

Sec. 9. Minnesota Statutes 2020, section 462A.21, subdivision 4a, is amended to read:

Subd. 4a. **Correction of housing defects.** It may make rehabilitation grants and expenditures for correction of residential housing defects as provided in section 462A.05, subdivisions 15 and 16. In order to ~~insure~~ ensure the preservation of the maximum number of housing units with the money appropriated by the legislature, grants shall be recovered by the agency to the extent provided in this section to be used for future grants. Grants made under the terms of this subdivision shall contain a requirement that the grant be recovered by the agency in accordance with the following schedule:

(1) if the property is sold, transferred, or otherwise conveyed within the first three years after the date of a grant, the recipient shall repay the full amount of the grant;

(2) if the property is sold, transferred, or otherwise conveyed within the fourth year after the date of a grant, the recipient shall repay 75 percent of the amount of the grant;

(3) if the property is sold, transferred, or otherwise conveyed within the fifth year after the date of a grant, the recipient shall repay 50 percent of the amount of the grant;

(4) if the property is sold, transferred, or otherwise conveyed within the sixth year after the date of a grant, the recipient shall repay 25 percent of the amount of the grant;

(5) if the property is sold, transferred, or otherwise conveyed within the seventh year after the date of the grant, or thereafter, there is no repayment requirement; provided that no repayment is required to the extent that the grants are made to improve the accessibility of residential housing to a disabled occupant.

Sec. 10. Minnesota Statutes 2020, section 462A.22, subdivision 1, is amended to read:

Subdivision 1. **Debt ceiling.** The aggregate principal amount of general obligation bonds and notes which are outstanding at any time, excluding the principal amount of any bonds and notes refunded by the issuance of new bonds or notes, shall not exceed the sum of \$5,000,000,000.

Sec. 11. Minnesota Statutes 2020, section 462A.36, is amended by adding a subdivision to read:

Subd. 2a. **Refunding bonds.** (a) The agency may issue nonprofit housing bonds in one or more series to refund bonds authorized in subdivision 2. The amount of refunding nonprofit housing bonds that may be issued from time to time will not be subject to the dollar limitation contained in subdivision 2 nor will those bonds be included in computing the amount of bonds that may be issued within that dollar limitation.

(b) In the refunding of nonprofit housing bonds, each bond must be called for redemption prior to its maturity in accordance with its terms no later than the earliest date on which it may be redeemed. No refunding bonds may be issued unless as of the date of the refunding bonds the present value of the dollar amount of the debt service on the refunding bonds, computed to their stated maturity dates, is lower than the present value of the dollar amount of debt service on all nonprofit housing bonds refunded computed to their stated maturity dates. For purposes of this subdivision, "present value of the dollar amount of debt service" means the dollar amount of debt service to be paid, discounted to the nominal date of the refunding bonds at a rate equal to the yield on the refunding bonds.

(c) If as a result of the issuance of refunding bonds the amount of debt service for an annual period is less than the amount transferred by the commissioner of management and budget to pay debt service for that annual period, the agency must deduct the excess amount from the actual amount of debt service on those bonds certified for the next subsequent annual period.

Sec. 12. Minnesota Statutes 2020, section 462A.36, subdivision 4, is amended to read:

Subd. 4. **Appropriation; payment to agency or trustee.** (a) The agency must certify annually to the commissioner of management and budget the actual amount of annual debt service on each series of bonds issued under subdivision 2.

(b) Each July 15, beginning in 2009 and through 2031, if any nonprofit housing bonds issued under subdivision 2, or nonprofit housing bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the nonprofit housing bond account established under section 462A.21, subdivision 32, the amount certified under paragraph (a), not to exceed \$2,400,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(c) The agency may pledge to the payment of the nonprofit housing bonds the payments to be made by the state under this section.

Sec. 13. Minnesota Statutes 2020, section 462A.37, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Abandoned property" has the meaning given in section 117.025, subdivision 5.

(c) "Community land trust" means an entity that meets the requirements of section 462A.31, subdivisions 1 and 2.

(d) "Debt service" means the amount payable in any fiscal year of principal, premium, if any, and interest on housing infrastructure bonds and the fees, charges, and expenses related to the bonds.

(e) "Foreclosed property" means residential property where foreclosure proceedings have been initiated or have been completed and title transferred or where title is transferred in lieu of foreclosure.

(f) "Housing infrastructure bonds" means bonds issued by the agency under this chapter that:

(1) are qualified 501(c)(3) bonds, within the meaning of section 145(a) of the Internal Revenue Code;

(2) finance qualified residential rental projects within the meaning of section 142(d) of the Internal Revenue Code; or

~~(3) finance the construction or rehabilitation of single family houses that qualify for mortgage financing within the meaning of section 143 of the Internal Revenue Code; or~~

~~(4) (3) are tax-exempt bonds that are not private activity bonds, within the meaning of section 141(a) of the Internal Revenue Code, for the purpose of financing or refinancing affordable housing authorized under this chapter.~~

(g) "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended.

(h) "Senior" means a person 55 years of age or older ~~with an annual income not greater than 50 percent of:~~

~~(1) the metropolitan area median income for persons in the metropolitan area; or~~

~~(2) the statewide median income for persons outside the metropolitan area.~~

(i) "Senior household" means a household with one or more senior members and with an annual combined income not greater than 50 percent of:

(1) the metropolitan area median income for persons in the metropolitan area; or

(2) the statewide median income for persons outside the metropolitan area.

~~(j) (j) "Senior housing" means housing intended and operated for occupancy by at least one senior per unit senior households with at least 80 percent of the units occupied by at least one senior per unit senior households, and for which there is publication of, and adherence to, policies and procedures that demonstrate an intent by the owner or manager to provide housing for seniors. Senior housing may be developed in conjunction with and as a distinct portion of mixed-income senior housing developments that use a variety of public or private financing sources.~~

~~(k) (k) "Supportive housing" means housing that is not time-limited and provides or coordinates with linkages to services necessary for residents to maintain housing stability and maximize opportunities for education and employment.~~

Sec. 14. Minnesota Statutes 2020, section 462A.37, subdivision 2, is amended to read:

Subd. 2. **Authorization.** (a) The agency may issue up to \$30,000,000 in aggregate principal amount of housing infrastructure bonds in one or more series to which the payment made under this section may be pledged. The housing infrastructure bonds authorized in this subdivision may be issued to fund loans, or grants for the purposes of clause (4), on terms and conditions the agency deems appropriate, made for one or more of the following purposes:

(1) to finance the costs of the construction, acquisition, and rehabilitation of supportive housing for individuals and families who are without a permanent residence;

(2) to finance the costs of the acquisition and rehabilitation of foreclosed or abandoned housing to be used for affordable rental housing and the costs of new construction of rental housing on abandoned or foreclosed property where the existing structures will be demolished or removed;

(3) to finance that portion of the costs of acquisition of property that is attributable to the land to be leased by community land trusts to low- and moderate-income home buyers;

(4) to finance the acquisition, improvement, and infrastructure of manufactured home parks under section 462A.2035, subdivision 1b;

(5) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of senior housing;

(6) to finance the costs of acquisition ~~and~~, rehabilitation, and replacement of federally assisted rental housing and for the refinancing of costs of the construction, acquisition, and rehabilitation of federally assisted rental housing, including providing funds to refund, in whole or in part, outstanding bonds previously issued by the agency or another government unit to finance or refinance such costs; and

(7) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of single-family housing.

