

## STATE OF MINNESOTA

## NINETY-FIRST SESSION — 2019

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 FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 30, 2019

The House of Representatives convened at 10:00 a.m. and was called to order by Liz Olson, Speaker pro tempore.

Prayer was offered by Chaplain Daryl Thul, 34th Combat Aviation Brigade and Pastor at South Santiago Lutheran Church, Becker, Minnesota.

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

The Speaker assumed the Chair.

The roll was called and the following members were present:

Acomb	Davnie	Hausman	Lillie	Nelson, N.	Scott
Albright	Dehn	Heinrich	Lippert	Neu	Stephenson
Anderson	Demuth	Heintzeman	Lislegard	Noor	Sundin
Backer	Dettmer	Her	Loeffler	Nornes	Swedzinski
Bahner	Drazkowski	Hertaus	Long	Olson	Tabke
Bahr	Ecklund	Hornstein	Lucero	O'Neill	Theis
Baker	Edelson	Howard	Lueck	Pelowski	Torkelson
Becker-Finn	Elkins	Huot	Mahoney	Persell	Urdahl
Bennett	Erickson	Johnson	Mann	Petersburg	Vang
Bernardy	Fabian	Jurgens	Mariani	Pinto	Vogel
Bierman	Fischer	Kiel	Marquart	Poppe	Wagenius
Boe	Franson	Klevorn	Masin	Poston	Wazlawik
Brand	Freiberg	Koegel	McDonald	Pryor	West
Cantrell	Garofalo	Kotzya-Witthuhn	Mekeland	Quam	Winkler
Carlson, A.	Gomez	Koznick	Miller	Richardson	Wolgamott
Carlson, L.	Green	Kresha	Moller	Robbins	Xiong, J.
Christensen	Grossell	Kunesh-Podein	Moran	Runbeck	Xiong, T.
Claflin	Gruenhagen	Layman	Morrison	Sandell	Youakim
Considine	Gunther	Lee	Munson	Sandstede	Zerwas
Daniels	Haley	Lesch	Murphy	Sauke	Spk. Hortman
Daudt	Hamilton	Liebling	Nash	Schomacker	
Davids	Hansen	Lien	Nelson, M.	Schultz	

A quorum was present.

Hassan was excused.

Halverson, O'Driscoll and Pierson were excused until 2:30 p.m.

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.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House File was introduced:

Heintzeman; Nash; O'Neill; Anderson; Jurgens; Boe; Heinrich; Gruenhagen; Dettmer; Nelson, N., and Runbeck introduced:

H. F. No. 2862, A resolution memorializing the President and Congress to hold vaccine manufacturers liable for design defects that result in adverse side effects from vaccines.

The bill was read for the first time and referred to the Committee on Government Operations.

**MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 554, A bill for an act relating to human services; permitting parent to petition for reestablishment of the legal parent and child relationship; amending Minnesota Statutes 2018, section 260C.329, subdivisions 3, 7, 8, by adding subdivisions; repealing Minnesota Statutes 2018, section 260C.329, subdivision 5.

CAL R. LUDEMAN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2181, A bill for an act relating to economic development; creating a Telecommuter Forward! certification; proposing coding for new law in Minnesota Statutes, chapter 116J.

CAL R. LUDEMAN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2208, A bill for an act relating to state government; establishing a budget for economic development, telecommunications, and energy; appropriating money to the broadband grant program; establishing a budget to finance energy-related activities; creating renewable energy grant programs; modifying and establishing various provisions governing energy policy and finance; strengthening requirements for clean energy and energy

conservation in Minnesota; appropriating money for jobs and economic development; establishing paid family leave insurance; modifying economic development programs; establishing wage theft prevention; providing for earned sick and safe time; modifying labor and industry policy provisions; modifying commerce policy provisions; adopting Unemployment Insurance Advisory Council provisions; modifying unemployment insurance policy; modifying Bureau of Mediation Services policy; establishing guidelines relating to unclaimed property; modifying fees; increasing civil and criminal penalties; authorizing rulemaking; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 13.43, subdivision 6; 13.685; 13.719, by adding a subdivision; 15.72, subdivision 2; 16C.285, subdivision 3; 47.59, subdivision 2; 47.60, subdivision 2; 47.601, subdivisions 2, 6; 53.04, subdivision 3a; 56.131, subdivision 1; 116C.7792; 116J.8731, subdivision 5; 116J.8748, subdivisions 4, 6; 175.46, subdivisions 3, 13; 176.1812, subdivision 2; 176.231, subdivision 1; 177.27, subdivisions 2, 4, 7, by adding subdivisions; 177.30; 177.32, subdivision 1; 179.86, subdivisions 1, 3; 179A.041, by adding a subdivision; 181.03, subdivision 1, by adding subdivisions; 181.032; 181.101; 181.635, subdivision 2; 181.942, subdivision 1; 182.659, subdivision 8; 182.666, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 216B.16, subdivision 13, by adding a subdivision; 216B.1641; 216B.1645, subdivisions 1, 2; 216B.1691, subdivisions 1, 2b, 9, by adding a subdivision; 216B.2401; 216B.241, subdivisions 1a, 1c, 1d, 1f, 2, 2b, 3, 5, 7, 9, by adding a subdivision; 216B.2422, subdivisions 1, 2, 3, 4, 5, by adding subdivisions; 216B.243, subdivisions 3, 3a; 216B.62, subdivision 3b; 216C.435, subdivisions 3a, 8; 216C.436, subdivision 4, by adding a subdivision; 216F.04; 216F.08; 256J.561, by adding a subdivision; 256J.95, subdivisions 3, 11; 256P.01, subdivision 3; 268.035, subdivisions 4, 12, 15, 20; 268.044, subdivisions 2, 3; 268.046, subdivision 1; 268.047, subdivision 3; 268.051, subdivision 2a; 268.057, subdivision 5; 268.069, subdivision 1; 268.07, subdivision 1; 268.085, subdivisions 3, 3a, 8, 13a, by adding subdivisions; 268.095, subdivisions 6, 6a; 268.105, subdivision 6; 268.145, subdivision 1; 268.18, subdivisions 2b, 5; 268.19, subdivision 1; 326B.082, subdivisions 6, 8, 12; 326B.103, subdivision 11; 326B.106, subdivision 9, by adding a subdivision; 326B.46, by adding a subdivision; 326B.475, subdivision 4; 326B.802, subdivision 15; 326B.821, subdivision 21; 326B.84; 337.10, subdivision 4; 341.30, subdivision 1; 341.32, subdivision 1; 341.321; 345.515; 345.53, by adding a subdivision; 609.52, subdivisions 1, 2, 3; Laws 2014, chapter 211, section 13, as amended; Laws 2017, chapter 94, article 1, section 2, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 13; 16C; 116J; 116L; 177; 181; 216B; 216C; 216H; 325F; proposing coding for new law as Minnesota Statutes, chapters 58B; 268B; 345A; repealing Minnesota Statutes 2018, sections 181.9413; 216B.241, subdivisions 1, 2c, 4; 325F.75; Laws 2017, chapter 94, article 1, section 7, subdivision 7.

CAL R. LUDEMAN, Secretary of the Senate

Mahoney moved that the House refuse to concur in the Senate amendments to H. F. No. 2208, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 326, 328, 646, 1703 and 1732.

CAL R. LUDEMAN, Secretary of the Senate

**FIRST READING OF SENATE BILLS**

S. F. No. 326, A bill for an act relating to health; modifying requirements for supervisors of temporary body art technicians; amending Minnesota Statutes 2018, section 146B.03, by adding a subdivision; repealing Minnesota Statutes 2018, section 146B.02, subdivision 7a.

The bill was read for the first time.

Zerwas moved that S. F. No. 326 and H. F. No. 783, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 328, A bill for an act relating to health; modifying a hospital construction or modification moratorium exception for an existing hospital in Carver County; amending Minnesota Statutes 2018, section 144.551, subdivision 1.

The bill was read for the first time.

Nash moved that S. F. No. 328 and H. F. No. 1393, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 646, A bill for an act relating to transportation; renaming a bridge over the Mississippi River in Red Wing; amending Minnesota Statutes 2018, section 161.14, subdivision 16.

The bill was read for the first time.

Haley moved that S. F. No. 646 and H. F. No. 548, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1703, A bill for an act relating to commerce; eliminating supermajority requirements for conversion, merger, or consolidation of credit unions; amending Minnesota Statutes 2018, sections 52.201; 52.203.

The bill was read for the first time.

Kotyza-Witthuhn moved that S. F. No. 1703 and H. F. No. 1578, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1732, A bill for an act relating to health; permitting certain outpatient surgical centers to share a facility; amending Minnesota Statutes 2018, section 144.55, subdivisions 1, 2, 9, by adding subdivisions; repealing Minnesota Statutes 2018, section 144.55, subdivision 10.

The bill was read for the first time.

Robbins moved that S. F. No. 1732 and H. F. No. 1407, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Winkler moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORT FROM THE COMMITTEE ON RULES  
AND LEGISLATIVE ADMINISTRATION

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Thursday, May 2, 2019 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 1487 and 653.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2208:

Mahoney, Wagenius, Stephenson, Long and Hassan.

CALENDAR FOR THE DAY

TAKEN FROM TABLE

Winkler moved that S. F. No. 2415, the third engrossment, be taken from the table. The motion prevailed.

S. F. No. 2415, the third engrossment, was again reported to the House.

Bernardy moved to amend S. F. No. 2415, the third engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2544, the first engrossment:

"ARTICLE 1  
HIGHER EDUCATION APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the

appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2020</u></b>	<b><u>2021</u></b>
<b>Sec. 2. <u>MINNESOTA OFFICE OF HIGHER EDUCATION</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$274,318,000</u></b>	<b><u>\$270,220,000</u></b>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <b><u>State Grants</u></b>	<u>208,366,000</u>	<u>203,768,000</u>
<u>If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available for it. The base for this appropriation in fiscal year 2022 and all years thereafter is \$198,356,000</u>		
Subd. 3. <b><u>Child Care Grants</u></b>	<u>6,694,000</u>	<u>6,694,000</u>
Subd. 4. <b><u>State Work-Study</u></b>	<u>14,502,000</u>	<u>14,502,000</u>
Subd. 5. <b><u>Interstate Tuition Reciprocity</u></b>	<u>11,018,000</u>	<u>11,018,000</u>
<u>If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available to meet reciprocity contract obligations.</u>		
Subd. 6. <b><u>Safety Officer's Survivors</u></b>	<u>100,000</u>	<u>100,000</u>
<u>This appropriation is to provide educational benefits under Minnesota Statutes, section 299A.45, to eligible dependent children and to the spouses of public safety officers killed in the line of duty.</u>		
<u>If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available for it.</u>		
Subd. 7. <b><u>American Indian Scholarships</u></b>	<u>3,500,000</u>	<u>3,500,000</u>
<u>The commissioner must contract with or employ at least one person with demonstrated competence in American Indian culture and residing in or near the city of Bemidji to assist students with the scholarships under Minnesota Statutes, section 136A.126, and with other information about financial aid for which the students may be eligible. Bemidji State University must provide office</u>		

space at no cost to the Office of Higher Education for purposes of administering the American Indian scholarship program under Minnesota Statutes, section 136A.126. This appropriation includes funding to administer the American Indian scholarship program.

<u>Subd. 8. <b>Tribal College Grants</b></u>	<u>150,000</u>	<u>150,000</u>
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For tribal college assistance grants under Minnesota Statutes, section 136A.1796.

<u>Subd. 9. <b>Intervention for College Attendance Program Grants</b></u>	<u>755,000</u>	<u>755,000</u>
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For the intervention for college attendance program under Minnesota Statutes, section 136A.861.

The commissioner may use no more than three percent of this appropriation to administer the intervention for college attendance program grants.

<u>Subd. 10. <b>Student-Parent Information</b></u>	<u>122,000</u>	<u>122,000</u>
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<u>Subd. 11. <b>Get Ready!</b></u>	<u>180,000</u>	<u>180,000</u>
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<u>Subd. 12. <b>Minnesota Education Equity Partnership</b></u>	<u>45,000</u>	<u>45,000</u>
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<u>Subd. 13. <b>Midwest Higher Education Compact</b></u>	<u>115,000</u>	<u>115,000</u>
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<u>Subd. 14. <b>MN Reconnect</b></u>	<u>2,000,000</u>	<u>2,000,000</u>
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(a) For the Office of Higher Education to award grant funds to students and institutions under Minnesota Statutes, section 136A.123.

(b) \$1,250,000 in fiscal year 2020 and \$1,250,000 in fiscal year 2021 are for student grants.

(c) \$560,000 in fiscal year 2020 and \$560,000 in fiscal year 2021 are for institutional grants.

(d) \$80,000 in fiscal year 2020 and \$80,000 in fiscal year 2021 are for outreach, communications, and marketing to eligible students by the office.

(e) \$70,000 in fiscal year 2020 and \$70,000 in fiscal year 2021 are for a grant to the Minnesota State Colleges and Universities system for program administration.

(f) \$40,000 in fiscal year 2020 and \$40,000 in fiscal year 2021 are for program administration by the office.

<u>Subd. 15. <b>United Family Medicine Residency Program</b></u>	<u>501,000</u>	<u>501,000</u>
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For a grant to United Family Medicine residency program. This appropriation shall be used to support up to 21 resident physicians each year in family practice at United Family Medicine residency programs and shall prepare doctors to practice family care medicine in underserved rural and urban areas of the state. It is intended that this program will improve health care in underserved communities, provide affordable access to appropriate medical care, and manage the treatment of patients in a cost-effective manner.

<u>Subd. 16. <b>MnLINK Gateway and Minitex</b></u>	<u>5,905,000</u>	<u>5,905,000</u>
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<u>Subd. 17. <b>Statewide Longitudinal Education Data System</b></u>	<u>1,782,000</u>	<u>1,782,000</u>
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<u>Subd. 18. <b>Hennepin Healthcare</b></u>	<u>645,000</u>	<u>645,000</u>
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For transfer to Hennepin Healthcare for graduate family medical education programs at Hennepin Healthcare.

<u>Subd. 19. <b>College Possible</b></u>	<u>450,000</u>	<u>450,000</u>
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(a) This appropriation is for immediate transfer to College Possible to support programs of college admission and college graduation for low-income students through an intensive curriculum of coaching and support at both the high school and postsecondary level.

(b) This appropriation must, to the extent possible, be proportionately allocated between students from greater Minnesota and students in the seven-county metropolitan area.

(c) This appropriation must be used by College Possible only for programs supporting students who are residents of Minnesota and attending colleges or universities within Minnesota.

(d) By February 1 of each year, College Possible must report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over higher education and E-12 education on activities funded by this appropriation. The report must include, but is not limited to, information about the expansion of College Possible in Minnesota, the number of College Possible coaches hired, the expansion within existing partner high schools, the expansion of high school partnerships, the number of high school and college students served, the total hours of community service by high school and college students, and a list of communities and organizations benefiting from student service hours.



<u>Subd. 20. <b>Spinal Cord Injury and Traumatic Brain Injury Research Grant Program</b></u>	<u>3,000,000</u>	<u>3,000,000</u>
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For transfer to the spinal cord and traumatic brain grant account in the special revenue fund under Minnesota Statutes, section 136A.901, subdivision 1.

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

<u>Subd. 21. <b>Summer Academic Enrichment Program</b></u>	<u>250,000</u>	<u>250,000</u>
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For summer academic enrichment grants under Minnesota Statutes, section 136A.091.

The commissioner may use no more than three percent of this appropriation to administer the grant program under this subdivision.

<u>Subd. 22. <b>Dual Training Competency Grants; Office of Higher Education</b></u>	<u>3,000,000</u>	<u>3,000,000</u>
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For transfer to the Dual Training Competency Grants account in the special revenue fund under Minnesota Statutes, section 136A.246, subdivision 10.

<u>Subd. 23. <b>Dual Training Competency Grants; Department of Labor and Industry</b></u>	<u>200,000</u>	<u>200,000</u>
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For transfer to the commissioner of labor and industry for identification of competency standards for dual training under Minnesota Statutes, section 175.45.

<u>Subd. 24. <b>Concurrent Enrollment Courses</b></u>	<u>340,000</u>	<u>340,000</u>
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For concurrent enrollment development grants under Minnesota Statutes, section 136A.071.

The commissioner may use no more than three percent of this appropriation to administer the program under this subdivision.

<u>Subd. 25. <b>Campus Sexual Assault Reporting</b></u>	<u>25,000</u>	<u>25,000</u>
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For the sexual assault reporting required under Minnesota Statutes, section 135A.15.

**Subd. 26. Campus Sexual Violence Prevention and Response Coordinator**

150,000

150,000

For the Office of Higher Education to staff a campus sexual violence prevention and response coordinator to serve as a statewide resource providing professional development and guidance on best practices for postsecondary institutions. \$50,000 each year is for administrative funding to conduct trainings and provide materials to postsecondary institutions.

**Subd. 27. Emergency Assistance for Postsecondary Students**

175,000

175,000

(a) This appropriation is for the Office of Higher Education to allocate grant funds on a matching basis to schools with a demonstrable homeless student population.

(b) This appropriation shall be used to meet immediate student needs that could result in a student not completing the term or their program including, but not limited to, emergency housing, food, and transportation. Emergency assistance does not impact the amount of state financial aid received.

(c) The commissioner shall determine the application process and the grant amounts. The Office of Higher Education shall partner with interested postsecondary institutions, other state agencies, and student groups to establish the programs.

**Subd. 28. Student Teacher Candidate Grants in Shortage Areas**

2,700,000

2,700,000

For the student teacher candidate grants in shortage areas program under Minnesota Statutes, section 136A.1275. Of this amount, \$2,200,000 each year is directed to support candidates belonging to a racial or ethnic group underrepresented in the teacher workforce and meeting other eligibility requirements. If this dedicated amount is not fully spent because of a lack of qualifying candidates, any remaining amount may be awarded to qualifying teacher candidates in a licensure shortage area.

The commissioner may use no more than three percent of the appropriation for administration of the program.

**Subd. 29. Teacher Shortage Loan Forgiveness**

250,000

250,000

For transfer to the teacher shortage loan forgiveness repayment account in the special revenue fund under Minnesota Statutes, section 136A.1791, subdivision 8.