(b) Among comparable proposals for permanent supportive housing, preference shall be given to permanent supportive housing for veterans and other individuals or families who:

(1) either have been without a permanent residence for at least 12 months or at least four times in the last three years; or

(2) are at significant risk of lacking a permanent residence for 12 months or at least four times in the last three years.

(c) Among comparable proposals for senior housing, the agency must give priority to requests for projects that:

(1) demonstrate a commitment to maintaining the housing financed as affordable to ~~seniors~~ senior households;

(2) leverage other sources of funding to finance the project, including the use of low-income housing tax credits;

(3) provide access to services to residents and demonstrate the ability to increase physical supports and support services as residents age and experience increasing levels of disability; and

~~(4) provide a service plan containing the elements of clause (3) reviewed by the housing authority, economic development authority, public housing authority, or community development agency that has an area of operation for the jurisdiction in which the project is located; and~~

~~(5)~~ (4) include households with incomes that do not exceed 30 percent of the median household income for the metropolitan area.

To the extent practicable, the agency shall balance the loans made between projects in the metropolitan area and projects outside the metropolitan area. Of the loans made to projects outside the metropolitan area, the agency shall, to the extent practicable, balance the loans made between projects in counties or cities with a population of 20,000 or less, as established by the most recent decennial census, and projects in counties or cities with populations in excess of 20,000.

Sec. 15. Minnesota Statutes 2020, section 462A.37, is amended by adding a subdivision to read:

Subd. 2j. **Refunding bonds.** (a) The agency may issue housing infrastructure bonds in one or more series to refund bonds authorized in this section. The amount of refunding housing infrastructure bonds that may be issued from time to time will not be subject to the dollar limitation contained in any of the authorizations in this section nor will those bonds be included in computing the amount of bonds that may be issued within those dollar limitations.

(b) In the refunding of housing infrastructure bonds, each bond must be called for redemption prior to its maturity in accordance with its terms no later than the earliest date on which it may be redeemed. No refunding bonds may be issued unless as of the date of the refunding bonds the present value of the dollar amount of the debt service on the refunding bonds, computed to their stated maturity dates, is lower than the present value of the dollar amount of debt service on all housing infrastructure bonds refunded computed to their stated maturity dates. For purposes of this subdivision, "present value of the dollar amount of debt service" means the dollar amount of debt service to be paid, discounted to the nominal date of the refunding bonds at a rate equal to the yield on the refunding bonds.

(c) If as a result of the issuance of refunding bonds the amount of debt service for an annual period is less than the amount transferred by the commissioner of management and budget to pay debt service for that annual period, the agency must deduct the excess amount from the actual amount of debt service on those bonds certified for the next subsequent annual period.

Sec. 16. Minnesota Statutes 2020, section 462A.37, subdivision 4, is amended to read:

Subd. 4. Appropriation; payment to agency or trustee. (a) The agency must certify annually to the commissioner of management and budget the actual amount of annual debt service on each series of bonds issued under subdivision 2.

(b) Each July 15, beginning in 2013 and through 2035, if any housing infrastructure bonds issued under subdivision 2, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the ~~affordable~~ housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$2,200,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(c) The agency may pledge to the payment of the housing infrastructure bonds the payments to be made by the state under this section.

Sec. 17. Minnesota Statutes 2021 Supplement, section 462A.37, subdivision 5, is amended to read:

Subd. 5. Additional appropriation. (a) The agency must certify annually to the commissioner of management and budget the actual amount of annual debt service on each series of bonds issued under this section.

(b) Each July 15, beginning in 2015 and through 2037, if any housing infrastructure bonds issued under subdivision 2a, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$6,400,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(c) Each July 15, beginning in 2017 and through 2038, if any housing infrastructure bonds issued under subdivision 2b, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$800,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(d) Each July 15, beginning in 2019 and through 2040, if any housing infrastructure bonds issued under subdivision 2c, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$2,800,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(e) Each July 15, beginning in 2020 and through 2041, if any housing infrastructure bonds issued under subdivision 2d, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(f) Each July 15, beginning in 2020 and through 2041, if any housing infrastructure bonds issued under subdivision 2e, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(g) Each July 15, beginning in 2022 and through 2043, if any housing infrastructure bonds issued under subdivision 2f, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(h) Each July 15, beginning in 2022 and through 2043, if any housing infrastructure bonds issued under subdivision 2g, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(i) Each July 15, beginning in 2023 and through 2044, if any housing infrastructure bonds issued under subdivision 2h, or housing infrastructure bonds issued to refund those bonds, remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(j) The agency may pledge to the payment of the housing infrastructure bonds the payments to be made by the state under this section.

Sec. 18. Minnesota Statutes 2020, section 462A.38, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** A workforce and affordable homeownership development program is established to award homeownership development grants to cities, counties, Tribal governments, nonprofit organizations, cooperatives created under chapter 308A or 308B, and community land trusts created for the purposes

outlined in section 462A.31, subdivision 1, for development of workforce and affordable homeownership projects. The purpose of the program is to increase the supply of workforce and affordable, owner-occupied multifamily or single-family housing throughout Minnesota.

Sec. 19. Minnesota Statutes 2020, section 462A.39, subdivision 2, is amended to read:

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Eligible project area" means a home rule charter or statutory city located outside of ~~the a metropolitan area~~ county as defined in section 473.121, subdivision ~~2~~ 4, with a population exceeding 500; a community that has a combined population of 1,500 residents located within 15 miles of a home rule charter or statutory city located outside ~~the a metropolitan area~~ county as defined in section 473.121, subdivision ~~2~~ 4; federally recognized Tribal reservations; or an area served by a joint county-city economic development authority.

(c) "Joint county-city economic development authority" means an economic development authority formed under Laws 1988, chapter 516, section 1, as a joint partnership between a city and county and excluding those established by the county only.

(d) "Market rate residential rental properties" means properties that are rented at market value, including new modular homes, new manufactured homes, and new manufactured homes on leased land or in a manufactured home park, and may include rental developments that have a portion of income-restricted units.

(e) "Qualified expenditure" means expenditures for market rate residential rental properties including acquisition of property; construction of improvements; and provisions of loans or subsidies, grants, interest rate subsidies, public infrastructure, and related financing costs.

Sec. 20. Minnesota Statutes 2020, section 462A.39, subdivision 5, is amended to read:

Subd. 5. **Allocation.** The amount of a grant or deferred loans may not exceed 25 percent of the rental housing development project cost. The commissioner shall not award a grant or deferred loans to ~~a city~~ an eligible project area without certification by the ~~city~~ eligible project area that the amount of the grant or deferred loans shall be matched by a local unit of government, business, ~~or~~ nonprofit organization, or federally recognized Tribe, with \$1 for every \$2 provided in grant or deferred loans funds.

Sec. 21. Laws 2021, First Special Session chapter 8, article 1, section 3, subdivision 11, is amended to read:

Subd. 11. Affordable Rental Investment Fund	4,218,000	4,218,000
--	-----------	-----------

(a) This appropriation is for the affordable rental investment fund program under Minnesota Statutes, section 462A.21, subdivision 8b, to finance the acquisition, rehabilitation, replacement, and debt restructuring of federally assisted rental property and for making equity take-out loans under Minnesota Statutes, section 462A.05, subdivision 39.

(b) The owner of federally assisted rental property must agree to participate in the applicable federally assisted housing program and to extend any existing low-income affordability restrictions on the housing for the maximum term permitted.

(c) The appropriation also may be used to finance the acquisition, rehabilitation, and debt restructuring of existing supportive housing properties and naturally occurring affordable housing as determined by the commissioner. For purposes of this paragraph, "supportive housing" means affordable rental housing with links to services necessary for individuals, youth, and families with children to maintain housing stability.

ARTICLE 4 LANDLORD TENANT LAW

Section 1. Minnesota Statutes 2020, section 363A.09, subdivision 1, is amended to read:

Subdivision 1. **Real property interest; action by owner, lessee, and others.** It is an unfair discriminatory practice for an owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these:

(1) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or group of persons any real property because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in or requirements of a public assistance program, disability, sexual orientation, or familial status; or

(2) to discriminate against any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in or requirements of a public assistance program, disability, sexual orientation, or familial status in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith, except that nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended to protect the safety of minors in their use of the real property or any facilities or services furnished in connection therewith; or

(3) in any transaction involving real property, to print, circulate or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental or lease of real property, or make any record or inquiry in connection with the prospective purchase, rental, or lease of real property which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in or requirements of a public assistance program, disability, sexual orientation, or familial status, or any intent to make any such limitation, specification, or discrimination except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this section prohibiting discrimination because of familial status do not apply to the dwelling unit.

Sec. 2. Minnesota Statutes 2020, section 363A.09, subdivision 2, is amended to read:

Subd. 2. **Real property interest; action by brokers, agents, and others.** It is an unfair discriminatory practice for a real estate broker, real estate salesperson, or employee, or agent thereof:

(1) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property to any person or group of persons or to negotiate for the sale, rental, or lease of any real property to any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in

or requirements of a public assistance program, disability, sexual orientation, or familial status or represent that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in or requirements of a public assistance program, disability, sexual orientation, or familial status; or

(2) to discriminate against any person because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in or requirements of a public assistance program, disability, sexual orientation, or familial status in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith; or

(3) to print, circulate, or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental, or lease of any real property or make any record or inquiry in connection with the prospective purchase, rental or lease of any real property, which expresses directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, participation in or requirements of a public assistance program, disability, sexual orientation, or familial status or any intent to make any such limitation, specification, or discrimination except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this section prohibiting discrimination because of familial status do not apply to the dwelling unit.

Sec. 3. Minnesota Statutes 2020, section 363A.09, is amended by adding a subdivision to read:

Subd. 2a. Definition; public assistance program. For purposes of this section, "public assistance program" means federal, state, or local assistance, including but not limited to rental assistance, rent supplements, and housing choice vouchers.

Sec. 4. Minnesota Statutes 2020, section 484.014, subdivision 2, is amended to read:

Subd. 2. **Discretionary expungement.** ~~The court may order expungement of an eviction case court file only upon motion of a defendant and decision by the court, if the court finds that the plaintiff's case is sufficiently without basis in fact or law, which may include lack of jurisdiction over the case, that~~ if the court makes the following findings: (1) the eviction case court file is no longer a reasonable predictor of future tenant behavior; and (2) the expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record.

Sec. 5. Minnesota Statutes 2020, section 484.014, subdivision 3, is amended to read:

Subd. 3. **Mandatory expungement.** The court shall order expungement of an eviction case;

(1) commenced solely on the grounds provided in section 504B.285, subdivision 1, clause (1), if the court finds that the defendant occupied real property that was subject to contract for deed cancellation or mortgage foreclosure and:

~~(1)~~ (i) the time for contract cancellation or foreclosure redemption has expired and the defendant vacated the property prior to commencement of the eviction action; or

~~(2)~~ (ii) the defendant was a tenant during the contract cancellation or foreclosure redemption period and did not receive a notice under section 504B.285, subdivision 1a, 1b, or 1c, to vacate on a date prior to commencement of the eviction case;

(2) if the defendant prevailed on the merits;

(3) if the court dismissed the plaintiff's complaint for any reason;

(4) if the parties to the action have agreed to an expungement;

(5) if the court finds an eviction was ordered at least three years before the date the expungement was filed; or

(6) upon motion of a defendant, if the case is settled and the defendant fulfills the terms of the settlement.

Sec. 6. **[504B.120] PROHIBITED FEES.**

Subdivision 1. **Prohibited fees.** Except for actual services rendered for an optional service offered by the landlord, a landlord shall not charge a tenant any nonrefundable fee in relation to a residential tenancy.

Subd. 2. **Penalties.** A landlord who violates this section is liable to the residential tenant for each unenforceable fee for three times the amount of each fee imposed that was not for an actual optional service or \$500, whichever is greater, and the court may award the tenant reasonable attorney fees.

EFFECTIVE DATE. This section applies to leases signed before, on, or after August 1, 2022.

Sec. 7. Minnesota Statutes 2020, section 504B.135, is amended to read:

504B.135 TERMINATING TENANCY AT WILL.

~~(a)~~ A tenancy at will may be terminated by either party by giving notice in writing. The time of the notice must be at least as long as the interval between the time rent is due or three months, whichever is less.

~~(b) If a tenant neglects or refuses to pay rent due on a tenancy at will, the landlord may terminate the tenancy by giving the tenant 14 days notice to quit in writing.~~

Sec. 8. Minnesota Statutes 2020, section 504B.161, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) In every lease or license of residential premises, the landlord or licensor covenants:

(1) that the premises and all common areas are fit for the use intended by the parties;

(2) to keep the premises in reasonable repair during the term of the lease or license, except when the disrepair has been caused by the willful, malicious, or irresponsible conduct of the tenant or licensee or a person under the direction or control of the tenant or licensee;

(3) to make the premises reasonably energy efficient by installing weatherstripping, caulking, storm windows, and storm doors when any such measure will result in energy procurement cost savings, based on current and projected average residential energy costs in Minnesota, that will exceed the cost of implementing that measure, including interest, amortized over the ten-year period following the incurring of the cost; ~~and~~

(4) to maintain the premises in compliance with the applicable health and safety laws of the state, and of the local units of government where the premises are located during the term of the lease or license, except when violation of the health and safety laws has been caused by the willful, malicious, or irresponsible conduct of the tenant or licensee or a person under the direction or control of the tenant or licensee; and

(5) to supply or furnish heat at a minimum temperature of at least 68 degrees Fahrenheit, measured at a distance of 36 inches above floor level, and not closer than 36 inches from any wall, from October 1 through April 30.

(b) The parties to a lease or license of residential premises may not waive or modify the covenants imposed by this section.

Sec. 9. Minnesota Statutes 2020, section 504B.211, subdivision 2, is amended to read:

Subd. 2. **Entry by landlord.** Except as provided in subdivision 4, a landlord may enter the premises rented by a residential tenant without the residential tenant's permission only for a reasonable business purpose and after making a good faith effort to give the residential tenant reasonable notice under the circumstances of not less than 24 hours in advance of the intent to enter. The notice must specify a time of entry that does not exceed four hours and the landlord may only enter between the hours of 8:00 a.m. and 8:00 p.m. A tenant may withdraw the tenant's permission at any time. A residential tenant may not waive and the landlord may not require the residential tenant to waive the residential tenant's right to prior notice of entry under this section as a condition of entering into or maintaining the lease.