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

<u>Subd. 30. <b>Large Animal Veterinarian Loan Forgiveness Program</b></u>	<u>375,000</u>	<u>375,000</u>
<u>For transfer to the large animal veterinarian loan forgiveness program account in the special revenue fund under Minnesota Statutes, section 136A.1795, subdivision 2.</u>		
<u>Subd. 31. <b>Agricultural Educators Loan Forgiveness</b></u>	<u>50,000</u>	<u>50,000</u>
<u>For transfer to the agricultural education loan forgiveness account in the special revenue fund under Minnesota Statutes, section 136A.1794, subdivision 2.</u>		
<u>Subd. 32. <b>Aviation Degree Loan Forgiveness Program</b></u>	<u>25,000</u>	<u>25,000</u>
<u>For transfer to the aviation degree loan forgiveness program account in the special revenue fund under Minnesota Statutes, section 136A.1789, subdivision 2.</u>		
<u>Subd. 33. <b>Grants for Students with Intellectual and Developmental Disabilities</b></u>	<u>200,000</u>	<u>200,000</u>
<u>For grants for students with intellectual and developmental disabilities under Minnesota Statutes, section 136A.1215.</u>		
<u>Subd. 34. <b>Loan Repayment Assistance Program</b></u>	<u>25,000</u>	<u>25,000</u>
<u>For a grant to the Loan Repayment Assistance Program of Minnesota to provide education debt relief to attorneys with full-time employment providing legal advice or representation to low-income clients or support services for this work.</u>		
<u>Subd. 35. <b>Minnesota Independence College and Community</b></u>	<u>1,000,000</u>	<u>1,000,000</u>
<u>For a grant to Minnesota Independence College and Community for need-based scholarships and tuition reduction.</u>		
<u>Subd. 36. <b>Student Loan Debt Counseling</b></u>	<u>100,000</u>	<u>100,000</u>
<u>For student loan debt counseling under Minnesota Statutes, section 136A.1788.</u>		
<u>Subd. 37. <b>Aspiring Minnesota Teachers of Color Scholarships.</b></u>	<u>1,000,000</u>	<u>1,500,000</u>
<u>For aspiring Minnesota teachers of color scholarships under Minnesota Statutes, section 136A.1274. The Office of Higher Education may use no more than three percent of the appropriation amount to administer the program under this subdivision.</u>		

**Subd. 38. Hunger Free Campus Grants**77,00077,000

(a) For grants to campuses to meet the criteria in Minnesota Statutes, section 136F.245, and to address food insecurity on campus. This is a onetime appropriation.

(b) Awards must be based on college head counts for the most recently completed academic year. The maximum grant award shall be \$8,000.

(c) Campuses must provide matching funds to receive the hunger free campus grant.

(d) The commissioner of the Office of Higher Education may transfer unencumbered balances from the appropriations in this section to the emergency assistance for postsecondary students grant. Transfers from this appropriation may only be made to the extent there is a projected surplus in the appropriation. A transfer may be made 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.

(e) The statewide student association representing the community and technical colleges shall develop an application, review all grant applications, and provide final approval of all grant disbursements from the Office of Higher Education.

**Subd. 39. Direct Care Service Corps Pilot Project Grant**75,00075,000

For a grant to HealthForce Minnesota at Winona State University for the direct care service corps pilot program under article 2, section 26. Up to \$9,000 each year may be used by HealthForce Minnesota for administrative costs. This is a onetime appropriation.

**Subd. 40. Blind or visually impaired teacher preparation grant**64,00064,000

For a grant to a Minnesota institution of higher education to explore, develop, and establish a teacher preparation program leading to licensure as a teacher of the blind or visually impaired consistent with Minnesota Rules, part 8710.5100. This is a onetime appropriation.

**Subd. 41. Agency Administration**4,407,0004,407,000

Up to \$330,000 in fiscal year 2020 and \$330,000 in fiscal year 2021 are available for communications and outreach to students, adults, and families to provide information on the expected costs of college and the various grant options made available to them through the state.

**Subd. 42. Balances Forward**

A balance in the first year under this section does not cancel, but is available for the second year.

**Subd. 43. Transfers**

The commissioner of the Office of Higher Education may transfer unencumbered balances from the appropriations in this section to the state grant appropriation, the interstate tuition reciprocity appropriation, the child care grant appropriation, the Indian scholarship appropriation, the state work-study appropriation, the get ready appropriation, the intervention for college attendance appropriation, the student-parent information appropriation, the summer academic enrichment program appropriation, and the public safety officers' survivors appropriation. Transfers from the child care or state work-study appropriations may only be made to the extent there is a projected surplus in the appropriation. A transfer may be made 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.

**Sec. 3. BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES****Subdivision 1. Total Appropriation****\$787,244,000****\$815,044,000**

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

**Subd. 2. Central Office and Shared Services Unit**33,074,00033,074,000

For the Office of the Chancellor and the Shared Services Division.

**Subd. 3. Operations and Maintenance**750,055,000777,855,000

(a) The Board of Trustees may not set the tuition rate in any undergraduate degree granting program for the 2019-2020 and 2020-2021 academic years at a rate greater than the 2018-2019 academic year rate. The student tuition relief may not be offset by increases in mandatory fees, charges, or other assessments to the student.

(b) \$3,000,000 in fiscal year 2020 and \$3,000,000 in fiscal year 2021 are to provide supplemental aid for operations and maintenance to the president of each two-year institution in the system with at least one campus that is not located in a metropolitan county, as defined in Minnesota Statutes, section 473.121, subdivision 4. The board shall transfer \$100,000 for each campus not located in a metropolitan county in each year to the president of each institution that includes such a campus, provided that no institution may receive more than \$300,000 in total supplemental aid each year.

(c) The Board of Trustees is requested to help Minnesota close the attainment gap by funding activities which improve retention and completion for students of color.

(d) This appropriation includes \$500,000 in fiscal year 2020 and \$500,000 in fiscal year 2021 for workforce development scholarships under Minnesota Statutes, section 136F.38.

(e) \$200,000 each year is for transfer to the Cook County Higher Education Board to provide educational programming and academic support services to remote regions in northeastern Minnesota. The Cook County Higher Education Board shall continue to provide information to the Board of Trustees on the number of students served, credit hours delivered, and services provided to students.

(f) \$160,000 in fiscal year 2020 and \$160,000 in fiscal year 2021 are for two-year Minnesota state colleges that offer farm business management to provide outreach, market, and promote agricultural programming with priority given to beginning farmers, veterans, communities of color, indigenous people, and women. This amount must be divided equally among the eight colleges offering the program.

(g) \$65,000 in fiscal year 2020 and \$65,000 in fiscal year 2021 are for the Minnesota State Southern Agricultural Center of Excellence and the Minnesota State Northern Agricultural Center of Excellence to develop and implement online courses to be offered throughout the state by farm business management programs. This amount must be divided equally between the two centers of excellence. No later than December 15, 2020, the centers of excellence must submit a joint report to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture, veterans affairs, and higher education. The report must include information on the use of money in paragraph (f) and this paragraph.

(h) This appropriation includes \$40,000 in fiscal year 2020 and \$40,000 in fiscal year 2021 to implement the sexual assault policies required under Minnesota Statutes, section 135A.15.

(i) This appropriation includes \$10,000,000 in fiscal year 2020 and \$8,000,000 in fiscal year 2021 for upgrading the Integrated Statewide Record System.

(j) This appropriation includes \$125,000 in fiscal year 2020 and \$125,000 in fiscal year 2021 for mental health services required under Minnesota Statutes, section 136F.20, subdivision 3.

(k) This appropriation includes \$100,000 in fiscal year 2020 and \$100,000 in fiscal year 2021 for open textbook development required under Minnesota Statutes, section 136F.58, subdivision 5.

**Subd. 4. Learning Network of Minnesota** 4,115,000 4,115,000

**Sec. 4. BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA**

**Subdivision 1. Total Appropriation** **\$694,293,000** **\$721,293,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	692,136,000	719,136,000
<u>Health Care Access</u>	2,157,000	2,157,000

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

**Subd. 2. Operations and Maintenance** 623,698,000 650,698,000

(a) This appropriation includes \$43,500,000 in fiscal year 2020 and \$70,500,000 in fiscal year 2021 for tuition relief. The Board of Regents is requested to maintain the Minnesota undergraduate tuition rate at all campuses for the 2019-2020 and 2020-2021 academic years at the 2018-2019 academic year rate.

(b) \$15,000,000 in fiscal year 2020 and \$15,000,000 in fiscal year 2021 are to: (1) increase the medical school's research capacity; (2) improve the medical school's ranking in National Institutes of Health funding; (3) ensure the medical school's national prominence by attracting and retaining world-class faculty, staff, and students; (4) invest in physician training programs in rural and underserved communities; and (5) translate the medical school's research discoveries into new treatments and cures to improve the health of Minnesotans.

(c) \$7,800,000 in fiscal year 2020 and \$7,800,000 in fiscal year 2021 are for health training restoration. This appropriation must be used to support all of the following: (1) faculty physicians who teach at eight residency program sites, including medical resident and student training programs in the Department of Family Medicine; (2) the Mobile Dental Clinic; and (3) expansion of geriatric education and family programs.

(d) \$4,000,000 in fiscal year 2020 and \$4,000,000 in fiscal year 2021 are for the Minnesota Discovery, Research, and InnoVation Economy funding program for cancer care research.

(e) \$500,000 in fiscal year 2020 and \$500,000 in fiscal year 2021 are for the University of Minnesota, Morris branch, to cover the costs of tuition waivers under Minnesota Statutes, section 137.16.

**Subd. 3. Primary Care Education Initiatives**

2,157,000

2,157,000

This appropriation is from the health care access fund.

**Subd. 4. Special Appropriations**

**(a) Agriculture and Extension Service**

42,922,000

42,922,000

For the Agricultural Experiment Station and the Minnesota Extension Service:

(1) the agricultural experiment stations and Minnesota Extension Service must convene agricultural advisory groups to focus research, education, and extension activities on producer needs and implement an outreach strategy that more effectively and rapidly transfers research results and best practices to producers throughout the state;

(2) this appropriation includes funding for research and outreach on the production of renewable energy from Minnesota biomass resources, including agronomic crops, plant and animal wastes, and native plants or trees. The following areas should be prioritized and carried out in consultation with Minnesota producers, renewable energy, and bioenergy organizations:

(i) biofuel and other energy production from perennial crops, small grains, row crops, and forestry products in conjunction with the Natural Resources Research Institute (NRRI);

(ii) alternative bioenergy crops and cropping systems; and

(iii) biofuel coproducts used for livestock feed;

(3) this appropriation includes funding for the College of Food, Agricultural, and Natural Resources Sciences to establish and provide leadership for organic agronomic, horticultural, livestock, and food systems research, education, and outreach and for the purchase of state-of-the-art laboratory, planting, tilling, harvesting, and processing equipment necessary for this project;

(4) this appropriation includes funding for research efforts that demonstrate a renewed emphasis on the needs of the state's agriculture community. The following areas should be prioritized and carried out in consultation with Minnesota farm organizations:

(i) vegetable crop research with priority for extending the Minnesota vegetable growing season;



- (ii) fertilizer and soil fertility research and development;
- (iii) soil, groundwater, and surface water conservation practices and contaminant reduction research;
- (iv) discovering and developing plant varieties that use nutrients more efficiently;
- (v) breeding and development of turf seed and other biomass resources in all three Minnesota biomes;
- (vi) development of new disease-resistant and pest-resistant varieties of turf and agronomic crops;
- (vii) utilizing plant and livestock cells to treat and cure human diseases;
- (viii) the development of dairy coproducts;
- (ix) a rapid agricultural response fund for current or emerging animal, plant, and insect problems affecting production or food safety;
- (x) crop pest and animal disease research;
- (xi) developing animal agriculture that is capable of sustainably feeding the world;
- (xii) consumer food safety education and outreach;
- (xiii) programs to meet the research and outreach needs of organic livestock and crop farmers; and
- (xiv) alternative bioenergy crops and cropping systems; and growing, harvesting, and transporting biomass plant material; and
- (5) by February 1, 2021, the Board of Regents must submit a report to the legislative committees and divisions with jurisdiction over agriculture and higher education finance on the status and outcomes of research and initiatives funded in this paragraph.

**(b) Health Sciences**9,204,0009,204,000

\$346,000 each year is to support up to 12 resident physicians in the St. Cloud Hospital family practice residency program. The program must prepare doctors to practice primary care medicine in rural areas of the state. The legislature intends this program to improve health care in rural communities, provide affordable access to appropriate medical care, and manage the treatment of patients in a more cost-effective manner. The remainder of this appropriation is for the rural physicians associates program; the

Veterinary Diagnostic Laboratory; health sciences research; dental care; the Biomedical Engineering Center; and the collaborative partnership between the University of Minnesota and Mayo Clinic for regenerative medicine, research, clinical translation, and commercialization.

(c) **College of Science and Engineering** 1,140,000 1,140,000

For the geological survey and the talented youth mathematics program.

(d) **System Special** 7,181,000 7,181,000

For general research, the Labor Education Service, Natural Resources Research Institute, Center for Urban and Regional Affairs, Bell Museum of Natural History, and the Humphrey exhibit.

\$2,000,000 in fiscal year 2020 and \$2,000,000 in fiscal year 2021 are for the Natural Resources Research Institute to invest in applied research for economic development.

(e) **University of Minnesota and Mayo Foundation Partnership** 7,991,000 7,991,000

This appropriation is for the following activities:

(1) \$7,491,000 in fiscal year 2020 and \$7,491,000 in fiscal year 2021 are for the direct and indirect expenses of the collaborative research partnership between the University of Minnesota and the Mayo Foundation for research in biotechnology and medical genomics. An annual report on the expenditure of these funds must be submitted to the governor and the chairs of the legislative committees responsible for higher education finance by June 30 of each fiscal year.

(2) \$500,000 in fiscal year 2020 and \$500,000 in fiscal year 2021 are to award competitive grants to conduct research into the prevention, treatment, causes, and cures of Alzheimer's disease and other dementias.

**Subd. 5. Academic Health Center**

The appropriation for Academic Health Center funding under Minnesota Statutes, section 297F.10, is estimated to be \$22,250,000 each year.

**Sec. 5. MAYO CLINIC**

**Subdivision 1. Total Appropriation** \$1,351,000 \$1,351,000

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

**Subd. 2. Medical School**665,000665,000

The state must pay a capitation each year for each student who is a resident of Minnesota. The appropriation may be transferred between each year of the biennium to accommodate enrollment fluctuations. It is intended that during the biennium the Mayo Clinic use the capitation money to increase the number of doctors practicing in rural areas in need of doctors.

**Subd. 3. Family Practice and Graduate Residency Program**686,000686,000

The state must pay stipend support for up to 27 residents each year.

ARTICLE 2  
HIGHER EDUCATION POLICY PROVISIONS

Section 1. Minnesota Statutes 2018, section 127A.70, subdivision 2, is amended to read:

Subd. 2. **Powers and duties; report.** (a) The partnership shall develop recommendations to the governor and the legislature designed to maximize the achievement of all P-20 students while promoting the efficient use of state resources, thereby helping the state realize the maximum value for its investment. These recommendations may include, but are not limited to, strategies, policies, or other actions focused on:

- (1) improving the quality of and access to education at all points from preschool through graduate education;
- (2) improving preparation for, and transitions to, postsecondary education and work;
- (3) ensuring educator quality by creating rigorous standards for teacher recruitment, teacher preparation, induction and mentoring of beginning teachers, and continuous professional development for career teachers; and
- (4) realigning the governance and administrative structures of early education, kindergarten through grade 12, and postsecondary systems in Minnesota.

(b) Under the direction of the P-20 Education Partnership Statewide Longitudinal Education Data System Governance Committee, the Office of Higher Education and the Departments of Education and Employment and Economic Development shall improve and expand the Statewide Longitudinal Education Data System (SLEDS) and the Early Childhood Longitudinal Data System (ECLDS) to provide policymakers, education and workforce leaders, researchers, and members of the public with data, research, and reports to:

- (1) expand reporting on students' educational outcomes for diverse student populations including at-risk students, children with disabilities, English learners, and gifted students, among others, and include formative and summative evaluations based on multiple measures of child well-being, early childhood development, and student progress toward career and college readiness;
- (2) evaluate the effectiveness of early care, educational, and workforce programs; and
- (3) evaluate the ~~relationship between~~ relationships among early care, education, and workforce outcomes, consistent with section 124D.49.

To the extent possible under federal and state law, research and reports should be accessible to the public on the Internet, and disaggregated by demographic characteristics, organization or organization characteristics, and geography.

It is the intent of the legislature that the Statewide Longitudinal Education Data System and the Early Childhood Longitudinal Data System inform public policy and decision-making. The SLEDS governance committee and ECLDS governance committee, with assistance from staff of the Office of Higher Education, the Department of Education, and the Department of Employment and Economic Development, shall respond to legislative committee and agency requests on topics utilizing data made available through the Statewide Longitudinal Education Data System and the Early Childhood Longitudinal Data System as resources permit. Any analysis of or report on the data must contain only summary data.

(c) By January 15 of each year, the partnership shall submit a report to the governor and to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over P-20 education policy and finance that summarizes the partnership's progress in meeting its goals and identifies the need for any draft legislation when necessary to further the goals of the partnership to maximize student achievement while promoting efficient use of resources.

Sec. 2. Minnesota Statutes 2018, section 135A.15, subdivision 2, is amended to read:

Subd. 2. **Victims' rights.** The policy required under subdivision 1 shall, at a minimum, require that students and employees be informed of the policy, and shall include provisions for:

- (1) filing criminal charges with local law enforcement officials in sexual assault cases;
- (2) the prompt assistance of campus authorities, at the request of the victim, in notifying the appropriate law enforcement officials and disciplinary authorities of a sexual assault incident;
- (3) allowing sexual assault victims to decide whether to report a case to law enforcement;
- (4) requiring campus authorities to treat sexual assault victims with dignity;
- (5) requiring campus authorities to offer sexual assault victims fair and respectful health care, counseling services, or referrals to such services;
- (6) preventing campus authorities from suggesting to a victim of sexual assault that the victim is at fault for the crimes or violations that occurred;
- (7) preventing campus authorities from suggesting to a victim of sexual assault that the victim should have acted in a different manner to avoid such a crime;
- (8) subject to subdivision 10, protecting the privacy of sexual assault victims by only disclosing data collected under this section to the victim, persons whose work assignments reasonably require access, and, at a sexual assault victim's request, police conducting a criminal investigation;
- (9) an investigation and resolution of a sexual assault complaint by campus disciplinary authorities;
- (10) a sexual assault victim's participation in and the presence of the victim's attorney or other support person who is not a fact witness to the sexual assault at any meeting with campus officials concerning the victim's sexual assault complaint or campus disciplinary proceeding concerning a sexual assault complaint;

(11) ensuring that a sexual assault victim may decide when to repeat a description of the incident of sexual assault;

(12) notice to a sexual assault victim of the availability of a campus or local program providing sexual assault advocacy services and information about legal services;

(13) notice to a sexual assault victim of the outcome of any campus disciplinary proceeding concerning a sexual assault complaint, consistent with laws relating to data practices;

(14) the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual assault incident;

(15) the assistance of campus authorities in preserving for a sexual assault complainant or victim materials relevant to a campus disciplinary proceeding;

(16) during and after the process of investigating a complaint and conducting a campus disciplinary procedure, the assistance of campus personnel, in cooperation with the appropriate law enforcement authorities, at a sexual assault victim's request, in shielding the victim from unwanted contact with the alleged assailant, including transfer of the victim to alternative classes or to alternative college-owned housing, if alternative classes or housing are available and feasible;

(17) forbidding retaliation, and establishing a process for investigating complaints of retaliation, against sexual assault victims by campus authorities, the accused, organizations affiliated with the accused, other students, and other employees;

(18) at the request of the victim, providing students who reported sexual assaults to the institution and subsequently choose to transfer to another postsecondary institution with information about resources for victims of sexual assault at the institution to which the victim is transferring; and

(19) consistent with laws governing access to student records, providing a student who reported an incident of sexual assault with access to the student's description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution.