Sec. 10. Minnesota Statutes 2020, section 504B.211, subdivision 6, is amended to read:

Subd. 6. **Penalty.** If a landlord ~~substantially~~ violates ~~subdivision 2~~ this section, the residential tenant is entitled to a penalty which may include a rent reduction up to full rescission of the lease, recovery of any damage deposit less any amount retained under section 504B.178, and ~~up to a \$100 civil penalty for each violation. If a landlord violates subdivision 5, the residential tenant is entitled to up to a \$100 civil penalty for each violation~~ damages not less than an amount equal to one month's rent and reasonable attorney fees. A residential tenant ~~shall~~ may follow the procedures in sections 504B.381, 504B.385, and 504B.395 to 504B.471 to enforce the provisions of this section. A violation of this section by the landlord is a violation of section 504B.161.

EFFECTIVE DATE. This section applies to matters commenced on or after August 1, 2022.

Sec. 11. **[504B.266] TERMINATION OF LEASE UPON INFIRMITY OF TENANT.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Authorized representative" means a person acting as an attorney-in-fact under a power of attorney under section 523.24 or a court-appointed conservator or guardian under chapter 524.

(c) "Disability" means any condition or characteristic that is a physical, sensory, or mental impairment that materially limits one or more major life activity.

(d) "Medical care facility" means:

(1) a nursing home, as defined in section 144A.01, subdivision 5;

(2) hospice care, as defined in section 144A.75, subdivision 8;

(3) a residential hospice facility, as defined in section 144A.75, subdivision 13;

(4) a boarding care home, as licensed under chapter 144 and regulated by the Department of Health under Minnesota Rules, chapter 4655;

(5) a supervised living facility, as licensed under chapter 144;

(6) a facility providing assisted living, as defined in section 144G.08, subdivision 7;

(7) an accessible unit, as defined in section 363A.40, subdivision 1, paragraph (b);

(8) a state facility, as defined in section 246.50, subdivision 3;

(9) a facility providing a foster care for adults program, as defined in section 245A.02, subdivision 6c; or

(10) a facility providing intensive residential treatment services, as defined in section 245I.23.

(e) "Medical professional" means:

(1) a physician who is currently licensed to practice medicine under section 147.02, subdivision 1;

(2) an advanced practice registered nurse, as defined in section 148.171, subdivision 3; or

(3) a mental health professional, as defined in section 245I.04, subdivision 2.

Subd. 2. Termination of lease upon infirmity of tenant. (a) A tenant or the authorized representative of the tenant may terminate the lease before the expiration of the lease in the manner provided in subdivision 3 if the tenant has, or if there is more than one tenant, all the tenants have, been found by a medical professional to need to move into a medical care facility and:

(1) require assistance with instrumental activities of daily living or personal activities of daily living due to medical reasons or a disability;

(2) meet one of the nursing facility level of care criteria under section 144.0724, subdivision 11; or

(3) have a disability or functional impairment in three or more of the areas listed in section 245.462, subdivision 11a, so that self-sufficiency is markedly reduced because of a mental illness.

(b) If a tenant requires an accessible unit as defined in section 363A.40, subdivision 1, and the landlord can provide an accessible unit in the same complex where the tenant currently resides that is available within two months of the request, then the provisions of this section do not apply and the tenant may not terminate the lease.

Subd. 3. Notice. If the conditions in subdivision 2 have been met, the tenant or the tenant's authorized representative may terminate the lease by providing at least two months' written notice to be effective on the last day of a calendar month. The notice must be either hand delivered or mailed by postage prepaid, first class United States mail. The notice must include: (1) a copy of the medical professional's written documentation of the infirmity; and (2) documentation showing that the tenant has been accepted as a resident or has a pending application at a location where the medical professional has indicated that the tenant needs to move. The termination of a lease under this section shall not relieve the eligible tenant from liability either for the payment of rent or other sums owed prior to or during the notice period, or for the payment of amounts necessary to restore the premises to the condition at the beginning of the tenancy, ordinary wear and tear excepted.

Subd. 4. Waiver prohibited. Any waiver of the rights of termination provided by this section, including lease provisions or other agreements that require a longer notice period than those provided for in this section, shall be void and unenforceable.

Subd. 5. Other laws. Nothing in this section affects the rights or remedies available in this chapter or other law, including but not limited to chapter 363A.

EFFECTIVE DATE. This section is effective January 1, 2023, and applies to leases entered into or renewed on or after January 1, 2023. For purposes of this section, estates at will shall be deemed to be renewed at the beginning of each rental period.

Sec. 12. Minnesota Statutes 2020, section 504B.291, is amended to read:

504B.291 EVICTION ACTION FOR NONPAYMENT; REDEMPTION; OTHER RIGHTS.

Subdivision 1. **Action to recover.** (a) Subject to subdivision 1a, a landlord may bring an eviction action for nonpayment of rent irrespective of whether the lease contains a right of reentry clause. Such an eviction action is equivalent to a demand for the rent. There is a rebuttable presumption that the rent has been paid if the tenant produces a copy or copies of one or more money orders or produces one or more original receipt stubs evidencing the purchase of a money order, if the documents: (i) total the amount of the rent; (ii) include a date or dates approximately corresponding with the date rent was due; and (iii) in the case of copies of money orders, are made payable to the landlord. This presumption is rebutted if the landlord produces a business record that shows that the tenant has not paid the rent. The landlord is not precluded from introducing other evidence that rebuts this presumption. In such an action, unless the landlord has also sought to evict the tenant by alleging a material violation of the lease under section 504B.285, subdivision 5, the tenant may, at any time before possession has been delivered, redeem the tenancy and be restored to possession by paying to the landlord or bringing to court the amount of the rent that is in arrears, with interest, costs of the action, and an attorney's fee not to exceed \$5, and by performing any other covenants of the lease.

(b) If the tenant has paid to the landlord or brought into court the amount of rent in arrears but is unable to pay the interest, costs of the action, and attorney's fees required by paragraph (a), the court may permit the tenant to pay these amounts into court and be restored to possession within the same period of time, if any, for which the court stays the issuance of the order to vacate under section 504B.345.

(c) Prior to or after commencement of an action to recover possession for nonpayment of rent, the parties may agree only in writing that partial payment of rent in arrears which is accepted by the landlord prior to issuance of the order granting restitution of the premises pursuant to section 504B.345 may be applied to the balance due and does not waive the landlord's action to recover possession of the premises for nonpayment of rent.

(d) Rental payments under this subdivision must first be applied to rent claimed as due in the complaint from prior rental periods before applying any payment toward rent claimed in the complaint for the current rental period, unless the court finds that under the circumstances the claim for rent from prior rental periods has been waived.