Sec. 3. Minnesota Statutes 2018, section 135A.15, is amended by adding a subdivision to read:

Subd. 3a. **Affirmative consent.** 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. Consent must be knowing and voluntary and not the result of force, coercion, or intimidation. Consent must be active. Consent must be given by words that create mutually understandable, unambiguous permission regarding willingness to engage in, and the conditions of, sexual activity;

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

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

(4) consent may be withdrawn at any time;

(5) previous relationships or prior consent do not imply consent to future sexual acts; and

(6) 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.

Sec. 4. Minnesota Statutes 2018, section 136A.101, subdivision 5a, is amended to read:

Subd. 5a. **Assigned family responsibility.** "Assigned family responsibility" means the amount of a family's contribution to a student's cost of attendance, as determined by a federal need analysis. For dependent students, the assigned family responsibility is 84 percent of the parental contribution in fiscal year 2020 and 83 percent of the parental contribution in fiscal year 2021 and later. For independent students with dependents other than a spouse, the assigned family responsibility is 76 percent of the student contribution in fiscal year 2020 and 75 percent of the student contribution in fiscal year 2021 and later. For independent students without dependents other than a spouse, the assigned family responsibility is 40 percent of the student contribution in fiscal year 2020 and 39 percent of the student contribution in fiscal year 2021 and later.

Sec. 5. Minnesota Statutes 2018, 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 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, unless the student is ineligible to receive a Pell grant under United States Code, title 20, section 1091(a)(5) or (d).

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

Sec. 6. Minnesota Statutes 2018, section 136A.121, subdivision 6, is amended to read:

Subd. 6. **Cost of attendance.** (a) The recognized cost of attendance consists of: (1) an allowance specified in law for living and miscellaneous expenses, and (2) an allowance for tuition and fees equal to the lesser of the average tuition and fees charged by the institution, or a tuition and fee maximum if one is established in law. If no living and miscellaneous expense allowance is established in law, the allowance is equal to ~~40+~~ 110 percent of the federal poverty guidelines for a one person household in Minnesota for nine months. If no tuition and fee maximum is established in law, the allowance for tuition and fees is equal to the lesser of: (1) the average tuition and fees charged by the institution, and (2) for two-year programs, an amount equal to the highest tuition and fees charged at a public two-year institution, or for four-year programs, an amount equal to the highest tuition and fees charged at a public university.

(b) For a student registering for less than full time, the office shall prorate the cost of attendance to the actual number of credits for which the student is enrolled.

(c) The recognized cost of attendance for a student who is confined to a Minnesota correctional institution shall consist of the tuition and fee component in paragraph (a), with no allowance for living and miscellaneous expenses.

(d) For the purpose of this subdivision, "fees" include only those fees that are mandatory and charged to full-time resident students attending the institution. Fees do not include charges for tools, equipment, computers, or other similar materials where the student retains ownership. Fees include charges for these materials if the institution retains ownership. Fees do not include optional or punitive fees.

Sec. 7. **[136A.123] MN RECONNECT PROGRAM.**

**Subdivision 1. Program administration.** The commissioner of the Office of Higher Education must administer a credential completion program for adult learners consistent with this section.

**Subd. 2. Definitions.** (a) For the purpose of this section, the terms defined in this subdivision have the meanings given them.

(b) "Cost of attendance" means tuition and required fees charged by the institution and the campus-based budget used for federal financial aid for food, housing, books, supplies, transportation, and miscellaneous expenses.

(c) "Eligible student" means an individual who:

(1) meets the eligibility requirements in section 136A.121, subdivision 2, paragraphs (a), clauses (1), (2), (4), and (5), and (b);

(2) is 25 years old or older and under 62;

(3) has previously completed a minimum of 15 credits in a certificate or degree-seeking program that have been accepted by a participating institution;

(4) has not enrolled in any Minnesota institution in the two academic years prior to enrollment at a participating institution;

(5) has not completed a certificate, diploma, or degree of 16 credits or longer in length prior to enrollment at a participating institution in this program;

(6) has enrolled in three or more credits each term;

(7) reports a family adjusted gross income of \$85,000 or less; and

(8) has applied for the grant on the form required by the commissioner.

(d) "Grant" means funds awarded under this section.

(e) "Participating institution" means a two-year institution within the Minnesota State Colleges and Universities System selected under subdivision 5.

(f) "Program" means a certificate, diploma, or degree program offered by a participating institution.

(g) To the extent not inconsistent with this section, the definitions in section 136A.101 apply to this section.

Subd. 3. **Student application.** Application for a grant must be made by a FAFSA or state aid application and any additional form required by the commissioner. Applications are due on a schedule set by the commissioner.

Subd. 4. **Student grants.** (a) The commissioner must, to the extent funds are available, make grants to eligible students to attend a program at a participating institution. The amount of a grant per spring or fall academic term is the lesser of \$1,000 or the difference between the cost of attendance and other scholarships or grants received by the student. If the appropriation is greater than the projected grants for the spring and fall terms, the commissioner may award grants up to \$1,000 per student for summer or interim terms.

(b) An eligible student may renew a student grant by applying for renewal on a form provided by the commissioner and on a schedule set by the commissioner. An eligible student may receive a student grant under this section for up to six semesters or the equivalent.

Subd. 5. **Participating institutions.** (a) A two-year institution within the Minnesota State Colleges and Universities System may apply to become a participating institution. The commissioner, in conjunction with a selection committee, shall select institutions through a competitive application process. Priority must be given to institutions participating in the most recently completed fiscal year.

(b) Participating institutions must:

(1) demonstrate a commitment to adult learners through adoption of best practice policies, programs, and services; and

(2) complete an adult learner assessment prior to participation.

Subd. 6. **Institutional grants.** Participating institutions may receive funds for student advising, resolving student financial holds, and improving services to eligible students.

**Sec. 8. [136A.1274] ASPIRING MINNESOTA TEACHERS OF COLOR SCHOLARSHIP PROGRAM.**

Subdivision 1. **Scholarship program established.** The commissioner must establish a scholarship program to support undergraduate or graduate students preparing to become teachers and belonging to a racial or ethnic group underrepresented in the teacher workforce who have demonstrated financial need.

Subd. 2. **Eligibility.** To be eligible for a scholarship under this section, a teacher candidate must:

(1) be admitted and enrolled in a teacher preparation program approved by the Professional Educator Licensing and Standards Board and be seeking initial licensure or enrolled in an eligible institution under section 136A.103, completing a two-year program specifically designed to prepare early childhood educators;

(2) self-identify to the teacher preparation program as a person of color or American Indian;

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

(4) demonstrate financial need.

Subd. 3. **Administration.** (a) The commissioner must establish an application process for individual students and institutions on behalf of all eligible students at the institution and other guidelines for implementing the scholarship program.



(b) The maximum scholarship amount is \$10,000 per year for full-time study prior to student teaching defined as 12 or more undergraduate credits or the number of credits determined by the institution for full-time graduate student status. If a student is admitted and enrolled in a program for one term during the academic year, the maximum scholarship amount is \$5,000. The minimum scholarship under this section for full-time study must be no less than \$1,000 per year. The amount determined must be reduced and prorated per credit for part-time study. The maximum total amount of a scholarship per candidate is \$25,000 in a lifetime.

(c) Established amounts are not rulemaking for purposes of chapter 14 or section 14.386.

(d) Scholarships must be paid to the teacher preparation institution on behalf of the candidate after the institution has informed the office of candidates' names, self-identified racial and ethnic identities, gender, licensure area sought, and full-time or part-time status.

(e) The amount of the award must not exceed the applicant's cost of attendance after deducting: (1) the sum of all state or federal grants and gift aid received, including a Pell Grant and state grant; (2) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission amounts; and (3) the amount of any private grants or scholarships.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and initial grants must be awarded by November 1, 2019.

Sec. 9. Minnesota Statutes 2018, section 136A.1275, is amended to read:

**136A.1275 STUDENT TEACHER CANDIDATE GRANTS IN SHORTAGE AREAS.**

Subdivision 1. **Establishment.** (a) The commissioner of the Office of Higher Education must establish a grant program for student teaching stipends for low-income students enrolled in a Professional Educator Licensing and Standards Board-approved teacher preparation program who ~~intend to teach~~ are student teaching in a licensure shortage area ~~after graduating and receiving their teaching license~~ or belong to ~~an underrepresented~~ a racial or ethnic group underrepresented in the teacher workforce.

(b) ~~Shortage~~ For purposes of this grant program, "licensure shortage area" means a license field or economic development region within Minnesota defined as a shortage area by the Department of Education using ~~defined by the Professional Educator Licensing and Standards Board in which the number of surveyed districts or schools within an economic development region reporting or predicting hiring a teacher for a specific licensure area as "very difficult" is equal to or greater than the number of districts or schools reporting or predicting such hiring as "easy" in data collected for the teacher supply and demand report under section 127A.05, subdivision 6, or other surveys conducted by the Department of Education or Professional Educator Licensing and Standards Board that provide indicators for teacher supply and demand.~~

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a student teacher candidate must:

(1) be enrolled in a Professional Educator Licensing and Standards Board-approved teacher preparation program that requires at least 12 weeks of student teaching to complete the program in order to be recommended for ~~a full professional~~ any Tier 3 teaching license from early childhood through grade 12;

(2) demonstrate financial need based on criteria established by the commissioner under subdivision 3;

~~(3) intend to teach in a shortage area or belong to an underrepresented racial or ethnic group; and~~

~~(4)~~ (3) be meeting satisfactory academic progress as defined under section 136A.101, subdivision 10; and

(4) intend to teach in a licensure shortage area or belong to a racial or ethnic group underrepresented in the Minnesota teacher workforce. Intent can be documented based on the teacher license field the student is pursuing and a statement of intent to teach in an economic development region defined as a shortage area in the year the student receives a grant.

Subd. 3. **Administration; repayment.** (a) The commissioner must establish an application process and other guidelines for implementing this program, ~~including repayment responsibilities for stipend recipients who do not complete student teaching or who leave Minnesota to teach in another state during the first year after student teaching.~~

(b) The commissioner must determine each academic year the stipend amount up to \$7,500 based on the amount of available funding, the number of eligible applicants, and the financial need of the applicants.

(c) ~~In order to help improve all students' access to effective and diverse teachers, the percentage of the total award reserved for appropriations for grants under this section directed to teacher candidates who identify as belonging to an underrepresented racial or ethnic group underrepresented in the Minnesota teacher workforce must be equal to or greater than the total percentage of students of underrepresented racial or ethnic groups underrepresented in the Minnesota teacher workforce as measured under section 120B.35, subdivision 3. If this percentage cannot be met because of a lack of qualifying candidates, the remaining amount may be awarded to teacher candidates who intend to teach in a licensure shortage area. Student teacher candidates who are of color or American Indian who have made satisfactory academic progress must have priority for receiving a grant from available funds to student teach and complete their preparation programs if they meet eligibility requirements and participated in the aspiring Minnesota teachers of color scholarship program under section 136A.1274.~~

#### Sec. 10. **[136A.1788] STUDENT LOAN DEBT COUNSELING.**

Subdivision 1. **Grant.** A program is established under the Office of Higher Education to provide a grant to a Minnesota-based nonprofit qualified debt counseling organization to provide individual student loan debt repayment counseling to borrowers who are Minnesota residents concerning loans obtained to attend a Minnesota postsecondary institution. The number of individuals receiving counseling may be limited to those capable of being served with available appropriations for that purpose. A goal of the counseling program is to provide two counseling sessions to at least 75 percent of borrowers receiving counseling.

The purpose of the counseling is to assist borrowers to:

- (1) understand their loan and repayment options;
- (2) manage loan repayment; and
- (3) develop a workable budget based on the borrower's full financial situation regarding income, expenses, and other debt.

Subd. 2. **Qualified debt counseling organization.** A qualified debt counseling organization is an organization that:

- (1) has experience in providing individualized student loan counseling;
- (2) employs certified financial loan counselors; and
- (3) is based in Minnesota and has offices at multiple rural and metropolitan area locations in the state to provide in-person counseling.

Subd. 3. **Grant application and award.** (a) Applications for a grant shall be on a form created by the commissioner and on a schedule set by the commissioner. Among other provisions, the application must include a description of:

- (1) the characteristics of borrowers to be served;
- (2) the services to be provided and a timeline for implementation of the services;
- (3) how the services provided will help borrowers manage loan repayment;
- (4) specific program outcome goals and performance measures for each goal; and
- (5) how the services will be evaluated to determine whether the program goals were met.

(b) The commissioner shall select one grant recipient for a two-year award every two years. A grant may be renewed biennially.

Subd. 4. **Program evaluation.** (a) The grant recipient must submit a report to the commissioner by January 15 of the second year of the grant award. The report must evaluate and measure the extent to which program outcome goals have been met.

(b) The grant recipient must collect, analyze, and report on participation and outcome data that enable the office to verify the outcomes.

(c) The evaluation must include information on the number of borrowers served with on-time student loan payments, the numbers who brought their loans into good standing, the number of student loan defaults, the number who developed a monthly budget plan, and other information required by the commissioner. Recipients of the counseling must be surveyed on their opinions about the usefulness of the counseling and the survey results must be included in the report.

Subd. 5. **Report to legislature.** By February 1 of the second year of each grant award, the commissioner must submit a report to the committees in the legislature with jurisdiction over higher education finance regarding grant program outcomes.

Sec. 11. Minnesota Statutes 2018, section 136A.1791, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given them in this subdivision.

(b) "Qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational and living expenses related to a teacher's preparation or further education.

(c) "School district" means an independent school district, special school district, intermediate district, education district, special education cooperative, service cooperative, a cooperative center for vocational education, or a charter school located in Minnesota.

(d) "Teacher" means an individual holding a teaching license issued by the Professional Educator Licensing and Standards Board who is employed by a school district to provide classroom instruction or a Head Start or Early Head Start nonlicensed early childhood professional employed by a Head Start program under section 119A.50.

(e) "Teacher shortage area" means any of the following experiencing a teacher shortage as reported by the Professional Educator Licensing and Standards Board:

(1) the licensure fields ~~and specific to particular~~ economic development regions ~~reported by the commissioner of education as experiencing a teacher shortage; and;~~

(2) individual economic development regions; or

(3) economic development regions where there is a shortage of licensed teachers who ~~reflect the racial or ethnic diversity of~~ are of color or who are American Indian where the aggregate percentage of this group of teachers is lower than the aggregate percentage of students of color and American Indian students in the region as reported by the commissioner of education.

(f) "Commissioner" means the commissioner of the Office of Higher Education unless indicated otherwise.

Sec. 12. Minnesota Statutes 2018, section 136A.1791, subdivision 2, is amended to read:

Subd. 2. **Program established; administration.** The commissioner ~~shall~~ must establish and administer a teacher shortage loan forgiveness program. A teacher is eligible for the program if the teacher is teaching in an identified teacher shortage area for the economic development region in which the teacher works as defined in subdivision 1 and reported under subdivision 3 and complies with the requirements of this section.

Sec. 13. Minnesota Statutes 2018, section 136A.1791, subdivision 3, is amended to read:

Subd. 3. **Use of report on teacher shortage areas.** ~~The commissioner of education shall~~ Professional Educator Licensing and Standards Board must use the teacher supply and demand report to the legislature to identify the licensure fields and racial or ethnic groups in economic development regions in Minnesota experiencing a teacher shortage.

Sec. 14. Minnesota Statutes 2018, section 136A.1791, subdivision 4, is amended to read:

Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness, according to rules adopted by the commissioner, ~~shall~~ must:

(1) apply for teacher shortage loan forgiveness and promptly submit any additional information required by the commissioner; and

(2) submit to the commissioner a completed affidavit, prescribed by the commissioner, affirming the teacher is teaching in: ~~(i) a licensure field identified by the commissioner as experiencing a teacher shortage; or (ii) an economic development region identified by the commissioner as experiencing a teacher shortage~~ a teacher shortage area.

Sec. 15. Minnesota Statutes 2018, section 136A.1791, subdivision 5, is amended to read:

Subd. 5. **Amount of loan forgiveness.** (a) To the extent funding is available, the annual amount of teacher shortage loan forgiveness for an approved applicant ~~shall as a teacher in a teacher shortage area must~~ 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. To support the retention of teachers who are of color or American Indian and to the extent there are sufficient applications, the percentage of loan repayments granted to teachers of color and American Indian teachers must at least be equivalent to the aggregated percentage of students of color and American Indian students in the state.

(b) Notwithstanding paragraph (a), applicants who meet both licensure field and underrepresented racial or ethnic group eligibility in their economic development region may receive an annual amount of up to \$4,000 or the cumulative balance of the applicant's qualified educational loans, including principal and interest, whichever amount is less.

~~(b)~~ (c) 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 forgiveness program.

~~(e)~~ (d) No teacher ~~shall~~ may receive more than ~~five~~ ten annual awards.