Subd. 1a. Eviction prohibited pending rental assistance application determination. A landlord may not bring an eviction action for the nonpayment of rent against a tenant, or proceed with an eviction action for nonpayment of rent if one has already been filed, if the tenant demonstrates the tenant has a pending application for rental assistance with a federal agency, state agency, local unit of government, or nonprofit corporation incorporated under chapter 317A. A landlord may bring an eviction action or proceed on a previously filed eviction action if the tenant has been denied rental assistance, or within 45 days of notice by the tenant of a pending application for rental assistance, whichever comes first. A landlord who is notified that rental assistance for the tenant has been approved shall not file or proceed with an eviction action for 15 business days pending distribution of the funds awarded. For purposes of this section, "rental assistance" means funds distributed to provide direct assistance for the payment of rent:

(1) under chapters 256D, 256I, and 256J;

(2) under sections 116L.17, 245.99, 256.484, 256K.45, 462A.204, 462C.16, and 477A.30;

(3) distributed by or through a county or municipal government;

(4) provided by a federal agency to be administered and distributed by the state or local government; or

(5) distributed by a nonprofit that has been funded by the federal, state, or local government when the funding was provided for the purpose of providing rental assistance.

Subd. 2. **Lease greater than 20 years.** (a) If the lease under which an action is brought under subdivision 1 is for a term of more than 20 years, the action may not begin until the landlord serves a written notice on the tenant and on all creditors with legal or equitable recorded liens on the property. The notice must state: (1) the lease will be canceled unless the amounts, agreements, and legal obligations in default are paid or performed within 30 days, or a longer specified period; and (2) if the amounts, agreements, and legal obligations are not paid or performed within that period, then the landlord may evict the tenant at the expiration of the period.

(b) If the lease provides that the landlord must give more than the 30 days' notice provided in paragraph (a), then notice must be the same as that provided in the lease.

(c) The tenant may be restored to possession of the property under the terms of the original lease if, before the expiration of six months after the landlord obtains possession due to the tenant's abandonment or surrender of the property or the landlord prevails in the action, the tenant or a creditor holding a legal or equitable lien on the property: (1) pays to the landlord or brings into court the amount of rent then in arrears, with interest and the costs of the action; and (2) performs the other agreements or legal obligations that are in default.

Subd. 3. **Recording of eviction or ejectment actions.** Upon recovery of possession by the landlord in the action, a certified copy of the judgment shall, upon presentation, be recorded in the office of the county recorder of the county where the land is situated if unregistered land or in the office of the registrar of titles of the county if registered land and upon recovery of possession by the landlord by abandonment or surrender by the tenant an affidavit by the landlord or the landlord's attorney setting forth the fact shall be recorded in a like manner and the recorded certified copy of the judgment or the recorded affidavit shall be prima facie evidence of the facts stated therein in reference to the recovery of possession by the landlord.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to evictions filed on or after that date and evictions pending but not yet adjudicated on the date of final enactment.

Sec. 13. Minnesota Statutes 2020, section 504B.321, is amended to read:

504B.321 COMPLAINT AND SUMMONS.

Subdivision 1. **Procedure.** (a) To bring an eviction action, the person complaining shall file a complaint with the court, stating the full name and date of birth of the person against whom the complaint is made, unless it is not known, describing the premises of which possession is claimed, stating the facts which authorize the recovery of possession, and asking for recovery thereof.

(b) The lack of the full name and date of birth of the person against whom the complaint is made does not deprive the court of jurisdiction or make the complaint invalid.

(c) The court shall issue a summons, commanding the person against whom the complaint is made to appear before the court on a day and at a place stated in the summons.

(d) The appearance shall be not less than seven nor more than 14 days from the day of issuing the summons, except as provided by subdivision 2.

(e) A copy of the complaint shall be attached to the summons, which shall state that the copy is attached and that the original has been filed.

(f) If applicable, the person filing a complaint must attach a copy of the written notice described in subdivision 1a. The court shall dismiss an action without prejudice for failure to provide a notice as described in subdivision 1a and grant an expungement of the eviction case court file.

Subd. 1a. **Written notice.** (a) Before bringing an eviction action alleging nonpayment of rent, a landlord must provide written notice to the residential tenant specifying the basis for a future eviction action.

(b) For an allegation of nonpayment of rent or other unpaid financial obligations in violation of the lease, the landlord must include the following in a written notice:

(1) the total amount due;

(2) a specific accounting of the amount of the total due that is comprised of unpaid rents, late fees, or other charges under the lease; and

(3) the name and address of the person authorized to receive rent and fees on behalf of the landlord.

(c) A notice provided under this section must:

(1) provide a disclaimer that a low-income tenant may be eligible for financial assistance from the county;

(2) provide a description on how to access legal and financial assistance through the "Law Help" website at www.lawhelpmn.org and "Minnesota 211" through its website www.211unitedway.org or by calling 211; and

(3) state that the landlord may bring an eviction action following expiration of the 14-day notice period if the tenant fails to pay the total amount due or fails to vacate.

(d) The landlord or an agent of the landlord must deliver the notice personally or by first class mail to the residential tenant at the address of the leased premises.

(e) If the tenant fails to correct the rent delinquency within 14 days of the delivery or mailing of the notice or fails to vacate, the landlord may bring an eviction action under subdivision 1 based on the nonpayment of rent.

(f) Receipt of a notice under this section is an emergency situation under section 256D.06, subdivision 2, and Minnesota Rules, chapter 9500. For purposes of chapter 256J and Minnesota Rules, chapter 9500, a county agency verifies an emergency situation by receiving and reviewing a notice under this section. If a residential tenant applies for financial assistance from the county, the landlord must cooperate with the application process by:

(1) supplying all information and documentation requested by the tenant or the county; and

(2) accepting or placing into escrow partial rent payments where necessary to establish a tenant's eligibility for assistance.

Subd. 2. Expedited procedure. (a) In an eviction action brought under section 504B.171 or on the basis that the residential tenant is causing a nuisance or other illegal behavior that seriously endangers the safety of other residents, their property, or the landlord's property, the person filing the complaint shall file an affidavit stating specific facts and instances in support of why an expedited hearing is required.

(b) The complaint and affidavit shall be reviewed by a referee or judge and scheduled for an expedited hearing only if sufficient supporting facts are stated and they meet the requirements of this paragraph.

(c) The appearance in an expedited hearing shall be not less than five days nor more than seven days from the date the summons is issued. The summons, in an expedited hearing, shall be served upon the residential tenant within 24 hours of issuance unless the court orders otherwise for good cause shown.

(d) If the court determines that the person seeking an expedited hearing did so without sufficient basis under the requirements of this subdivision, the court shall impose a civil penalty of up to \$500 for abuse of the expedited hearing process.

Subd. 3. **Nonpublic record.** An eviction action is not accessible to the public until the court enters a final judgment.

Sec. 14. Minnesota Statutes 2020, section 504B.375, subdivision 1, is amended to read:

Subdivision 1. **Unlawful exclusion or removal.** (a) This section applies to actual or constructive removal or exclusion of a residential tenant which may include the termination of utilities or the removal of doors, windows, or locks. A residential tenant to whom this section applies may recover possession of the premises as described in paragraphs (b) to (e).

(b) The residential tenant shall present a verified petition to the district court of the judicial district of the county in which the premises are located that:

(1) describes the premises and the landlord;

(2) specifically states the facts and grounds that demonstrate that the exclusion or removal was unlawful, including a statement that no writ of recovery of the premises and order to vacate has been issued under section 504B.345 in favor of the landlord and against the residential tenant and executed in accordance with section 504B.365; and

(3) asks for possession.