Sec. 16. Minnesota Statutes 2018, section 136A.246, subdivision 4, is amended to read:

Subd. 4. **Application.** Applications must be made to the commissioner on a form provided by the commissioner. The commissioner must, to the extent possible, make the application form as short and simple to complete as is reasonably possible. The commissioner shall establish a schedule for applications and grants. The application must include, without limitation:

- (1) the projected number of employee trainees;
- (2) the number of projected employee trainees who graduated from high school or passed the commissioner of education-selected high school equivalency test in the current or immediately preceding calendar year;
- (3) the competency standard for which training will be provided;
- (4) the credential the employee will receive upon completion of training;
- (5) the name and address of the training institution or program and a signed statement by the institution or program that it is able and agrees to provide the training;
- (6) the period of the training; and
- (7) the cost of the training charged by the training institution or program and certified by the institution or program. The cost of training includes tuition, fees, and required books and materials. The cost of training may also include costs for travel, lodging, and meals associated with the training provided by the training institution or program.

An application may be made for training of employees of multiple employers either by the employers or by an organization on their behalf.

Sec. 17. Minnesota Statutes 2018, section 136A.246, subdivision 8, is amended to read:

Subd. 8. **Grant amounts.** (a) The maximum grant for an application is ~~\$150,000~~ \$187,500. A grant may not exceed ~~\$6,000~~ \$7,500 per year for a maximum of four years per employee. Any amount of the grant for the costs for travel, lodging, and meals associated with the training provided by the training institution or program may not exceed \$1,500 per employee per year.

(b) An employee who is attending an eligible institution must apply for Pell and state grants as a condition of payment for training that employee under this section.

Sec. 18. Minnesota Statutes 2018, section 136A.87, is amended to read:

#### **136A.87 PLANNING INFORMATION FOR POSTSECONDARY EDUCATION.**

(a) The office shall make available to all residents beginning in 7th grade through adulthood information about planning and preparing for postsecondary opportunities. Information must be provided to all 7th grade students and their parents annually by September 30 about planning for their postsecondary education. The office may also provide information to high school students and their parents, to adults, and to out-of-school youth.

(b) The office shall gather and share information with students and parents about the dual credit acceptance policies of each Minnesota public and private college and university. The office shall gather and share information related to the acceptance policies for concurrent enrollment courses, postsecondary enrollment options courses, advanced placement courses, and international baccalaureate courses. This information must be shared on the office's website and included in the information under paragraph (a).

(c) The information provided under paragraph (a) may include the following:

- (1) the need to start planning early;
- (2) the availability of assistance in educational planning from educational institutions and other organizations;
- (3) suggestions for studying effectively during high school;
- (4) high school courses necessary to be adequately prepared for postsecondary education;
- (5) encouragement to involve parents actively in planning for all phases of education;
- (6) information about postsecondary education and training opportunities existing in the state, their respective missions and expectations for students, their preparation requirements, admission requirements, and student placement;
- (7) ways to evaluate and select postsecondary institutions;
- (8) the process of transferring credits among Minnesota postsecondary institutions and systems;
- (9) the costs of postsecondary education and the availability of financial assistance in meeting these costs, including specific information about the Minnesota Promise;
- (10) the interrelationship of assistance from student financial aid, public assistance, and job training programs; ~~and~~
- (11) financial planning for postsecondary education; ~~and~~
- (12) postsecondary education options for students with intellectual and developmental disabilities.

Sec. 19. Minnesota Statutes 2018, section 136F.20, is amended by adding a subdivision to read:

**Subd. 3. Mental health services and health insurance information.** (a) The board must contract with one or more independent mental health organizations to provide mental health care on campus at up to five state colleges. To be eligible to apply for the program, the state college must employ one or more faculty counselors. These grants are designed to build on the current support provided by faculty counselors and are not a replacement for them. Mental health services must be provided without charge to students who are uninsured, who have high co-payments, or whose health insurance does not cover the service provided. A memorandum of understanding shall be developed between the college and the mental health organization outlining the use of space on campus, how the students will be notified of the service, how they will collaborate with faculty counselors, the provision of services, and other items.

(b) A mental health organization providing mental health care under paragraph (a) must also provide information and guidance to students seeking health insurance.

Sec. 20. **[136F.245] HUNGER FREE CAMPUS DESIGNATION.**

Subdivision 1. **Establishment.** A Hunger Free Campus designation for Minnesota State community and technical colleges is established. In order to be awarded the designation, a campus must meet the following minimum criteria:

(1) have an established on-campus food pantry or partnership with a local food bank to provide regular, on-campus food distributions;

(2) provide information to students on SNAP, MFIP, and other programs that reduce food insecurity;

(3) hold or participate in one hunger awareness event per academic year;

(4) have an established emergency assistance grant that is available to students; and

(5) establish a hunger task force that meets a minimum of three times per academic year. The task force must include at least two students currently enrolled at the college.

Subd. 2. **Designation approval.** The statewide student association representing the community and technical colleges shall create an application process and an award, and provide final approval for the designation at each college.

Subd. 3. **Expiration.** This section expires July 1, 2023.

Sec. 21. Minnesota Statutes 2018, section 136F.58, is amended by adding a subdivision to read:

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

(b) "Custom textbook" means course materials that are compiled by a publisher at the direction of a faculty member or, if applicable, the other adopting entity in charge of selecting course materials for courses taught at a state college or university. Custom textbooks may include items such as selections from original instructor materials, previously copyrighted publisher materials, copyrighted third-party works, or elements unique to a specific state college or university.

(c) "Incentive" means anything provided to faculty, to identify, review, adapt, author, or adopt open textbooks.

(d) "Open textbook" means a textbook that is distributed using an open copyright license that at a minimum allows a student to obtain, retain, reuse, and redistribute the material at no cost.

(e) "System office" means the Minnesota State Colleges and Universities system office.

Sec. 22. Minnesota Statutes 2018, section 136F.58, subdivision 3, is amended to read:

**Subd. 3. Notice to purchase.** (a) An instructor or department shall notify a college or university bookstore of the final order for required and recommended course material at least 45 days prior to the commencement of the term.

(b) An instructor or department must notify the bookstore, as required in paragraph (a), if a previous edition of the textbook is acceptable as a substitute textbook for the course.

(c) The bookstore must make reasonable efforts to notify students of the following information concerning the required and recommended course material at least 30 days prior to the commencement of the term for which the course material is required including, but not limited to:

- (1) the title, edition, author, and International Standard Book Number (ISBN) of the course material;
- (2) the retail price charged in the college or university bookstore for the course material, including custom textbooks;
- (3) if applicable, whether a previous edition of the textbook is acceptable as required under this subdivision;
- (4) whether the material is available in an alternative format and the cost for the alternatively formatted material; and
- (5) the most recent copyright date of the printed course material and the copyright date of the most recent prior edition of the course material, if that prior edition is acceptable for class use.

~~(d) For purposes of this subdivision, "custom textbooks" means course materials that are compiled by a publisher at the direction of a faculty member or, if applicable, the other adopting entity in charge of selecting course materials for courses taught at a state college or university. Custom textbooks may include items such as selections from original instructor materials, previously copyrighted publisher materials, copyrighted third party works, or elements unique to a specific state college or university.~~

Sec. 23. Minnesota Statutes 2018, section 136F.58, is amended by adding a subdivision to read:

Subd. 5. **Open textbook development.** (a) The Minnesota State Colleges and Universities must develop a program to expand the use of open textbooks in college and university courses. The system office must provide opportunities for faculty to identify, review, adapt, author, and adopt open textbooks. The system office must develop incentives to academic departments that identify, review, adapt, author, or adopt open textbooks within their academic programs.

(b) The system office, in coordination with faculty bargaining units, must develop a program that identifies high-enrollment academic programs and provides faculty within the selected disciplines incentives to jointly adapt or author an open textbook.

(c) The programs and incentives developed under this subdivision must be implemented pursuant to faculty collective bargaining agreements.

Sec. 24. **REPORT.**

The Board of Trustees of the Minnesota State Colleges and Universities must submit reports by January 13, 2021, and January 12, 2022, to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education. Each report must include (1) the number of courses transitioned to using an open textbook resulting from the programs in Minnesota Statutes, section 136F.58, subdivision 5, and (2) the total amount of student textbook savings resulting from the transitions.

Sec. 25. **POSTSECONDARY CHILD CARE EXPENSES.**

For fiscal year 2021, the commissioner of the Office of Higher Education may adjust the cost of attendance under Minnesota Statutes, section 136A.121, subdivision 6, paragraph (a), to include child care expenses allowable under Minnesota Statutes, section 136A.125, after consultation with institutional representatives and with prior written notice to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education finance.



Sec. 26. **DIRECT CARE SERVICE CORPS PILOT PROJECT.**

Subdivision 1. **Establishment.** HealthForce Minnesota at Winona State University must develop a pilot project establishing the Minnesota Direct Care Service Corps. The pilot program must utilize financial incentives to attract postsecondary students to work as personal care assistants. HealthForce Minnesota must establish the financial incentives and minimum work requirements to be eligible for incentive payments. The financial incentive must increase with each semester that the student participates in the Minnesota Direct Care Service Corps.

Subd. 2. **Pilot sites.** (a) Pilot sites must include one postsecondary institution in the seven-county metropolitan area and at least one postsecondary institution outside of the seven-county metropolitan area. If more than one postsecondary institution outside the metropolitan area is selected, one must be located in northern Minnesota and the other must be located in southern Minnesota.

(b) After satisfactorily completing the work requirements for a semester, the pilot site or its fiscal agent must pay students the financial incentive developed for the pilot project.

Subd. 3. **Evaluation and report.** (a) HealthForce Minnesota must contract with a third party to evaluate the pilot project's impact on health care costs, retention of personal care assistants, and patient's and provider's satisfaction of care. The evaluation must include the number of participants, the hours of care provided by participants, and the retention of participants from semester to semester.

(b) By January 4, 2022, HealthForce Minnesota must report the findings under paragraph (a) to the chairs and ranking members of the legislative committees with jurisdiction over human services policy and finance.

ARTICLE 3  
OFFICE OF HIGHER EDUCATION AGENCY POLICY

Section 1. Minnesota Statutes 2018, section 13.322, subdivision 3, is amended to read:

Subd. 3. **Minnesota Office of Higher Education.** (a) **General.** Data sharing involving the Minnesota Office of Higher Education and other institutions is governed by section 136A.05.

(b) **Student financial aid.** Data collected and used by the Minnesota Office of Higher Education on applicants for financial assistance are classified under section 136A.162.

(c) **Minnesota college savings plan data.** Account owner data, account data, and data on beneficiaries of accounts under the Minnesota college savings plan are classified under section 136G.05, subdivision 10.

(d) **School financial records.** Financial records submitted by schools registering with the Minnesota Office of Higher Education are classified under section 136A.64.

(e) **Enrollment and financial aid data.** Data collected from eligible institutions on student enrollment and federal and state financial aid are governed by sections 136A.121, subdivision 18, and 136A.1701, subdivision 11.

(f) **Student complaint data.** Data collected from student complaints are governed by sections 136A.672, subdivision 6, and 136A.8295, subdivision 6.

Sec. 2. **[136A.071] CONCURRENT ENROLLMENT DEVELOPMENT GRANTS.**

Subdivision 1. **Grant uses.** (a) The commissioner must award grants on a competitive basis to expand concurrent enrollment opportunities by supporting Minnesota postsecondary institutions in:

(1) developing new concurrent enrollment programs with a focus on career and technical education courses developed under section 124D.09, subdivision 10, that satisfy the elective standard for career and technical education;

(2) expanding existing concurrent enrollment programs by creating new sections within the same high school or offering the existing course in new high schools; and

(3) training and providing professional development to high school teachers by creating online graduate tracks specifically for high school teachers to receive the necessary credentials to teach concurrent enrollment courses in various content areas as dictated by the Higher Learning Commission.

(b) Postsecondary institutions applying for grants under paragraph (a), clause (3), must provide a 50 percent match of the total grant award.

Subd. 2. **Application process.** (a) The commissioner must develop a grant application process. The commissioner must attempt to support projects in a manner that ensures that eligible students throughout the state have access to concurrent enrollment programs funded by this grant program.

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

(c) Grant recipients must specify both program and student outcome goals, and must include student feedback on the development of new programs or the expansion of existing programs.

Subd. 3. **Report.** By December 1 of each year, the office must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education regarding:

(1) the courses developed by grant recipients and the number of students who enrolled in the courses under subdivision 1, paragraph (a), clause (1);

(2) the programs expanded and the number of students who enrolled in programs under subdivision 1, paragraph (a), clause (2); and

(3) the graduate programs developed by postsecondary institutions and the number of high school teachers enrolled in the courses under subdivision 1, paragraph (a), clause (3).

Sec. 3. Minnesota Statutes 2018, section 136A.1215, subdivision 4, is amended to read:

Subd. 4. **Maximum grant amounts.** (a) The amount of a grant under this section equals the tuition and fees at the student's postsecondary institution, minus:

(1) any Pell or state grants the student receives; and

(2) any institutional aid the student receives.

(b) If appropriations are insufficient to provide the full amount calculated under paragraph (a) to all eligible applicants, the commissioner must reduce the ~~grants of all~~ maximum grant amount available to recipients ~~proportionally.~~

Sec. 4. Minnesota Statutes 2018, section 136A.15, subdivision 8, is amended to read:

Subd. 8. **Eligible student.** "Eligible student" means a student who is officially registered or accepted for enrollment at an eligible institution in Minnesota or a Minnesota resident who is officially registered as a student or accepted for enrollment at an eligible institution in another state ~~or province.~~ Non-Minnesota residents are eligible students if they are enrolled or accepted for enrollment in a minimum of one course of at least 30 days in length

during the academic year that requires physical attendance at an eligible institution located in Minnesota. Non-Minnesota resident students enrolled exclusively during the academic year in correspondence courses or courses offered over the Internet are not eligible students. Non-Minnesota resident students not physically attending classes in Minnesota due to enrollment in a study abroad program for 12 months or less are eligible students. Non-Minnesota residents enrolled in study abroad programs exceeding 12 months are not eligible students. An eligible student, for section 136A.1701, means a student who gives informed consent authorizing the disclosure of data specified in section 136A.162, paragraph (c), to a consumer credit reporting agency.

Sec. 5. Minnesota Statutes 2018, section 136A.16, subdivision 1, is amended to read:

Subdivision 1. **Designation.** Notwithstanding chapter 16C, the office is designated as the administrative agency for carrying out the purposes and terms of sections 136A.15 to ~~136A.1702~~ 136A.1704. The office may establish one or more loan programs.

Sec. 6. Minnesota Statutes 2018, section 136A.16, subdivision 2, is amended to read:

Subd. 2. **Rules, policies, and conditions.** The office shall adopt policies and may prescribe appropriate rules and conditions to carry out the purposes of sections 136A.15 to ~~136A.1702~~ 136A.1704. ~~The policies and rules except as they relate to loans under section 136A.1701 must be compatible with the provisions of the National Vocational Student Loan Insurance Act of 1965 and the provisions of title IV of the Higher Education Act of 1965, and any amendments thereof.~~

Sec. 7. Minnesota Statutes 2018, section 136A.16, subdivision 5, is amended to read:

Subd. 5. **Agencies.** The office may contract with loan servicers, collection agencies, credit bureaus, or any other person, to carry out the purposes of sections 136A.15 to ~~136A.1702~~ 136A.1704.

Sec. 8. Minnesota Statutes 2018, section 136A.16, subdivision 8, is amended to read:

Subd. 8. **Investment.** Money made available to the office that is not immediately needed for the purposes of sections 136A.15 to ~~136A.1702~~ 136A.1704 may be invested by the office. The money must be invested in bonds, certificates of indebtedness, and other fixed income securities, except preferred stocks, which are legal investments for the permanent school fund. The money may also be invested in prime quality commercial paper that is eligible for investment in the state employees retirement fund. All interest and profits from such investments inure to the benefit of the office or may be pledged for security of bonds issued by the office or its predecessors.

Sec. 9. Minnesota Statutes 2018, section 136A.16, subdivision 9, is amended to read:

Subd. 9. **Staff.** The office may employ the professional and clerical staff the commissioner deems necessary for the proper administration of the loan programs established and defined by sections 136A.15 to ~~136A.1702~~ 136A.1704.

Sec. 10. Minnesota Statutes 2018, section 136A.162, is amended to read:

#### **136A.162 CLASSIFICATION OF DATA.**

(a) Except as provided in paragraphs (b) and (c), data on applicants for financial assistance collected and used by the office for student financial aid programs administered by that office are private data on individuals as defined in section 13.02, subdivision 12.

(b) Data on applicants may be disclosed to the commissioner of human services to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5).

(c) The following data collected in the Minnesota supplemental loan program under ~~section~~ sections 136A.1701 and 136A.1704 may be disclosed to a consumer credit reporting agency only if the borrower and the cosigner give informed consent, according to section 13.05, subdivision 4, at the time of application for a loan:

- (1) the lender-assigned borrower identification number;
- (2) the name and address of borrower;
- (3) the name and address of cosigner;
- (4) the date the account is opened;
- (5) the outstanding account balance;
- (6) the dollar amount past due;
- (7) the number of payments past due;
- (8) the number of late payments in previous 12 months;
- (9) the type of account;
- (10) the responsibility for the account; and
- (11) the status or remarks code.

Sec. 11. Minnesota Statutes 2018, section 136A.1701, subdivision 7, is amended to read:

Subd. 7. **Repayment of loans.** ~~(a) The office shall establish repayment procedures for loans made under this section, but in no event shall the period of permitted repayment for SELF II or SELF III loans exceed ten years from the eligible student's termination of the student's postsecondary academic or vocational program, or 15 years from the date of the student's first loan under this section, whichever is less. in accordance with the policies, rules, and conditions authorized under section 136A.16, subdivision 2. The office will take into consideration the loan limits and current financial market conditions when establishing repayment terms.~~

~~(b) For SELF IV loans, eligible students with aggregate principal loan balances from all SELF phases that are less than \$18,750 shall have a repayment period not exceeding ten years from the eligible student's graduation or termination date. For SELF IV loans, eligible students with aggregate principal loan balances from all SELF phases of \$18,750 or greater shall have a repayment period not exceeding 15 years from the eligible student's graduation or termination date. For SELF IV loans, the loans shall enter repayment no later than seven years after the first disbursement date on the loan.~~

~~(c) For SELF loans from phases after SELF IV, eligible students with aggregate principal loan balances from all SELF phases that are:~~

- ~~(1) less than \$20,000, must have a repayment period not exceeding ten years from the eligible student's graduation or termination date;~~

~~(2) \$20,000 up to \$40,000, must have a repayment period not exceeding 15 years from the eligible student's graduation or termination date; and~~

~~(3) \$40,000 or greater, must have a repayment period not exceeding 20 years from the eligible student's graduation or termination date. For SELF loans from phases after SELF IV, the loans must enter repayment no later than nine years after the first disbursement date of the loan.~~

Sec. 12. Minnesota Statutes 2018, section 136A.1789, subdivision 1, is amended to read:

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

(b) "Qualified aircraft technician" means an individual who (1) has earned an associate's or bachelor's degree preparing individuals to obtain an aviation mechanic's certificate from the Federal Aviation Administration from a postsecondary institution located in Minnesota, and (2) has obtained an aviation mechanic's certificate from the Federal Aviation Administration.

(c) "Qualified education loan" means a government, commercial, or foundation loan used by an individual for actual costs paid for tuition ~~to a postsecondary institution located in Minnesota for a professional flight training degree~~ and reasonable educational and living expenses related to the postsecondary education of the qualified aircraft technician or qualified pilot.

(d) "Qualified pilot" means an individual who (1) has earned an associate's or bachelor's degree ~~in professional flight training~~ preparing individuals to obtain an airline transport pilot certificate from a postsecondary institution located in Minnesota, and (2) is in the process of obtaining or has obtained an airline transport pilot certificate.

Sec. 13. Minnesota Statutes 2018, section 136A.1789, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** (a) To be eligible to participate in the loan forgiveness program under this section, an individual must:

- (1) be a qualified pilot or qualified aircraft technician;
- (2) have qualified education loans;
- (3) reside in Minnesota; and
- (4) submit an application to the commissioner in the form and manner prescribed by the commissioner.

(b) An applicant selected to participate must sign a contract to agree to serve a ~~minimum one year~~ five-year full-time service obligation according to subdivision 4. To complete the service obligation, the applicant must work full time in Minnesota as a qualified pilot or qualified aircraft technician. A participant must complete one year of service under this paragraph for each year the participant receives an award under this section.

Sec. 14. Minnesota Statutes 2018, section 136A.1789, subdivision 5, is amended to read:

Subd. 5. **Loan forgiveness.** (a) The commissioner may select eligible applicants each year for participation in the aviation degree loan forgiveness program, within the limits of available funding. Applicants are responsible for securing their own qualified education loans.

(b) For each year that the participant meets the eligibility requirements under subdivision 3, the commissioner must make annual disbursements directly to:

(1) a selected qualified pilot of \$5,000 or the balance of the participant's qualified education loans, whichever is less; and

(2) a selected qualified aircraft technician of \$3,000 or the balance of the participant's qualified education loans, whichever is less.

(c) An individual may receive disbursements under this section for a maximum of five years.

(d) The participant must provide the commissioner with verification that the full amount of the loan repayment disbursement received by the participant has been applied toward the designated qualified education loan. After each disbursement, verification must be received by the commissioner and approved before the next repayment disbursement is made.

(e) If the participant receives a disbursement in the participant's fifth year of eligibility, the participant must provide the commissioner with verification that the full amount of the participant's final loan repayment disbursement was applied toward the designated qualified education loan. If a participant does not provide the verification as required under this paragraph within ~~six~~ 12 months of receipt of the final disbursement, the commissioner must collect from the participant the total amount of the final disbursement paid to the participant under the loan forgiveness program plus interest at a rate established according to section 270C.40. The commissioner must deposit the money collected in the aviation degree loan forgiveness program account.

Sec. 15. Minnesota Statutes 2018, section 136A.64, subdivision 1, is amended to read:

Subdivision 1. **Schools to provide information.** As a basis for registration, schools shall provide the office with such information as the office needs to determine the nature and activities of the school, including but not limited to the following which shall be accompanied by an affidavit attesting to its accuracy and truthfulness:

(1) articles of incorporation, constitution, bylaws, or other operating documents;

(2) a duly adopted statement of the school's mission and goals;

(3) evidence of current school or program licenses granted by departments or agencies of any state;

(4) a fiscal balance sheet on an accrual basis, or a certified audit of the immediate past fiscal year including any management letters provided by the independent auditor or, if the school is a public institution outside Minnesota, an income statement for the immediate past fiscal year;

(5) all current promotional and recruitment materials and advertisements; and

(6) the current school catalog and, if not contained in the catalog:

(i) the members of the board of trustees or directors, if any;

(ii) the current institutional officers;

(iii) current full-time and part-time faculty with degrees held or applicable experience;

(iv) a description of all school facilities;

- (v) a description of all current course offerings;
- (vi) all requirements for satisfactory completion of courses, programs, and degrees;
- (vii) the school's policy about freedom or limitation of expression and inquiry;
- (viii) a current schedule of fees, charges for tuition, required supplies, student activities, housing, and all other standard charges;
- (ix) the school's policy about refunds and adjustments;
- (x) the school's policy about granting credit for prior education, training, and experience; ~~and~~
- (xi) the school's policies about student admission, evaluation, suspension, and dismissal; and
- (xii) the school's disclosure to students on the student complaint process under section 136A.672.

Sec. 16. Minnesota Statutes 2018, section 136A.64, subdivision 5, is amended to read:

Subd. 5. **Public information.** All information submitted to the office is public information except financial records, student complaint data, and accreditation records and ~~information reports~~. Except for accreditation reports, the office may disclose financial any records or information submitted to the office:

- (1) to law enforcement officials; or
- (2) in connection with a legal or administrative proceeding to:
  - (i) ~~to~~ defend its decision to approve or disapprove granting of degrees or the use of a name ~~or~~;
  - (ii) defend its ~~decisions~~ decision to revoke the institution's approval at a hearing under chapter 14 or other legal proceedings; or
  - (iii) enforce a requirement of law.

Sec. 17. Minnesota Statutes 2018, section 136A.64, is amended by adding a subdivision to read:

Subd. 8. **Disclosure.** Schools must disclose on their website, student handbook, and student catalog the student complaint process under this section to students.

Sec. 18. Minnesota Statutes 2018, section 136A.645, is amended to read:

#### **136A.645 SCHOOL CLOSURE.**

(a) When a school ~~decides~~ intends to cease postsecondary education operations, ~~it must cooperate with the office in assisting students to find alternative means to complete their studies with a minimum of disruption, and inform the office of the following~~ announces its closure, or is informed by the office that the office anticipates the school's closure due to its registration status or ability to meet criteria for approval under section 136A.65, the school must provide the office:

- ~~(1) the planned date for termination of postsecondary education operations;~~

~~(2) the planned date for the transfer of the student records;~~

~~(3) confirmation of the name and address of the organization to receive and hold the student records; and~~

~~(4) the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request.~~

(1) a notice of closure, including the name of the school, the name of the school owner, an active mailing address and telephone number that the school owner may be reached at after the school physically closes, the name of the school director, and the planned date for termination of postsecondary operations;

(2) a report of all students currently enrolled and all students enrolled within the prior 120 days, including the following information for each student: name, address, school e-mail address, alternate e-mail address, program of study, number of credits completed, number of credits remaining, and enrollment status at closure;

(3) a report of refunds due to any student and the amount due;

(4) a written statement from the school's owner or designee affirming that all recruitment efforts, school marketing, advertisement, solicitation, and enrollment of new students has ceased;

(5) a copy of any communication between the school's accreditors about the school closure;

(6) confirmation that the requirements for student records under section 136A.68 have been satisfied, including:

(i) the planned date for the transfer of the student records;

(ii) confirmation of the name and address of the organization to receive and hold the student records; and

(iii) the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request;

(7) academic information, including the school's most recent catalog, all course syllabi, and faculty credential information; and

(8) copies of any teach-out, transfer, or train-out agreement between the school and a new school for students to be able to complete their studies. A teach-out fulfills the original contract or agreement between the closing school and the student. If a teach-out is arranged for another approved school to do the remaining occupational training, that other school must (i) provide comparable education and training and (ii) agree that students transferring from the closing school pay only what the cost of tuition and fees remain unpaid according to the terms and conditions in the enrollment agreement entered into between the student and the closing school.

~~(b) Upon notice from a school of its intention to cease operations, the office shall notify the school of the date on which it must cease the enrollment of students and all postsecondary educational operations.~~

~~(b) Without limitation as to other circumstance, a school shall be deemed to have ceased operations when the school:~~

~~(1) has an unscheduled nonemergency closure or cancellation of classes for more than 24 hours without prior notice to the office;~~

~~(2) announces it is closed or closing; or~~

~~(3) files for bankruptcy.~~



(c) When a school is deemed to have ceased operations, the office shall provide the school a reasonable time to correct transcripts and grant credentials. After that time, the office must revoke the school's registration. This revocation is not appealable under section 136A.65, subdivision 8.

Sec. 19. Minnesota Statutes 2018, section 136A.646, is amended to read:

**136A.646 ADDITIONAL SECURITY.**

(a) New schools that have been granted conditional approval for degrees or names to allow them the opportunity to apply for and receive accreditation under section 136A.65, subdivision 7, ~~or shall provide a surety bond in a sum equal to ten percent of the net revenue from tuition and fees in the registered institution's prior fiscal year, but in no case shall the bond be less than \$10,000.~~

(b) Any registered institution that is notified by the United States Department of Education that it has fallen below minimum financial standards and that its continued participation in Title IV will be conditioned upon its satisfying either the Zone Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (f), or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (c), shall provide a surety bond in a sum equal to the "letter of credit" required by the United States Department of Education in the Letter of Credit Alternative, but in no event shall such bond be less than \$10,000 nor more than \$250,000. If the letter of credit required by the United States Department of Education is higher than ten percent of the Title IV, Higher Education Act program funds received by the institution during its most recently completed fiscal year, the office shall reduce the office's surety requirement to represent ten percent of the Title IV, Higher Education Act program funds received by the institution during its most recently completed fiscal year, subject to the minimum and maximum in this paragraph.

~~(b)~~ (c) In lieu of a bond, the applicant may deposit with the commissioner of management and budget:

- (1) a sum equal to the amount of the required surety bond in cash;
- (2) securities, as may be legally purchased by savings banks or for trust funds, in an aggregate market value equal to the amount of the required surety bond; or
- (3) an irrevocable letter of credit issued by a financial institution to the amount of the required surety bond.

~~(c)~~ (d) The surety of any bond may cancel it upon giving 60 days' notice in writing to the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation.

~~(d)~~ (e) In the event of a school closure, the additional security must first be used to destroy any private educational data under section 13.32 left at a physical campus in Minnesota after all other governmental agencies have recovered or retrieved records under their record retention policies. Any remaining funds must then be used to reimburse tuition and fee costs to students that were enrolled at the time of the closure or had withdrawn in the previous 120 calendar days but did not graduate. Priority for refunds will be given to students in the following order:

- (1) cash payments made by the student or on behalf of a student;
- (2) private student loans; and
- (3) Veteran Administration education benefits that are not restored by the Veteran Administration. If there are additional security funds remaining, the additional security funds may be used to cover any administrative costs incurred by the office related to the closure of the school.

Sec. 20. Minnesota Statutes 2018, section 136A.672, is amended by adding a subdivision to read:

Subd. 6. **Private information.** Student complaint data are private data on individuals, as defined in section 13.02, subdivision 12. The office may disclose student complaint data as provided in section 136A.64, subdivision 5.

Sec. 21. Minnesota Statutes 2018, section 136A.821, is amended by adding a subdivision to read:

Subd. 18. **Clock hour.** "Clock hour" means a period of time consisting of a 50- to 60-minute class, lecture, or recitation in a 60-minute period; a 50- to 60-minute faculty-supervised laboratory, shop training, or internship in a 60-minute period; or 60 minutes of preparation in a correspondence course. If a school seeks to determine the number of clock hours in an educational program by aggregating the number of minutes in that program, it must divide those minutes by 60.

Sec. 22. Minnesota Statutes 2018, section 136A.821, is amended by adding a subdivision to read:

Subd. 19. **Student record.** "Student record" means a transcript or record of student attendance in a program that includes, at a minimum, the student's name; the student's address; the school's name; the school's address; the title of the course or program; the total number of hours or courses completed; the dates of enrollment and attendance; the grade record of each course; any credential awarded; and cumulative grade for the program.

Sec. 23. Minnesota Statutes 2018, section 136A.822, subdivision 6, is amended to read:

Subd. 6. **Bond.** (a) No license shall be issued to any private career school which maintains, conducts, solicits for, or advertises within the state of Minnesota any program, unless the applicant files with the office a continuous corporate surety bond written by a company authorized to do business in Minnesota conditioned upon the faithful performance of all contracts and agreements with students made by the applicant.

(b)(1) The amount of the surety bond shall be ten percent of the preceding year's net ~~income~~ revenue from student tuition, fees, and other required institutional charges collected, but in no event less than \$10,000, except that a private career school may deposit a greater amount at its own discretion. A private career school in each annual application for licensure must compute the amount of the surety bond and verify that the amount of the surety bond complies with this subdivision. A private career school that operates at two or more locations may combine net ~~income~~ revenue from student tuition, fees, and other required institutional charges collected for all locations for the purpose of determining the annual surety bond requirement. The net revenue from tuition and fees used to determine the amount of the surety bond required for a private career school having a license for the sole purpose of recruiting students in Minnesota shall be only that paid to the private career school by the students recruited from Minnesota.

(2) A person required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in its name and which is also licensed by another state agency or board, except not including those schools licensed exclusively in order to participate in state grants or SELF loan financial aid programs, shall be required to provide a school bond of \$10,000.

(c) The bond shall run to the state of Minnesota and to any person who may have a cause of action against the applicant arising at any time after the bond is filed and before it is canceled for breach of any contract or agreement made by the applicant with any student. The aggregate liability of the surety for all breaches of the conditions of the bond shall not exceed the principal sum deposited by the private career school under paragraph (b). The surety of any bond may cancel it upon giving 60 days' notice in writing to the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation.

(d) In lieu of bond, the applicant may deposit with the commissioner of management and budget a sum equal to the amount of the required surety bond in cash, an irrevocable letter of credit issued by a financial institution equal to the amount of the required surety bond, or securities as may be legally purchased by savings banks or for trust funds in an aggregate market value equal to the amount of the required surety bond.

(e) Failure of a private career school to post and maintain the required surety bond or deposit under paragraph (d) may result in denial, suspension, or revocation of the school's license.

Sec. 24. Minnesota Statutes 2018, section 136A.822, subdivision 10, is amended to read:

Subd. 10. **Catalog, brochure, or electronic display.** Before a license is issued to a private career school, the private career school shall furnish to the office a catalog, brochure, or electronic display including:

- (1) identifying data, such as volume number and date of publication;
- (2) name and address of the private career school and its governing body and officials;
- (3) a calendar of the private career school showing legal holidays, beginning and ending dates of each course quarter, term, or semester, and other important dates;
- (4) the private career school policy and regulations on enrollment including dates and specific entrance requirements for each program;
- (5) the private career school policy and regulations about leave, absences, class cuts, make-up work, tardiness, and interruptions for unsatisfactory attendance;
- (6) the private career school policy and regulations about standards of progress for the student including the grading system of the private career school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, a description of any probationary period allowed by the private career school, and conditions of reentrance for those dismissed for unsatisfactory progress;
- (7) the private career school policy and regulations about student conduct and conditions for dismissal for unsatisfactory conduct;
- (8) a detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;
- (9) the private career school policy and regulations, including an explanation of section 136A.827, about refunding tuition, fees, and other charges if the student does not enter the program, withdraws from the program, or the program is discontinued;
- (10) a description of the available facilities and equipment;
- (11) a course outline syllabus for each course offered showing course objectives, subjects or units in the course, type of work or skill to be learned, and approximate time, hours, or credits to be spent on each subject or unit;
- (12) the private career school policy and regulations about granting credit for previous education and preparation;
- (13) a notice to students relating to the transferability of any credits earned at the private career school to other institutions;

(14) a procedure for investigating and resolving student complaints; ~~and~~

(15) the name and address of the office; ~~and~~

(16) the student complaint process and rights under section 136A.8295.

A private career school that is exclusively a distance education school is exempt from clauses (3) and (5).

Sec. 25. Minnesota Statutes 2018, section 136A.822, subdivision 12, is amended to read:

Subd. 12. **Permanent student records.** A private career school licensed under sections 136A.82 to 136A.834 and located in Minnesota shall maintain a permanent student record for each student for 50 years from the last date of the student's attendance. A private career school licensed under this chapter and offering distance instruction to a student located in Minnesota shall maintain a permanent record for each Minnesota student for 50 years from the last date of the student's attendance. Records include school transcripts, documents, and files containing student data about academic credits earned, courses completed, grades awarded, degrees awarded, and periods of attendance. To preserve permanent student records, a private career school shall submit a plan that meets the following requirements:

(1) at least one copy of the records must be held in a secure, fireproof depository;

(2) an appropriate official must be designated to provide a student with copies of records or a transcript upon request;

(3) an alternative method, approved by the office, of complying with clauses (1) and (2) must be established if the private career school ceases to exist; and

(4) a continuous surety bond or irrevocable letter of credit issued by a financial institution must be filed with the office in an amount not to exceed \$20,000 if the private career school has no binding agreement approved by the office, for preserving student records. The bond or irrevocable letter of credit shall run to the state of Minnesota. In the event of a school closure, the surety bond or irrevocable letter of credit must be used by the office to retrieve, recover, maintain, digitize, and destroy academic records.

Sec. 26. **[136A.8225] SCHOOL CLOSURE.**

When a school intends to cease postsecondary education operations, announces its closure, or is informed by the office that the office anticipates the school's closure due to its licensure status or ability to meet criteria for approval under section 136A.822, subdivision 8, the school must provide the office:

(1) a notice of closure, including the name of the school, the name of the school owner, an active mailing address and telephone number that the school owner may be reached at after the school physically closes, the name of the school director, and the planned date for termination of postsecondary operations;

(2) a report of all students currently enrolled and all students enrolled within the prior 120 days, including the following information for each student: name, address, school e-mail address, alternate e-mail address, program of study, number of credits completed, number of credits remaining, and enrollment status at closure;

(3) a report of refunds due to any student and the amount due;

(4) a written statement from the school's owner or designee affirming that all recruitment efforts, school marketing, advertisement, solicitation, and enrollment of new students has ceased;

(5) a copy of any communication between the school's accreditors about the school closure;

(6) confirmation that the requirements for student records under section 136A.822, subdivision 12, have been satisfied, including:

(i) the planned date for the transfer of the student records;

(ii) confirmation of the name and address of the organization to receive and hold the student records; and

(iii) the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request;

(7) academic information, including the school's most recent catalog, all course syllabi, and faculty credential information; and

(8) copies of any teach-out, transfer, or train-out agreement between the school and a new school for students to be able to complete their studies. A teach-out fulfills the original contract or agreement between the closing school and the student. If a teach-out is arranged for another approved school to do the remaining occupational training, that other school must (i) provide comparable education and training and (ii) agree that students transferring from the closing school pay only what the cost of tuition and fees remain unpaid according to the terms and conditions in the enrollment agreement entered into between the student and the closing school.