(c) If it clearly appears from the specific grounds and facts stated in the verified petition or by separate affidavit of the residential tenant or the residential tenant's attorney or agent that the exclusion or removal was unlawful, the court shall immediately order that the residential tenant have possession of the premises.

(d) The residential tenant shall furnish security, if any, that the court finds is appropriate under the circumstances for payment of all costs and damages the landlord may sustain if the order is subsequently found to have been obtained wrongfully. In determining the appropriateness of security, the court shall consider the residential tenant's ability to afford monetary security.

(e) The court shall direct the order to the sheriff of the county in which the premises are located and the sheriff shall execute the order immediately by making a demand for possession on the landlord, if found, or the landlord's agent or other person in charge of the premises. If the landlord fails to comply with the demand, the officer shall take whatever assistance may be necessary and immediately place the residential tenant in possession of the premises. If the landlord, the landlord's agent, or other person in control of the premises cannot be found and if there is no person in charge, the officer shall immediately enter into and place the residential tenant in possession of the premises. The officer shall also serve the order and verified petition or affidavit immediately upon the landlord or agent, in the same manner as a summons is required to be served in a civil action in district court.

(f) The court administrator may charge a filing fee in the amount set for complaints and counterclaims in conciliation court, subject to the filing of an inability to pay affidavit.

Sec. 15. Minnesota Statutes 2020, section 504B.381, subdivision 1, is amended to read:

Subdivision 1. **Petition.** A person authorized to bring an action under section 504B.395, subdivision 1, may petition the court for relief ~~in cases of emergency involving the loss of running water, hot water, heat, electricity, sanitary facilities, or other essential services or facilities that the landlord is responsible for providing.:~~

(1) when a unit of government has issued a condemnation order or a notice of intent to condemn; or

(2) in cases of emergency involving the following services and facilities when the landlord is responsible for providing them:

(i) a serious infestation;

(ii) the loss of running water;

(iii) the loss of hot water;

(iv) the loss of heat;

(v) the loss of electricity;

(vi) the loss of sanitary facilities;

(vii) a nonfunctioning refrigerator;

(viii) if included in the lease, a nonfunctioning air conditioner;

(iv) if included in the lease, no functioning elevator;

(x) any conditions, services, or facilities that pose a serious and negative impact on health or safety; or

(xi) other essential services or facilities.

Sec. 16. Minnesota Statutes 2020, section 504B.381, subdivision 5, is amended to read:

Subd. 5. **Relief; service of petition and order.** Provided proof that the petitioner has given the notice required in subdivision 4 to the landlord, if the court finds based on the petitioner's emergency ex parte motion for relief, affidavit, and other evidence presented that the landlord violated subdivision 1, then the court shall order that the landlord immediately begin to remedy the violation and may order relief as provided in section 504B.425. The court and petitioner shall serve the petition and order on the landlord personally or by mail as soon as practicable. The court shall include notice of a hearing and, at the hearing, shall consider evidence of alleged violations, defenses, compliance with the order, and any additional relief available under section 504B.425. The court and petitioner shall serve the notice of hearing on the ex parte petition and emergency order personally or by mail as soon as practicable.

Sec. 17. Minnesota Statutes 2020, section 504B.381, is amended by adding a subdivision to read:

Subd. 8. **Filing fee.** The court administrator may charge a filing fee in the amount set for complaints and counterclaims in conciliation court, subject to the filing of an inability to pay affidavit."

Delete the title and insert:

"A bill for an act relating to housing; modifying provisions governing housing finance, housing policy, and various other housing-related provisions; appropriating money for the governor's supplemental housing budget; appropriating money for the Minnesota Housing Finance Agency; appropriating money for the Department of Human Rights to investigate income discrimination in housing; establishing the community stabilization housing program; establishing the strengthening supportive housing model program; establishing the lead-safe homes grant program; establishing the housing mediation grant program; establishing the first-generation homebuyers down payment assistance fund pilot project; establishing the manufactured home park cooperative purchase program; modifying eligible uses for housing trust fund loans and grants; modifying eligible uses for housing infrastructure bonds; modifying provisions governing rental covenants and evictions; amending Minnesota Statutes 2020, sections 363A.09, subdivisions 1, 2, by adding a subdivision; 462A.03, subdivision 13; 462A.05, by adding subdivisions; 462A.07, subdivisions 9, 10, 14; 462A.201, subdivision 2; 462A.204, subdivisions 3, 8; 462A.21, subdivision 4a; 462A.22, subdivision 1; 462A.36, subdivision 4, by adding a subdivision; 462A.37, subdivisions 1, 2, 4, by adding subdivisions; 462A.38, subdivision 1; 462A.39, subdivisions 2, 5; 484.014, subdivisions 2, 3; 500.20, subdivision 2a; 504B.135; 504B.161, subdivision 1; 504B.211, subdivisions 2, 6; 504B.291; 504B.321; 504B.375, subdivision 1; 504B.381, subdivisions 1, 5, by adding a subdivision; Minnesota Statutes 2021 Supplement, sections 462A.05, subdivision 14; 462A.37, subdivision 5; Laws 2021, First Special Session chapter 8, article 1, section 3, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 462A; 504B."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Hansen, R., from the Committee on Environment and Natural Resources Finance and Policy to which was referred:

H. F. No. 4736, A bill for an act relating to environment; requiring rulemaking to address certain climate issues for wastewater and water supply projects; amending Minnesota Statutes 2020, sections 116.182, subdivision 5; 446A.081, subdivision 12.

Reported the same back with the following amendments:

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 2020, section 446A.072, subdivision 5a, is amended to read:

Subd. 5a. **Type and amount of assistance.** (a) For a governmental unit receiving grant funding from the USDA/RECD, the authority may provide assistance in the form of a grant of up to 65 percent of the eligible grant need determined by USDA/RECD. A governmental unit may not receive a grant under this paragraph for more than \$5,000,000 per project or \$20,000 per existing connection, whichever is less, unless specifically approved by law.

(b) For a governmental unit receiving a loan from the clean water revolving fund under section 446A.07, the authority may provide assistance under this section in the form of a grant if the ~~average annual residential wastewater system cost after completion of the project would otherwise exceed 1.4 percent of the median household income of the project service area. In determining whether the average annual residential wastewater system cost would exceed 1.4 percent, the authority must consider the total costs associated with building, operating, and maintaining the wastewater system, including existing wastewater debt service, debt service on the eligible project cost, and operation and maintenance costs. Debt service costs for the proposed project are calculated based on the~~

~~maximum loan term permitted for the clean water revolving fund loan under section 446A.07, subdivision 7. The amount of the grant is equal to 80 percent of the amount needed to reduce the average annual residential wastewater system cost to 1.4 percent of median household income in the project service area, to a maximum of \$5,000,000 per project or \$20,000 per existing connection, whichever is less, unless specifically approved by law. The eligible project cost is determined by multiplying the total project costs minus any other grants by the essential project component percentage calculated under subdivision 3, paragraph (c), clause (1). project service area includes, in whole or in part, a census tract where at least three of the following apply as determined using the most recently published data from the United States Census Bureau or United States Centers for Disease Control and Prevention:~~

~~(1) 20 percent or more of the residents have income below the federal poverty thresholds;~~

~~(2) the tract has a United States Centers for Disease Control and Prevention Social Vulnerability Index greater than 0.80;~~

~~(3) the upper limit of the lowest quintile of household income is less than the state upper limit of the lowest quintile;~~

~~(4) the housing vacancy rate is greater than the state average; or~~

~~(5) the percent of the population receiving Supplemental Nutrition Assistance Program (SNAP) benefits is greater than the state average.~~

In no case may the amount of the grant exceed 80 percent of the eligible project cost.