(b) Without limitation as to other circumstance, a school shall be deemed to have ceased operations when the school:

(1) has an unscheduled nonemergency closure or cancellation of classes for more than 24 hours without prior notice to the office;

(2) announces it is closed or closing; or

(3) files for bankruptcy.

(c) When a school is deemed to have ceased operations, the office shall provide the school a reasonable time to correct transcripts and grant credentials. After that time, the office must revoke the school's registration. This revocation is not appealable under section 136A.829, subdivision 2.

Sec. 27. Minnesota Statutes 2018, section 136A.8295, is amended by adding a subdivision to read:

Subd. 6. **Disclosure.** Schools must disclose on their website, student handbook, and student catalog the student complaint process under this section to students.

Sec. 28. Minnesota Statutes 2018, section 136A.8295, is amended by adding a subdivision to read:

Subd. 7. **Private information.** Student complaint data are private data on individuals, as defined in section 13.02, subdivision 12. The office may disclose student complaint data to law enforcement officials or in connection with a legal or administrative proceeding commenced to enforce a requirement of law.

Sec. 29. Laws 2017, chapter 89, article 1, section 2, subdivision 29, is amended to read:

Subd. 29. <b>Emergency Assistance for Postsecondary Students</b>	175,000	175,000
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(a) This appropriation is for the Office of Higher Education to allocate grant funds on a matching basis to ~~schools~~ eligible institutions as defined under Minnesota Statutes, section 136A.103, located in Minnesota with a demonstrable homeless student population.

(b) This appropriation shall be used to meet immediate student needs that could result in a student not completing the term or their program including, but not limited to, emergency housing, food, and transportation. ~~Emergency assistance does not impact the amount of state financial aid received.~~

(c) The commissioner shall determine the application process and the grant amounts. Any balance in the first year does not cancel but shall be available in the second year. The Office of Higher Education shall partner with interested postsecondary institutions, other state agencies, and student groups to establish the programs.

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

Sec. 30. **COLLEGE SAVINGS PLAN MATCHING GRANTS.**

Notwithstanding Minnesota Statutes, sections 136G.05, subdivision 5, 136G.09, subdivisions 10 and 12, 136G.11, and 136G.13, subdivisions 2, 3, and 4, through June 30, 2021, the commissioner of the Office of Higher Education may resolve matching grant issues that occurred after January 1, 2013. The commissioner must act within the bounds of the reasonable person doctrine as necessary to resolve individual account owners' situations while limiting adverse consequences to those owners.

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

Sec. 31. **REPEALER.**

Minnesota Statutes 2018, sections 136A.15, subdivisions 2 and 7; and 136A.1701, subdivision 12, are repealed."

Delete the title and insert:

"A bill for an act relating to higher education; providing funding and policy changes for the Office of Higher Education, the Minnesota State Colleges and Universities, the University of Minnesota, and other related programs; modifying state grant program calculation parameters; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 13.322, subdivision 3; 127A.70, subdivision 2; 135A.15, subdivision 2, by adding a subdivision; 136A.101, subdivision 5a; 136A.121, subdivisions 5, 6; 136A.1215, subdivision 4; 136A.1275; 136A.15, subdivision 8; 136A.16, subdivisions 1, 2, 5, 8, 9; 136A.162; 136A.1701, subdivision 7; 136A.1789, subdivisions 1, 3, 5; 136A.1791, subdivisions 1, 2, 3, 4, 5; 136A.246, subdivisions 4, 8; 136A.64, subdivisions 1, 5, by adding a subdivision; 136A.645; 136A.646; 136A.672, by adding a subdivision; 136A.821, by adding subdivisions; 136A.822, subdivisions 6, 10, 12; 136A.8295, by adding subdivisions; 136A.87; 136F.20, by adding a

subdivision; 136F.58, subdivision 3, by adding subdivisions; Laws 2017, chapter 89, article 1, section 2, subdivision 29; proposing coding for new law in Minnesota Statutes, chapters 136A; 136F; repealing Minnesota Statutes 2018, sections 136A.15, subdivisions 2, 7; 136A.1701, subdivision 12."

The motion prevailed and the amendment was adopted.

Freiberg was excused between the hours of 11:55 a.m. and 3:00 p.m.

Klevorn moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 11, delete subdivision 39

Renumber the subdivisions in sequence

Page 12, line 33, delete "750,055,000" and insert "750,130,000" and delete "750,855,000" and insert "750,930,000"

Page 15, after line 12, insert:

"(l) This appropriation includes \$75,000 in fiscal year 2020 and \$75,000 in fiscal year 2021 for HealthForce Minnesota at Winona State University for the direct care service corps pilot program under article 2, section 26. Up to \$9,000 each year may be used by HealthForce Minnesota for administrative costs. This is a onetime appropriation."

Adjust amounts accordingly

Bernardy moved to amend the Klevorn amendment to S. F. No. 2415, the third engrossment, as amended, as follows:

Page 1, line 5, delete "\$750,855,000" and insert "\$777,855,000"

Page 1, line 6, delete "\$750,930,000" and insert "\$777,930,000"

Adjust amounts accordingly

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Klevorn amendment, as amended, to S. F. No. 2415, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Runbeck moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 41, after line 18, insert:

"Sec. 26. **DEBT PROJECTION TOOL REQUIRED.**

(a) The Board of Trustees of the Minnesota State Colleges and Universities must make available to all enrolled and prospective students a student debt projection tool. The tool must:

(1) incorporate information regarding the cost of various degrees and programs offered by the institution;

(2) allow a student to enter customized loan types, balances, interest rates, and applicable repayment plans;

(3) show resulting monthly payments and the number of years required to pay off debt;

(4) include information about average annual salaries for various professions and occupations; and

(5) provide any additional information necessary to fully inform students of the financial consequences student loan debt.

(b) Upon enrollment at a state college or university, a student must sign a form developed by the Board of Trustees verifying that the student has received information regarding the debt projection tool required in paragraph (a).

(c) The Board of Regents of the University of Minnesota is requested to comply with this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Runbeck amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albright	Demuth	Gunther	Kresha	Neu	Scott
Anderson	Dettmer	Haley	Layman	Nornes	Swedzinski
Backer	Drazkowski	Hamilton	Lucero	O'Neill	Theis
Bahr	Erickson	Heinrich	Lueck	Pelowski	Torkelson
Baker	Fabian	Heintzeman	McDonald	Petersburg	Urdahl
Bennett	Franson	Hertaus	Mekeland	Poston	Vogel
Boe	Garofalo	Johnson	Miller	Quam	West
Daniels	Green	Jurgens	Munson	Robbins	Zerwas
Daudt	Grossell	Kiel	Nash	Runbeck	
Davids	Gruenhagen	Koznick	Nelson, N.	Schomacker	

Those who voted in the negative were:

Acomb	Bernardy	Cantrell	Christensen	Davnie	Edelson
Bahner	Bierman	Carlson, A.	Claflin	Dehn	Elkins
Becker-Finn	Brand	Carlson, L.	Considine	Ecklund	Fischer



Gomez	Kotzya-Witthuhn	Loeffler	Morrison	Richardson	Wagenius
Hansen	Kunesh-Podein	Long	Murphy	Sandell	Wazlawik
Hausman	Lee	Mahoney	Nelson, M.	Sandstede	Winkler
Her	Lesch	Mann	Noor	Sauke	Wolgamott
Hornstein	Liebling	Mariani	Olson	Schultz	Xiong, J.
Howard	Lien	Marquart	Persell	Stephenson	Xiong, T.
Huot	Lillie	Masin	Pinto	Sundin	Youakim
Klevorn	Lippert	Moller	Poppe	Tabke	Spk. Hortman
Koegel	Lislegard	Moran	Pryor	Vang	

The motion did not prevail and the amendment was not adopted.

Franson moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 23, after line 17, insert:

"Sec. 2. Minnesota Statutes 2018, section 135A.043, is amended to read:

**135A.043 RESIDENT TUITION.**

(a) A student, other than a ~~nonimmigrant~~ an alien within the meaning of United States Code, title 8, section 1101, subsection (a), paragraph ~~(15)~~ (3), who does not have a legal right or authorization under federal law to work in the United States as described in United States Code, title 8, section 1324a, subsection (h), paragraph (3), shall qualify for a resident tuition rate or its equivalent at state universities and colleges if the student meets all of the following requirements:

(1) high school attendance within the state for three or more years; and

(2) graduation from a state high school or attainment within the state of the equivalent of high school graduation; ~~and~~

~~(3) in the case of a student without lawful immigration status: (i) documentation that the student has complied with selective service registration requirements; and (ii) if a federal process exists for the student to obtain lawful immigration status, the student must present the higher education institution with documentation from federal immigration authorities that the student has filed an application to obtain lawful immigration status.~~

(b) This section is in addition to any other statute, rule, or higher education institution regulation or policy providing eligibility for a resident tuition rate or its equivalent to a student.

(c) The Board of Regents of the University of Minnesota is requested to adopt a policy implementing this section."

Page 26, after line 11, insert:

"Sec. 5. Minnesota Statutes 2018, section 136A.101, subdivision 8, is amended to read:

Subd. 8. **Resident student.** "Resident student" means a student, other than an alien within the meaning of United States Code, title 8, section 1101, subsection (a), paragraph (3), who does not have a legal right or authorization under federal law to work in the United States as described in United States Code, title 8, section 1324a, subsection (h), paragraph (3), who meets one of the following conditions:

(1) a student who has resided in Minnesota for purposes other than postsecondary education for at least 12 months without being enrolled at a postsecondary educational institution for more than five credits in any term;

(2) a dependent student whose parent or legal guardian resides in Minnesota at the time the student applies;

(3) a student who graduated from a Minnesota high school, if the student was a resident of Minnesota during the student's period of attendance at the Minnesota high school and the student is physically attending a Minnesota postsecondary educational institution;

(4) a student who, after residing in the state for a minimum of one year, earned a high school equivalency certificate in Minnesota;

(5) a member, spouse, or dependent of a member of the armed forces of the United States stationed in Minnesota on active federal military service as defined in section 190.05, subdivision 5c;

(6) a spouse or dependent of a veteran, as defined in section 197.447, if the veteran is a Minnesota resident;

(7) a person or spouse of a person who relocated to Minnesota from an area that is declared a presidential disaster area within the preceding 12 months if the disaster interrupted the person's postsecondary education;

(8) a person defined as a refugee under United States Code, title 8, section 1101(a)(42), who, upon arrival in the United States, moved to Minnesota and has continued to reside in Minnesota;

(9) a student eligible for resident tuition under section 135A.043; or

(10) an active member, or a spouse or dependent of that member, of the state's National Guard who resides in Minnesota or an active member, or a spouse or dependent of that member, of the reserve component of the United States armed forces whose duty station is located in Minnesota and who resides in Minnesota."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Franson amendment and the roll was called. There were 59 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Albright	Demuth	Gunther	Lien	Nelson, N.	Schomacker
Anderson	Dettmer	Haley	Lislegard	Neu	Scott
Backer	Drazkowski	Heinrich	Lucero	Nornes	Swedzinski
Bahr	Erickson	Heintzeman	Lueck	O'Neill	Theis
Baker	Fabian	Hertaus	Marquart	Pelowski	Torkelson
Bennett	Franson	Johnson	McDonald	Petersburg	Urdahl
Boe	Garofalo	Jurgens	Mekeland	Poston	Vogel
Daniels	Green	Kiel	Miller	Quam	West
Daudt	Grossell	Kresha	Munson	Robbins	Zerwas
Dauids	Gruenhagen	Layman	Nash	Runbeck	

Those who voted in the negative were:

Acomb	Davnie	Howard	Long	Persell	Vang
Bahner	Dehn	Huot	Mahoney	Pinto	Wagenius
Becker-Finn	Ecklund	Klevorn	Mann	Poppe	Wazlawik
Bernardy	Edelson	Koegel	Mariani	Pryor	Winkler
Bierman	Elkins	Kotyza-Witthuhn	Masin	Richardson	Wolgamott
Brand	Fischer	Kunesh-Podein	Moller	Sandell	Xiong, J.
Cantrell	Gomez	Lee	Moran	Sandstede	Xiong, T.
Carlson, A.	Hamilton	Lesch	Morrison	Sauke	Youakim
Carlson, L.	Hansen	Liebling	Murphy	Schultz	Spk. Hortman
Christensen	Hausman	Lillie	Nelson, M.	Stephenson	
Clafin	Her	Lippert	Noor	Sundin	
Considine	Hornstein	Loeffler	Olson	Tabke	

The motion did not prevail and the amendment was not adopted.

Lucero moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 27, after line 13, insert:

"Sec. 7. Minnesota Statutes 2018, section 136A.121, subdivision 7, is amended to read:

Subd. 7. **Insufficient appropriation.** (a) If the amount appropriated is determined by the office to be insufficient to make full awards to applicants under subdivision 5, awards must be reduced by:

(1) adding a surcharge to the applicant's assigned family responsibility, as defined in section 136A.101, subdivision 5a; and

(2) a percentage increase in the applicant's assigned student responsibility, as defined in subdivision 5.

The reduction under clauses (1) and (2) must be equal dollar amounts.

(b) If the office must reduce awards under paragraph (a), the office must first reduce or eliminate all awards for students who do not have a legal right or authorization under federal law to work in the United States as described in United States Code, title 8, section 1324a, subsection (h), paragraph (3), before it reduces any award for:

(1) the dependent child of a veteran, as defined in section 197.447, who is deceased or who has a compensable service-connected disability as adjudicated by the United States Veterans Administration, or by the retirement board of one of the several branches of the armed forces; or

(2) the dependent child of a public safety officer wounded or killed in the line of duty, as those terms are defines in section 299A.41."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Lucero amendment and the roll was called. There were 54 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson	Demuth	Gruenhagen	Kiel	Miller	Quam
Backer	Dettmer	Gunther	Koznick	Munson	Robbins
Bahr	Drazkowski	Haley	Layman	Nash	Runbeck
Baker	Erickson	Hamilton	Lislegard	Neu	Scott
Bennett	Fabian	Heinrich	Lucero	Nornes	Theis
Boe	Franson	Heintzeman	Lueck	O'Neill	Torkelson
Daniels	Garofalo	Hertaus	Marquart	Pelowski	Urdahl
Daudt	Green	Johnson	McDonald	Petersburg	Vogel
Davids	Grossell	Jurgens	Mekeland	Poston	West

Those who voted in the negative were:

Acomb	Davnie	Huot	Long	Persell	Vang
Bahner	Dehn	Klevorn	Mahoney	Pinto	Wagenius
Becker-Finn	Ecklund	Koegel	Mann	Poppe	Wazlawik
Bernardy	Edelson	Kotzya-Witthuhn	Mariani	Pryor	Winkler
Bierman	Elkins	Kunesh-Podein	Masin	Richardson	Wolgamott
Brand	Fischer	Lee	Moller	Sandell	Xiong, J.
Cantrell	Gomez	Lesch	Moran	Sandstede	Xiong, T.
Carlson, A.	Hansen	Liebling	Morrison	Sauke	Youakim
Carlson, L.	Hausman	Lien	Murphy	Schultz	Spk. Hortman
Christensen	Her	Lillie	Nelson, M.	Stephenson	
Clafin	Hornstein	Lippert	Noor	Sundin	
Considine	Howard	Loeffler	Olson	Tabke	

The motion did not prevail and the amendment was not adopted.

Baker moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 41, after line 18, insert:

"Sec. 27. **LEGISLATIVE TASK FORCE ON UNIVERSITY AUTONOMY.**

Subdivision 1. **Membership.** (a) The Legislative Task Force on University Autonomy is established. The task force consists of:

(1) four members of the house of representatives, two appointed by the speaker of the house, and two appointed by the minority leader of the house of representatives; and

(2) four members of the senate appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, two of whom must represent the majority caucus of the senate, and one of whom must represent the minority caucus of the senate.

(b) Appointments required by this section must be made no later than July 15, 2019. The task force must elect a chair from among its members and may elect other officers as it determines are necessary.

Subd. 2. **Duties; report required.** The task force must study the issue of the University of Minnesota's constitutional autonomy and explore options for bringing the University of Minnesota under control of the legislature. By December 1, 2020, the task force must submit a report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over higher education finance. The report may include recommendations for legislation.

Subd. 3. **Staff.** The Legislative Coordinating Commission must provide administrative assistance to support the work of the task force.

Subd. 4. **Expiration.** The task force expires upon submission of its report under subdivision 2."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Baker amendment and the roll was called. There were 53 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Grossell	Kresha	Nelson, N.	Scott
Anderson	Demuth	Gunther	Layman	Neu	Swedzinski
Backer	Dettmer	Haley	Lucero	Nornes	Theis
Bahr	Drazkowski	Hamilton	Lueck	Pelowski	Torkelson
Baker	Erickson	Hertaus	McDonald	Petersburg	Urdahl
Bennett	Fabian	Johnson	Mekeland	Poston	Vogel
Boe	Franson	Jurgens	Miller	Robbins	West
Daniels	Garofalo	Kiel	Munson	Runbeck	Zerwas
Daudt	Green	Koznick	Nash	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	O'Neill	Tabke
Bahner	Ecklund	Klevorn	Mahoney	Persell	Vang
Becker-Finn	Edelson	Koegel	Mann	Pinto	Wagenius
Bernardy	Elkins	Kotzya-Witthuhn	Mariani	Poppe	Wazlawik
Bierman	Fischer	Kunesh-Podein	Marquart	Pryor	Winkler
Brand	Gomez	Lee	Masin	Quam	Wolgamott
Cantrell	Gruenhagen	Lesch	Moller	Richardson	Xiong, J.
Carlson, A.	Hansen	Liebling	Moran	Sandell	Xiong, T.
Carlson, L.	Hausman	Lien	Morrison	Sandstede	Youakim
Christensen	Heinrich	Lillie	Murphy	Sauke	Spk. Hortman
Clafin	Her	Lippert	Nelson, M.	Schultz	
Considine	Hornstein	Lislegard	Noor	Stephenson	
Davnie	Howard	Loeffler	Olson	Sundin	

The motion did not prevail and the amendment was not adopted.

Runbeck moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 40, after line 13, insert:

"Sec. 24. [137.026] ADMINISTRATIVE COSTS.

(a) The Board of Regents of the University of Minnesota is requested to maintain administrative costs at or below 15 percent of the university's total expenditures for its fiscal year. If the university's administrative costs exceed 15 percent of total expenditures, the board must remit to the state treasury an amount equal to the excess by the end of the university's fiscal year.

(b) Administrative costs are expenditures not associated with direct mission delivery or student aid. Administrative costs must include personnel and nonpersonnel expenses in the university's leadership and oversight and in mission support and facilities, but must exclude the following items:

(1) student workers;

(2) campus operations;

(3) repair and maintenance;

(4) utilities;

(5) rents or leases; and

(6) debt and capital project transfers.

(c) The accounting methods for calculating administrative costs under this section must conform with the accounting methods used in reporting administrative costs under section 135A.031, subdivision 7, paragraph (a), clause (11), item (vii).

(d) Within 90 days of the end of the university's fiscal year, the board is requested to report data on its administrative costs to the legislature. The report must include the ratio of administrative costs to the university's total expenditures and explain any amounts remitted to the state treasury under paragraph (a). The report must explain any change in accounting methods from the previous year's report. The report must be filed in accordance with section 3.195, with copies provided to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over higher education finance and policy."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Runbeck amendment and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Albright	Bahr	Boe	Davids	Drazkowski	Franson
Anderson	Baker	Daniels	Demuth	Erickson	Garofalo
Backer	Bennett	Daudt	Dettmer	Fabian	Green

Grossell	Hertaus	Lesch	Nash	Poston	Theis
Gruenhagen	Johnson	Lucero	Nelson, N.	Quam	Torkelson
Gunther	Jurgens	Lueck	Neu	Robbins	Urdahl
Haley	Kiel	McDonald	Nornes	Runbeck	West
Hamilton	Koznick	Mekeland	O'Neill	Schomacker	Zerwas
Heinrich	Kresha	Miller	Pelowski	Scott	
Heintzeman	Layman	Munson	Petersburg	Swedzinski	

Those who voted in the negative were:

Acomb	Davnie	Huot	Long	Olson	Tabke
Bahner	Dehn	Klevorn	Mahoney	Persell	Vang
Becker-Finn	Ecklund	Koegel	Mann	Pinto	Wagenius
Bernardy	Edelson	Kotzya-Witthuhn	Mariani	Poppe	Wazlawik
Bierman	Elkins	Kunesh-Podein	Marquart	Pryor	Winkler
Brand	Fischer	Lee	Masin	Richardson	Wolgammott
Cantrell	Gomez	Liebling	Moller	Sandell	Xiong, J.
Carlson, A.	Hansen	Lien	Moran	Sandstede	Xiong, T.
Carlson, L.	Hausman	Lillie	Morrison	Sauke	Youakim
Christensen	Her	Lippert	Murphy	Schultz	Spk. Hortman
Claflin	Hornstein	Lislegard	Nelson, M.	Stephenson	
Cosidine	Howard	Loeffler	Noor	Sundin	

The motion did not prevail and the amendment was not adopted.

Zerwas moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 3, delete subdivision 14

Renumber the subdivisions in sequence

Page 9, line 28, delete "1,000,000" and insert "3,000,000" and delete "1,000,000" and insert "3,000,000"

Page 27, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Zerwas amendment and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Albright	Bennett	Demuth	Franson	Gunther	Hertaus
Anderson	Boe	Dettmer	Garofalo	Haley	Howard
Backer	Daniels	Drazkowski	Green	Hamilton	Johnson
Bahr	Daudt	Erickson	Grossell	Heinrich	Jurgens
Baker	Dauids	Fabian	Gruenhagen	Heintzeman	Kiel

Koznick	McDonald	Nelson, N.	Poston	Schomacker	Urdahl
Kresha	Mekeland	Neu	Quam	Scott	West
Layman	Miller	Nornes	Robbins	Swedzinski	Zerwas
Lucero	Munson	O'Neill	Runbeck	Theis	
Lueck	Nash	Petersburg	Sandstede	Torkelson	

Those who voted in the negative were:

Acomb	Davnie	Koegel	Mahoney	Pelowski	Vang
Bahner	Dehn	Kotyza-Witthuhn	Mann	Persell	Wagenius
Becker-Finn	Ecklund	Kunesh-Podein	Mariani	Pinto	Wazlawik
Bernardy	Edelson	Lee	Marquart	Poppe	Winkler
Bierman	Elkins	Lesch	Masin	Pryor	Wolgamott
Brand	Fischer	Liebling	Moller	Richardson	Xiong, J.
Cantrell	Gomez	Lien	Moran	Sandell	Xiong, T.
Carlson, A.	Hansen	Lillie	Morrison	Sauke	Youakim
Carlson, L.	Hausman	Lippert	Murphy	Schultz	Spk. Hortman
Christensen	Her	Lislegard	Nelson, M.	Stephenson	
Clafin	Hornstein	Loeffler	Noor	Sundin	
Considine	Klevorn	Long	Olson	Tabke	

The motion did not prevail and the amendment was not adopted.

Nornes moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 41, after line 18, insert:

"Sec. 26. **FAILURE TO HOLD A JOINT CONVENTION TO ELECT REGENTS.**

If a joint convention to elect regents under rule 4.02 of the joint rules of the house of representatives and the senate is not held by the day the legislature adjourns its regular 2019 session sine die, the speaker of the house must issue a public explanation describing why the convention was not held."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Nornes moved to amend S. F. No. 2415, the third engrossment, as amended, as follows:

Page 40, after line 13, insert:

"Sec. 24. Minnesota Statutes 2018, section 137.0246, is amended by adding a subdivision to read:

**Subd. 3. Joint convention to elect regents.** By April 15 of each odd-numbered year, the senate and the house of representatives shall meet in joint convention to elect regents. The joint rules of the senate and the house of representatives must be amended to conform to the requirements of this subdivision. If there is a conflict between the joint rules and this section, this section must prevail."



Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

S. F. No. 2415, A bill for an act relating to higher education; providing funding and policy changes for the Office of Higher Education, the Minnesota State Colleges and Universities, and the University of Minnesota; modifying the state grant formula; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 13.322, subdivision 3; 135A.15, subdivision 2; 136A.101, subdivision 5a; 136A.121, subdivision 6; 136A.1215, subdivision 4; 136A.1275, subdivisions 2, 3; 136A.15, subdivision 8; 136A.16, subdivisions 1, 2, 5, 8, 9; 136A.162; 136A.1701, subdivision 7; 136A.1789, subdivisions 1, 3, 5; 136A.64, subdivisions 1, 5, by adding a subdivision; 136A.645; 136A.646; 136A.672, by adding a subdivision; 136A.821, by adding subdivisions; 136A.822, subdivisions 6, 10, 12; 136A.8295, by adding subdivisions; 136A.87; 136F.20, by adding a subdivision; 136F.38; 136F.58, by adding a subdivision; 179A.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 136A; 136F; 137; repealing Minnesota Statutes 2018, sections 136A.15, subdivisions 2, 7; 136A.1701, subdivision 12.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Huot	Loeffler	Noor	Stephenson
Bahner	Dehn	Klevorn	Long	Olson	Sundin
Becker-Finn	Ecklund	Koegel	Mahoney	Pelowski	Tabke
Bernardy	Edelson	Kotyza-Witthuhn	Mann	Persell	Vang
Bierman	Elkins	Kunesh-Podein	Mariani	Pinto	Wagenius
Brand	Fischer	Lee	Marquart	Poppe	Wazlawik
Cantrell	Gomez	Lesch	Masin	Pryor	Winkler
Carlson, A.	Hansen	Liebling	Moller	Richardson	Wolgamott
Carlson, L.	Hausman	Lien	Moran	Sandell	Xiong, J.
Christensen	Her	Lillie	Morrison	Sandstede	Xiong, T.
Claflin	Hornstein	Lippert	Murphy	Sauke	Youakim
Considine	Howard	Lislegard	Nelson, M.	Schultz	Spk. Hortman

Those who voted in the negative were:

Albright	Demuth	Gunther	Kresha	Neu	Swedzinski
Anderson	Dettmer	Haley	Layman	Nornes	Theis
Backer	Drazkowski	Hamilton	Lucero	O'Neill	Torkelson
Bahr	Erickson	Heinrich	Lueck	Petersburg	Urdahl
Baker	Fabian	Heintzeman	McDonald	Poston	Vogel
Bennett	Franson	Hertaus	Mekeland	Quam	West
Boe	Garofalo	Johnson	Miller	Robbins	Zerwas
Daniels	Green	Jurgens	Munson	Runbeck	
Daudt	Grossell	Kiel	Nash	Schomacker	
Davids	Gruenhagen	Koznick	Nelson, N.	Scott	

The bill was passed, as amended, and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER  
PURSUANT TO RULE 1.15(c)

A message from the Senate was received requesting concurrence by the House to amendments adopted by the Senate to the following House File:

H. F. No. 15.

Winkler moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Halverson.

**CALENDAR FOR THE DAY, Continued**

S. F. No. 2314 was reported to the House.

Hansen moved to amend S. F. No. 2314, the third engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2209, the first engrossment:

"ARTICLE 1  
ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS

Section 1. **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021. Appropriations for the fiscal year ending June 30, 2019, are effective the day following final enactment.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2020</u></b>	<b><u>2021</u></b>

Sec. 2. **POLLUTION CONTROL AGENCY**

<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$104,873,000</u></b>	<b><u>\$103,365,000</u></b>
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Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	7,956,000	6,740,000
<u>State Government</u>		
<u>Special Revenue</u>	75,000	75,000
<u>Environmental</u>	81,110,000	82,440,000
<u>Remediation</u>	14,110,000	14,110,000
<u>Closed Landfill</u>		
<u>Investment</u>	1,622,000	-0-

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

Subd. 2. <b><u>Environmental Analysis and Outcomes</u></b>	<u>13,468,000</u>	<u>13,308,000</u>
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Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	596,000	346,000
<u>Environmental</u>	12,671,000	12,761,000
<u>Remediation</u>	201,000	201,000

(a) \$89,000 the first year and \$89,000 the second year are for:

(1) a municipal liaison to assist municipalities in implementing and participating in the rulemaking process for water quality standards and navigating the NPDES/SDS permitting process;

(2) enhanced economic analysis in the rulemaking process for water quality standards, including more-specific analysis and identification of cost-effective permitting;

(3) developing statewide economic analyses and templates to reduce the amount of information and time required for municipalities to apply for variances from water quality standards; and

(4) coordinating with the Public Facilities Authority to identify and advocate for the resources needed for municipalities to achieve permit requirements.

(b) \$205,000 the first year and \$205,000 the second year are from the environmental fund for a monitoring program under Minnesota Statutes, section 116.454.

(c) \$115,000 the first year and \$115,000 the second year are for monitoring water quality and operating assistance programs.

(d) \$347,000 the first year and \$347,000 the second year are from the environmental fund for monitoring ambient air for hazardous pollutants.

(e) \$90,000 the first year and \$90,000 the second year are from the environmental fund for duties related to harmful chemicals in products under Minnesota Statutes, sections 116.9401 to 116.9407. Of this amount, \$57,000 each year is transferred to the commissioner of health.

(f) \$109,000 the first year and \$109,000 the second year are from the environmental fund for registering wastewater laboratories.

(g) \$926,000 the first year and \$926,000 the second year are from the environmental fund to continue perfluorochemical biomonitoring in eastern metropolitan communities, as recommended by the Environmental Health Tracking and Biomonitoring Advisory Panel, and to address other environmental health risks, including air quality. The communities must include Hmong and other immigrant farming communities. Of this amount, up to \$689,000 the first year and \$689,000 the second year are for transfer to the Department of Health.

(h) \$51,000 the first year and \$51,000 the second year are from the environmental fund for the listing procedures for impaired waters required under this act.

(i) \$141,000 the first year and \$141,000 the second year are to implement and enforce Minnesota Statutes, section 325F.071. Of this amount, up to \$65,000 each year may be transferred to the commissioner of health.

(j) \$250,000 the first year is for transfer to the commissioner of health for enhanced blood lead testing, lead poisoning prevention efforts, and asthma education as recommended by the Northern Metals Consent Decree Advisory Committee. This is a onetime appropriation.

(k) The base for the general fund in fiscal year 2022 and later is \$345,000.

Subd. 3. **Industrial**

15,473,000

15,606,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>Environmental</u>	<u>14,472,000</u>	<u>14,605,000</u>
<u>Remediation</u>	<u>1,001,000</u>	<u>1,001,000</u>

(a) \$1,001,000 the first year and \$1,001,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(b) \$393,000 the first year and \$393,000 the second year are from the environmental fund to further evaluate the use and reduction of trichloroethylene around Minnesota and identify its potential health impacts on communities. Of this amount, up to \$121,000 each year may be transferred to the commissioner of health. This is a onetime appropriation.

**Subd. 4. Municipal**

8,232,000

7,859,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>164,000</u>	<u>164,000</u>
<u>Environmental</u>	<u>8,068,000</u>	<u>7,695,000</u>

(a) \$164,000 the first year and \$164,000 the second year are for:

(1) a municipal liaison to assist municipalities in implementing and participating in the rulemaking process for water quality standards and navigating the NPDES/SDS permitting process;

(2) enhanced economic analysis in the rulemaking process for water quality standards, including more-specific analysis and identification of cost-effective permitting;

(3) developing statewide economic analyses and templates to reduce the amount of information and time required for municipalities to apply for variances from water quality standards; and

(4) coordinating with the Public Facilities Authority to identify and advocate for the resources needed for municipalities to achieve permit requirements.

(b) \$50,000 the first year and \$50,000 the second year are from the environmental fund for transfer to the Office of Administrative Hearings to establish sanitary districts.

(c) \$671,000 the first year and \$671,000 the second year are from the environmental fund for subsurface sewage treatment system (SSTS) program administration and community technical assistance and education, including grants and technical assistance to communities for water-quality protection. Of this amount,

\$129,000 each year is for assistance to counties through grants for SSTS program administration. A county receiving a grant from this appropriation must submit the results achieved with the grant to the commissioner as part of its annual SSTS report. Any unexpended balance in the first year does not cancel but is available in the second year.

(d) \$784,000 the first year and \$784,000 the second year are from the environmental fund to address the need for continued increased activity in new technology review, technical assistance for local governments, and enforcement under Minnesota Statutes, sections 115.55 to 115.58, and to complete the requirements of Laws 2003, chapter 128, article 1, section 165.

(e) \$373,000 the first year is from the environmental fund to meet the increased demand for technical assistance and review of municipal water infrastructure projects that will be generated by increased grant funding through the Public Facilities Authority. This is a onetime appropriation and is available until June 30, 2021.

(f) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2021, as grants or contracts for subsurface sewage treatment systems, surface water and groundwater assessments, storm water, and water-quality protection in this subdivision are available until June 30, 2024.

**Subd. 5. Operations**

7,526,000

8,337,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>2,490,000</u>	<u>2,490,000</u>
<u>Environmental</u>	<u>4,208,000</u>	<u>5,019,000</u>
<u>Remediation</u>	<u>828,000</u>	<u>828,000</u>

(a) \$180,000 the first year and \$180,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(b) \$2,490,000 the first year and \$2,490,000 the second year are to support agency information technology services provided at the enterprise and agency level.

(c) \$800,000 the second year is from the environmental fund to develop and maintain systems to support permitting and regulatory business processes and agency data.

**Subd. 6. Remediation**14,516,00012,945,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>216,000</u>	<u>-0-</u>
<u>Environmental</u>	<u>832,000</u>	<u>1,099,000</u>
<u>Remediation</u>	<u>11,846,000</u>	<u>11,846,000</u>
<u>Closed Landfill</u>		
<u>Investment</u>	<u>1,622,000</u>	<u>-0-</u>

(a) All money for environmental response, compensation, and compliance in the remediation fund not otherwise appropriated is appropriated to the commissioners of the Pollution Control Agency and agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (6), and (7). At the beginning of each fiscal year, the two commissioners must jointly submit to the commissioner of management and budget an annual spending plan that maximizes resource use and appropriately allocates the money between the two departments. This appropriation is available until June 30, 2021.

(b) \$216,000 the first year from the general fund is a onetime appropriation and \$217,000 the first year and \$484,000 the second year are from the environmental fund to manage contaminated sediment projects at multiple sites identified in the St. Louis River remedial action plan to restore water quality in the St. Louis River Area of Concern. The base for the environmental fund in fiscal year 2022 and later is \$363,000.

(c) \$3,961,000 the first year and \$3,961,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(d) \$257,000 the first year and \$257,000 the second year are from the remediation fund for transfer to the commissioner of health for private water-supply monitoring and health assessment costs in areas contaminated by unpermitted mixed municipal solid waste disposal facilities and drinking water advisories and public information activities for areas contaminated by hazardous releases.

(e) Notwithstanding Minnesota Statutes, section 115B.421, \$1,622,000 the first year is from the closed landfill investment fund for settling obligations with the federal government, remedial investigations, feasibility studies, engineering, and cleanup-related activities for purposes of environmental response actions at a priority qualified facility under Minnesota Statutes, sections 115B.406 and 115B.407. This is a onetime appropriation and is available until June 30, 2021.

**Subd. 7. Resource Management and Assistance**34,549,00034,701,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>950,000</u>	<u>700,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>
<u>Environmental</u>	<u>33,524,000</u>	<u>33,926,000</u>

(a) Up to \$150,000 the first year and \$150,000 the second year may be transferred from the environmental fund to the small business environmental improvement loan account under Minnesota Statutes, section 116.993.

(b) \$1,000,000 the first year and \$1,000,000 the second year are for competitive recycling grants under Minnesota Statutes, section 115A.565. Of this amount, \$700,000 each year is from the general fund and \$300,000 is from the environmental fund. This appropriation is available until June 30, 2023. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year.

(c) \$694,000 the first year and \$694,000 the second year are from the environmental fund for emission-reduction activities and grants to small businesses and other nonpoint-emission-reduction efforts. Of this amount, \$100,000 the first year and \$100,000 the second year are to continue work with Clean Air Minnesota, and the commissioner may enter into an agreement with Environmental Initiative to support this effort. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year.

(d) \$17,250,000 the first year and \$17,250,000 the second year are from the environmental fund for SCORE block grants to counties. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year.

(e) \$119,000 the first year and \$119,000 the second year are from the environmental fund for environmental assistance grants or loans under Minnesota Statutes, section 115A.0716. Any unencumbered grant and loan balances in the first year do not cancel but are available for grants and loans in the second year.