~~(c) For a governmental unit receiving a loan from the drinking water revolving fund under section 446A.081, the authority may provide assistance under this section in the form of a grant if the average annual residential drinking water system cost after completion of the project would otherwise exceed 1.2 percent of the median household income of the project service area. In determining whether the average annual residential drinking water system cost would exceed 1.2 percent, the authority must consider the total costs associated with building, operating, and maintaining the drinking water system, including existing drinking water debt service, debt service on the eligible project cost, and operation and maintenance costs. Debt service costs for the proposed project are calculated based on the maximum loan term permitted for the drinking water revolving fund loan under section 446A.081, subdivision 8, paragraph (c). The amount of the grant is equal to 80 percent of the amount needed to reduce the average annual residential drinking water system cost to 1.2 percent of median household income in the project service area, to a maximum of \$5,000,000 per project or \$20,000 per existing connection, whichever is less, unless specifically approved by law. The eligible project cost is determined by multiplying the total project costs minus any other grants by the essential project component percentage calculated under subdivision 3, paragraph (c), clause (1). project service area includes, in whole or in part, a census tract where at least three of the following apply as determined using the most recently published data from the United States Census Bureau or United States Centers for Disease Control and Prevention:~~

~~(1) 20 percent or more of the residents have income below the federal poverty thresholds;~~

~~(2) the tract has a United States Centers for Disease Control and Prevention Social Vulnerability Index greater than 0.80;~~

~~(3) the upper limit of the lowest quintile of household income is less than the state upper limit of the lowest quintile;~~

~~(4) the housing vacancy rate is greater than the state average; or~~

~~(5) the percent of the population receiving SNAP benefits is greater than the state average.~~

In no case may the amount of the grant exceed 80 percent of the eligible project cost.

(d) Notwithstanding the limits in paragraphs (a), (b), and (c), for a governmental unit receiving supplemental assistance under this section after January 1, 2002, if the authority determines that the governmental unit's construction and installation costs are significantly increased due to geological conditions of crystalline bedrock or karst areas and discharge limits that are more stringent than secondary treatment, the maximum award under this section shall not be more than \$25,000 per existing connection."

Page 2, after line 24, insert:

"Sec. 6. **LEAD SERVICE LINE REPLACEMENT; APPROPRIATION.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Community water system" has the meaning given in United States Code, title 42, section 300f(15).

(c) "Lead service line" means a water supply connection that is made of or lined with a material consisting of lead and that connects a water main to a building. A lead pigtail, lead gooseneck, or other lead fitting is considered a lead service line, regardless of the composition of the service line or other portions of piping to which the piece is attached. A galvanized service line is considered a lead service line.

(d) "Service line" means any piping, tubing, or fitting connecting a water main to a building. Service line includes the property owner side and the system side of a service line.

(e) "System side" means the portion of a service line that is owned by a community water system.

Subd. 2. **Appropriation.** \$2,335,000 in fiscal year 2023 is appropriated from the general fund to the Metropolitan Council for grants to cities and other entities operating community water systems to replace the privately owned portion of residential lead service lines. Grants from this appropriation must first be used to supplement any federal money provided to the state as principal forgiveness or grants under Public Law 117-58, the Infrastructure Investment and Jobs Act, to cover 100 percent of the cost to replace privately owned residential lead service lines.

Subd. 3. **Eligibility.** Grants awarded under this section must be used to replace or partially replace lead service lines within census tracts where at least three of the following apply using the most recently published data from the United States Census Bureau or United States Centers for Disease Control and Prevention:

(1) 20 percent or more of the residents have income below the federal poverty thresholds;

(2) the tract has a United States Centers for Disease Control and Prevention Social Vulnerability Index greater than 0.80;

(3) the upper limit of the lowest quintile of household income is less than the state upper limit of the lowest quintile;

(4) the housing vacancy rate is greater than the state average; or

(5) the percent of the population receiving Supplemental Nutrition Assistance Program (SNAP) benefits is greater than the state average.

Subd. 4. **Prevailing wage.** Laborers and mechanics performing work on a project funded by a grant under this section, including removal of lead service lines and installation of replacement service lines, must be paid the prevailing wage rate for the work as defined in Minnesota Statutes, section 177.42, subdivision 6. The project is subject to the requirements and enforcement provisions of Minnesota Statutes, sections 177.30 and 177.41 to 177.45."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying water infrastructure funding program; providing for lead service line replacement; appropriating money;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Capital Investment.

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Becker-Finn introduced:

H. F. No. 4784, A bill for an act relating to human services; modifying the membership of the Commission of the Deaf, DeafBlind and Hard of Hearing; amending Minnesota Statutes 2020, section 256C.28, subdivision 1.

The bill was read for the first time and referred to the Committee on Human Services Finance and Policy.

Hornstein introduced:

H. F. No. 4785, A bill for an act relating to motor vehicles; requiring the commissioner of public safety to establish the Undocumented Immigrant Drivers' Licenses Task Force; repealing the requirement of lawful presence to obtain a driver's license; requiring a report; repealing Minnesota Statutes 2020, section 171.015, subdivision 7; Minnesota Rules, part 7410.0410, subparts 1, 7.

The bill was read for the first time and referred to the Committee on Transportation Finance and Policy.

Ecklund introduced:

H. F. No. 4786, A bill for an act relating to environment; appropriating money to provide grants to counties to evaluate impaired lakes and waters.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy.

Olson, B., introduced:

H. F. No. 4787, A bill for an act relating to capital investment; appropriating money for a new community center in the city of Fairmont; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Anderson introduced:

H. F. No. 4788, A bill for an act relating to agriculture; appropriating money for livestock processing facilities grants; amending Laws 2021, First Special Session chapter 3, article 1, section 2, subdivisions 1, 4.

The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy.

Burkel introduced:

H. F. No. 4789, A bill for an act relating to local taxes; modifying the authority for the city of Warren to impose a local sales and use tax; amending Laws 2021, First Special Session chapter 14, article 8, section 21.

The bill was read for the first time and referred to the Committee on Taxes.

Daudt, Robbins, Demuth, Torkelson and Petersburg introduced:

H. F. No. 4790, A bill for an act relating to elections; requiring photo ID to register to vote and to vote; creating a voter identification card; establishing provisional ballots; prohibiting certain methods of compensation related to absentee voting; requiring identification of individuals acting as an agent for an absentee voter; requiring identification of individuals providing assistance to a voter in a polling place; prohibiting certain activities related to voter registration and absentee voting; prohibiting counties, municipalities, and school districts from accepting certain contributions for election expenses; amending requirements for in-person absentee voting polling places; increasing criminal penalties; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 5B.06; 13.6905, by adding a subdivision; 144.226, by adding subdivisions; 171.06, subdivisions 1, 2, by adding a subdivision; 171.061, subdivisions 1, 3, 4; 171.07, subdivisions 1a, 4, 14, by adding a subdivision; 171.071, subdivisions 1, 2; 171.10, subdivision 1; 171.11; 171.12, subdivision 3c; 171.121; 171.14; 201.022, subdivision 1; 201.061, subdivisions 1, 1a, 3; 201.071, subdivisions 1, 3; 201.091, subdivision 9; 201.121, subdivision 1; 201.13, subdivision 3; 201.14; 201.145, subdivisions 2, 3, 4, 5; 201.161; 201.221, subdivision 3; 203B.03, by adding a subdivision; 203B.04, subdivision 4; 203B.065; 203B.07, subdivision 3; 203B.081, subdivision 1; 203B.17, subdivision 2; 203B.19; 203B.21, subdivision 3; 204B.32, by adding a subdivision; 204B.45, subdivision 2; 204B.46; 204C.08, subdivision 1d; 204C.10; 204C.15, subdivision 1; 204C.32; 204C.33, subdivision 1; 204C.37; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 211B.07; 211B.13, subdivision 1; 256E.22, subdivision 1; Minnesota Statutes 2021 Supplement, sections 201.071, subdivision 2; 201.225, subdivision 2; 203B.04, subdivision 1; 203B.08, subdivision 1; 203B.121, subdivision 2; 203B.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; 357; repealing Minnesota Statutes 2020, section 201.061, subdivision 7.

The bill was read for the first time and referred to the Committee on State Government Finance and Elections.

Lillie introduced:

H. F. No. 4791, A bill for an act relating to local taxes; modifying the local sales and use tax authorization for the city of Oakdale; amending Laws 2021, First Special Session chapter 14, article 8, section 15.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 3420, A bill for an act relating to drought relief; modifying the disaster recovery loan program; increasing funding for agricultural drought relief loans; appropriating money for drought relief grants and other financial assistance for eligible farmers; providing financial assistance to municipalities, townships, and Tribal governments for increasing water efficiency in public water supplies; providing grants for planting shade trees and purchasing tree-watering equipment; providing financial assistance to replace drought-killed seedlings; appropriating money; amending Minnesota Statutes 2020, section 41B.047, subdivision 3.

The Senate has appointed as such committee:

Senators Westrom, Weber, Lang, Dahms and Eken.

Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

MOTIONS AND RESOLUTIONS

Jurgens moved that the names of Quam; Franson; Nelson, N.; Swedzinski and Franke be added as authors on H. F. No. 26. The motion prevailed.

Green moved that the names of Robbins and Petersburg be added as authors on H. F. No. 101. The motion prevailed.

Demuth moved that the name of Torkelson be added as an author on H. F. No. 131. The motion prevailed.

Daudt moved that the names of Anderson, Akland, Boe and Robbins be added as authors on H. F. No. 302. The motion prevailed.

Davids moved that the name of Robbins be added as an author on H. F. No. 330. The motion prevailed.

Bliss moved that the name of West be added as an author on H. F. No. 392. The motion prevailed.

Kiel moved that the names of Torkelson and Nelson, N., be added as authors on H. F. No. 513. The motion prevailed.

Novotny moved that the names of Torkelson, Anderson, Boe and Robbins be added as authors on H. F. No. 583. The motion prevailed.

Neu Brindley moved that the name of Robbins be added as an author on H. F. No. 943. The motion prevailed.

Nash moved that the name of Robbins be added as an author on H. F. No. 1047. The motion prevailed.

Nash moved that the name of Robbins be added as an author on H. F. No. 1048. The motion prevailed.

Kresha moved that the name of Robbins be added as an author on H. F. No. 1051. The motion prevailed.

Lucero moved that the name of Robbins be added as an author on H. F. No. 1243. The motion prevailed.

Jordan moved that the name of Hornstein be added as an author on H. F. No. 1426. The motion prevailed.

Neu Brindley moved that the names of Torkelson, Anderson and Robbins be added as authors on H. F. No. 1737. The motion prevailed.

Novotny moved that the names of Anderson, Boe and Robbins be added as authors on H. F. No. 1967. The motion prevailed.

Howard moved that the name of Bierman be added as an author on H. F. No. 2056. The motion prevailed.

Morrison moved that the name of Hornstein be added as an author on H. F. No. 2232. The motion prevailed.

Bierman moved that the name of Hornstein be added as an author on H. F. No. 2361. The motion prevailed.

Hornstein moved that the names of Jurgens, Reyer and Masin be added as authors on H. F. No. 2367. The motion prevailed.

Backer moved that the names of Anderson, Akland, Boe and Drazkowski be added as authors on H. F. No. 2821. The motion prevailed.

Quam moved that the names of Pfarr and Akland be added as authors on H. F. No. 2984. The motion prevailed.

Nash moved that the name of Robbins be added as an author on H. F. No. 3112. The motion prevailed.

Lee moved that the name of Fischer be added as an author on H. F. No. 3146. The motion prevailed.

Daudt moved that the name of Bliss be added as an author on H. F. No. 3158. The motion prevailed.

McDonald moved that the name of Boe be added as an author on H. F. No. 3277. The motion prevailed.

O'Neill moved that the names of Pfarr, Torkelson and Anderson be added as authors on H. F. No. 3279. The motion prevailed.

Novotny moved that the names of Torkelson, Anderson, Akland and Boe be added as authors on H. F. No. 3325. The motion prevailed.

Novotny moved that the names of Pfarr, Torkelson, Anderson and Akland be added as authors on H. F. No. 3326. The motion prevailed.

Novotny moved that the name of Torkelson be added as an author on H. F. No. 3331. The motion prevailed.

Mueller moved that the name of Anderson be added as an author on H. F. No. 3333. The motion prevailed.

Scott moved that the name of Anderson be added as an author on H. F. No. 3355. The motion prevailed.

Keeler moved that the name of Bierman be added as an author on H. F. No. 3377. The motion prevailed.

Vang moved that the name of Bierman be added as an author on H. F. No. 3396. The motion prevailed.

Novotny moved that the names of Torkelson, Akland, Pfarr and Anderson be added as authors on H. F. No. 3424. The motion prevailed.

Novotny moved that the name of Torkelson be added as an author on H. F. No. 3482. The motion prevailed.

Gruenhagen moved that the name of Scott be added as an author on H. F. No. 3683. The motion prevailed.

Edelson moved that the name of Backer be added as an author on H. F. No. 3729. The motion prevailed.

Jordan moved that the name of Hornstein be added as an author on H. F. No. 4132. The motion prevailed.

Hamilton moved that the name of Swedzinski be added as an author on H. F. No. 4512. The motion prevailed.

Nash moved that the name of Freiberg be added as an author on H. F. No. 4746. The motion prevailed.

Albright moved that the name of Boe be added as an author on H. F. No. 4776. The motion prevailed.

Koznick moved that the names of Mekeland and Bliss be added as authors on H. F. No. 4779. The motion prevailed.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 11:00 a.m., Tuesday, April 19, 2022. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and Speaker pro tempore Wolgamott declared the House stands adjourned until 11:00 a.m., Tuesday, April 19, 2022.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