(f) \$112,000 the first year and \$112,000 the second year are from the environmental fund for subsurface sewage treatment system (SSTS) program administration and community technical assistance and education, including grants and technical assistance to communities for water-quality protection.



(g) \$169,000 the first year and \$169,000 the second year are from the environmental fund to address the need for continued increased activity in new technology review, technical assistance for local governments, and enforcement under Minnesota Statutes, sections 115.55 to 115.58, and to complete the requirements of Laws 2003, chapter 128, article 1, section 165.

(h) \$250,000 the first year is for public engagement and outreach that supports developing and implementing policies to address climate change. This is a onetime appropriation. Public meetings held as part of efforts under this appropriation must be distributed evenly among the following three areas: Minneapolis and St. Paul; cities in the seven-county metropolitan area, but not including Minneapolis and St. Paul; and areas outside the seven-county metropolitan area.

(i) \$400,000 the second year is from the environmental fund for grants to develop and expand recycling markets for Minnesota businesses.

(j) \$30,000 the first year and \$30,000 the second year are from the environmental fund for reviewing financial qualifications of waste tire facility permit applicants under Minnesota Statutes, section 115A.903.

(k) \$244,000 the first year and \$222,000 the second year are from the environmental fund for the voluntary certification program for commercial deicer applicators under Minnesota Statutes, section 116.2025.

(l) All money deposited in the environmental fund for the metropolitan solid waste landfill fee in accordance with Minnesota Statutes, section 473.843, and not otherwise appropriated, is appropriated for the purposes of Minnesota Statutes, section 473.844.

(m) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2021, as contracts or grants for environmental assistance awarded under Minnesota Statutes, section 115A.0716; technical and research assistance under Minnesota Statutes, section 115A.152; technical assistance under Minnesota Statutes, section 115A.52; and pollution prevention assistance under Minnesota Statutes, section 115D.04, are available until June 30, 2023.

Subd. 8. Watershed

9,485,000

9,335,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>2,109,000</u>	<u>1,959,000</u>
<u>Environmental</u>	<u>7,142,000</u>	<u>7,142,000</u>
<u>Remediation</u>	<u>234,000</u>	<u>234,000</u>

(a) \$1,959,000 the first year and \$1,959,000 the second year are for grants to delegated counties to administer the county feedlot program under Minnesota Statutes, section 116.0711, subdivisions 2 and 3. Money remaining after the first year is available for the second year.

(b) \$208,000 the first year and \$208,000 the second year are from the environmental fund for the costs of implementing general operating permits for feedlots over 1,000 animal units.

(c) \$122,000 the first year and \$122,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(d) \$150,000 the first year is for a grant to the Minnesota Association of County Feedlot Officers to develop, in coordination with the Pollution Control Agency and the University of Minnesota Extension program, an online training curriculum related to animal feedlot requirements under Minnesota Rules, chapter 7020. The curriculum must be developed to:

(1) provide base-level knowledge to new and existing county feedlot pollution control officers on feedlot registration, permitting, compliance, enforcement, and program administration;

(2) provide assistance to new and existing county feedlot pollution control officers for working efficiently and effectively with producers; and

(3) reduce the incidence of manure or nutrients entering surface water or groundwater.

**Subd. 9. Environmental Quality Board**

1,624,000

1,274,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>1,431,000</u>	<u>1,081,000</u>
<u>Environmental</u>	<u>193,000</u>	<u>193,000</u>

\$350,000 the first year is for a grant to the Board of Regents of the University of Minnesota, Water Resources Center, for a comprehensive study of the economic benefits of managed aquifer recharge and to make recommendations to enhance and replenish Minnesota's groundwater resources. This is a onetime appropriation and is available until June 30, 2021. The study must include but is not limited to:

(1) examining the potential benefits of enhancing groundwater recharge in water-stressed areas;

(2) assessing the relationship to changing seasonality and intensity of precipitation on groundwater recharge rates;

(3) reviewing the approaches to manage recharge in geologically appropriate areas;

(4) identifying policy options, costs, and barriers to recharging groundwater; and

(5) assessing the economic returns of options for groundwater recharge.

In conducting the study, the Water Resources Center must convene a stakeholder group and provide for public participation. By January 15, 2021, the Water Resources Center must present its findings and recommendations in a report submitted to the chairs of the legislative committees and divisions with jurisdiction over environment and natural resources policy.

#### Subd. 10. **Transfers**

(a) The commissioner must transfer up to \$44,000,000 from the environmental fund to the remediation fund for purposes of the remediation fund under Minnesota Statutes, section 116.155, subdivision 2.

(b) \$1,800,000 the first year is transferred from the remediation fund to the dry cleaner environmental response and reimbursement account for purposes of Minnesota Statutes, section 115B.49. By January 15, 2020, the commissioner of the Pollution Control Agency must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources finance that includes an assessment of the possibility of recovering environmental response costs from insurance held by dry cleaning facilities.

#### Subd. 11. **Cancellations**

(a) The unencumbered amount of the environmental fund appropriation in Laws 2016, chapter 189, article 3, section 2, subdivision 2, for technical assistance and review of municipal wastewater infrastructure projects, estimated to be \$373,000, is canceled on June 30, 2019.

(b) The unencumbered amount of the closed landfill investment fund appropriation in Laws 2017, chapter 93, article 1, section 2, subdivision 6, for settling obligations, remedial investigations,

feasibility studies, engineering, and cleanup-related activities for purposes of environmental response actions at a priority qualified facility, estimated to be \$1,622,000, is canceled on June 30, 2019.

**EFFECTIVE DATE.** Subdivision 11 is effective the day following final enactment.

Sec. 3. **NATURAL RESOURCES**

Subdivision 1. **Total Appropriation** **\$318,233,000** **\$318,624,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	94,866,000	95,220,000
<u>Natural Resources</u>	112,364,000	110,031,000
<u>Game and Fish</u>	110,382,000	112,746,000
<u>Remediation</u>	106,000	109,000
<u>Permanent School</u>	515,000	518,000

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

Subd. 2. **Land and Mineral Resources Management** **6,324,000** **6,406,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	1,825,000	1,846,000
<u>Natural Resources</u>	3,940,000	3,998,000
<u>Game and Fish</u>	344,000	344,000
<u>Permanent School</u>	215,000	218,000

(a) \$319,000 the first year and \$319,000 the second year are for environmental research relating to mine permitting, of which \$200,000 each year is from the minerals management account and \$119,000 each year is from the general fund.

(b) \$3,032,000 the first year and \$3,083,000 the second year are from the minerals management account in the natural resources fund for use as provided under Minnesota Statutes, section 93.2236, paragraph (c), for mineral resource management, projects to enhance future mineral income, and projects to promote new mineral-resource opportunities.

(c) \$215,000 the first year and \$218,000 the second year are from the state forest suspense account in the permanent school fund to secure maximum long-term economic return from the school trust lands consistent with fiduciary responsibilities and sound natural resources conservation and management principles.

**Subd. 3. Ecological and Water Resources**39,543,00040,032,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	18,718,000	18,922,000
Natural Resources	15,414,000	15,586,000
Game and Fish	5,411,000	5,524,000

(a) \$5,493,000 the first year and \$5,542,000 the second year are from the invasive species account in the natural resources fund and \$3,206,000 the first year and \$3,206,000 the second year are from the general fund for management, public awareness, assessment and monitoring research, and water access inspection to prevent the spread of invasive species; management of invasive plants in public waters; and management of terrestrial invasive species on state-administered lands.

(b) \$500,000 the first year and \$500,000 the second year are from the invasive species account in the natural resources fund for grants to lake associations to manage aquatic invasive plant species.

(c) \$1,000,000 the first year and \$1,000,000 the second year are from the invasive species research account in the natural resources fund for grants for the Minnesota Aquatic Invasive Species Research Center.

(d) \$5,476,000 the first year and \$5,556,000 the second year are from the water management account in the natural resources fund for only the purposes specified in Minnesota Statutes, section 103G.27, subdivision 2.

(e) \$124,000 the first year and \$124,000 the second year are for a grant to the Mississippi Headwaters Board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under the board's jurisdiction.

(f) \$10,000 the first year and \$10,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement the band's portion of the comprehensive plan for the upper Mississippi River.

(g) \$264,000 the first year and \$264,000 the second year are for grants for up to 50 percent of the cost of implementing the Red River mediation agreement.

(h) \$2,259,000 the first year and \$2,298,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (h), clause (1).

(i) \$971,000 the first year and \$985,000 the second year are from the nongame wildlife management account in the natural resources fund for nongame wildlife management. Notwithstanding Minnesota Statutes, section 290.431, \$100,000 the first year and \$100,000 the second year may be used for nongame wildlife information, education, and promotion.

(j) Notwithstanding Minnesota Statutes, section 84.943, \$13,000 the first year and \$13,000 the second year from the critical habitat private sector matching account may be used to publicize the critical habitat license plate match program.

(k) \$6,000,000 the first year and \$6,000,000 the second year are for the following activities:

(1) financial reimbursement and technical support to soil and water conservation districts or other local units of government for groundwater-level monitoring;

(2) surface water monitoring and analysis, including installing monitoring gauges;

(3) groundwater analysis to assist with water-appropriation permitting decisions;

(4) permit application review incorporating surface water and groundwater technical analysis;

(5) precipitation data and analysis to improve irrigation use;

(6) information technology, including electronic permitting and integrated data systems; and

(7) compliance and monitoring.

(l) \$410,000 the first year and \$410,000 the second year are from the heritage enhancement account in the game and fish fund for grants to the Minnesota Aquatic Invasive Species Research Center at the University of Minnesota to prioritize, support, and develop research-based solutions that can reduce the effects of aquatic invasive species in Minnesota by preventing spread, controlling populations, and managing ecosystems and to advance knowledge to inspire actions by others.

(m) \$50,000 the first year is for grants to local units of government for removing storm debris from Roberds Lake. This is a onetime appropriation.

**Subd. 4. Forest Management**51,968,00052,603,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>34,451,000</u>	<u>34,800,000</u>
<u>Natural Resources</u>	<u>16,119,000</u>	<u>16,386,000</u>
<u>Game and Fish</u>	<u>1,398,000</u>	<u>1,417,000</u>

(a) \$7,521,000 the first year and \$7,521,000 the second year are for prevention, presuppression, and suppression costs of emergency firefighting and other costs incurred under Minnesota Statutes, section 88.12. The amount necessary to pay for presuppression and suppression costs during the biennium is appropriated from the general fund. By January 15 of each year, the commissioner of natural resources must submit a report to the chairs and ranking minority members of the house and senate committees and divisions having jurisdiction over environment and natural resources finance that identifies all firefighting costs incurred and reimbursements received in the prior fiscal year. These appropriations may not be transferred. Any reimbursement of firefighting expenditures made to the commissioner from any source other than federal mobilizations must be deposited into the general fund.

(b) \$15,119,000 the first year and \$15,386,000 the second year are from the forest management investment account in the natural resources fund for only the purposes specified in Minnesota Statutes, section 89.039, subdivision 2.

(c) \$1,398,000 the first year and \$1,417,000 the second year are from the heritage enhancement account in the game and fish fund to advance ecological classification systems (ECS) scientific management tools for forest and invasive species management.

(d) \$836,000 the first year and \$847,000 the second year are for the Forest Resources Council to implement the Sustainable Forest Resources Act.

(e) \$1,131,000 the first year and \$1,131,000 the second year are for the Next Generation Core Forestry data system.

(f) \$500,000 the first year and \$500,000 the second year are from the forest management investment account in the natural resources fund for forest road maintenance on state forest roads.

(g) \$500,000 the first year and \$500,000 the second year are for forest road maintenance on county forest roads.

(h) \$500,000 the first year and \$500,000 the second year are for grants to local units of government to develop community ash management plans; to identify and convert ash stands to more diverse, climate-adapted species; and to replace removed ash trees.

(i) \$500,000 the first year and \$500,000 the second year are from the forest management investment account in the natural resources fund to identify and convert ash forests on state lands to climate-adapted species.

(j) \$1,000,000 the first year and \$1,000,000 the second year are for grants to remove and dispose of ash trees within counties quarantined for emerald ash borer. The base for this appropriation in fiscal year 2022 and later is \$655,000.

(k) Grants awarded under paragraphs (h) and (j) may cover up to 75 percent of eligible costs and may not exceed \$500,000. Matching grants provided through these appropriations are available to cities, counties, regional authorities, joint powers boards, towns, and parks and recreation boards in cities of the first class. The commissioner, in consultation with the commissioner of agriculture, must establish appropriate criteria for determining funding priorities between submitted requests and to determine activities and expenses that qualify to meet local match requirements. Money appropriated for grants under paragraphs (h) and (j) may be used to pay reasonable costs incurred by the commissioner of natural resources to administer paragraphs (h) and (j).

**Subd. 5. Parks and Trails Management**

92,085,000

89,486,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>27,143,000</u>	<u>27,480,000</u>
<u>Natural Resources</u>	<u>62,650,000</u>	<u>59,706,000</u>
<u>Game and Fish</u>	<u>2,292,000</u>	<u>2,300,000</u>

(a) \$1,075,000 the first year and \$1,075,000 the second year are from the water recreation account in the natural resources fund for enhancing public water-access facilities.

(b) \$6,344,000 the first year and \$6,435,000 the second year are from the natural resources fund for state trail, park, and recreation area operations. This appropriation is from revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (2).

(c) \$18,552,000 the first year and \$18,828,000 the second year are from the state parks account in the natural resources fund to operate and maintain state parks and state recreation areas.



(d) \$890,000 the first year and \$890,000 the second year are from the natural resources fund for park and trail grants to local units of government on land to be maintained for at least 20 years for parks or trails. This appropriation is from revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (4). Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(e) \$9,624,000 the first year and \$9,624,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for the snowmobile grants-in-aid program. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(f) \$2,135,000 the first year and \$2,135,000 the second year are from the natural resources fund for the off-highway vehicle grants-in-aid program. Of this amount, \$1,660,000 each year is from the all-terrain vehicle account; \$150,000 each year is from the off-highway motorcycle account; and \$325,000 each year is from the off-road vehicle account. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(g) \$116,000 the first year and \$117,000 the second year are from the cross-country-ski account in the natural resources fund for grooming and maintaining cross-country-ski trails in state parks, trails, and recreation areas.

(h) \$266,000 the first year and \$269,000 the second year are from the state land and water conservation account in the natural resources fund for priorities established by the commissioner for eligible state projects and administrative and planning activities consistent with Minnesota Statutes, section 84.0264, and the federal Land and Water Conservation Fund Act. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(i) \$250,000 the first year and \$250,000 the second year are for matching grants for local parks and outdoor recreation areas under Minnesota Statutes, section 85.019, subdivision 2.

(j) \$250,000 the first year and \$250,000 the second year are for matching grants for local trail connections under Minnesota Statutes, section 85.019, subdivision 4c.

(k) \$600,000 the first year is from the all-terrain vehicle account in the natural resources fund for grants to St. Louis County. Of this amount, \$100,000 is for a grant to St. Louis County for an environmental assessment worksheet for the overall construction of the Voyageur Country ATV Trail system and connections, and \$500,000 is for a grant to St. Louis County to design, plan, permit,

acquire right-of-way for, and construct Voyager Country ATV Trail from Buyck to Holmes Logging Road and to Shuster Road toward Cook. This is a onetime appropriation.

(l) \$2,400,000 the first year is from the all-terrain vehicle account in the natural resources fund. Of this amount, \$1,300,000 is for a grant to Lake County to match other funding sources to develop the Prospector Loop Trail system and \$1,100,000 is for acquisition, design, environmental review, permitting, and construction for all-terrain vehicle use on the Taconite State Trail between Ely and Purvis Forest Management Road.

(m) \$950,000 the first year and \$950,000 the second year are from the all-terrain vehicle account in the natural resources fund for grants to St. Louis County for the Quad Cities ATV Club trail construction program for planning, design, environmental permitting, right-of-way acquisition, and construction of up to 24 miles of trail connecting the cities of Mountain Iron, Virginia, Eveleth, and Gilbert to the Laurentian Divide, County Road 303, the Taconite State Trail, and Biwabik and from Pfeiffer Lake Forest Road to County Road 361. This is a onetime appropriation.

(n) \$250,000 the first year and \$250,000 the second year are for grants for natural-resource-based education and recreation programs under Minnesota Statutes, section 84.976. This is a onetime appropriation.

(o) \$50,000 the first year is from the state parks account in the natural resources fund for signs and other activities necessary to rename St. Croix State Park to Walter F. Mondale State Park.

(p) \$260,000 the first year is from the state parks account in the natural resources fund for increased operations at Hill-Annex Mine State Park in fiscal years 2020 to 2023. This is a onetime appropriation, is in addition to funds budgeted by or otherwise available to the commissioner for this park, and is available until June 30, 2023.

(q) \$150,000 the first year is from the all-terrain vehicle account in the natural resources fund for a grant to Crow Wing County to plan and design a multipurpose bridge on the Mississippi River Northwoods Trail across Sand Creek located five miles northeast of Brainerd along the Mississippi River.

(r) \$75,000 the first year is from the off-highway motorcycle account in the natural resources fund to complete a master plan for off-highway motorcycle trail planning and development.

**Subd. 6. Fish and Wildlife Management**78,236,00079,070,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	<u>2,060,000</u>	<u>1,460,000</u>
Natural Resources	<u>1,954,000</u>	<u>1,982,000</u>
Game and Fish	<u>74,222,000</u>	<u>75,628,000</u>

(a) \$8,539,000 the first year and \$8,658,000 the second year are from the heritage enhancement account in the game and fish fund only for activities specified under Minnesota Statutes, section 297A.94, paragraph (h), clause (1). Notwithstanding Minnesota Statutes, section 297A.94, five percent of this appropriation may be used for expanding hunter and angler recruitment and retention.

(b) \$2,060,000 the first year and \$1,460,000 the second year are for planning for and emergency response to disease outbreaks in wildlife. Of this amount, \$50,000 the first year is to establish a chronic wasting disease adopt-a-dumpster program; \$50,000 the first year is to develop guidelines for handling, transporting, processing, and disposing of deer carcasses as required in this act; and \$500,000 the first year is for a grant to the Board of Regents of the University of Minnesota for the Chronic Wasting Disease Response, Research, and Policy Program. The commissioner and board must each submit quarterly reports on the activities funded under this paragraph to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources and agriculture. Base funding for this activity is \$1,100,000 in fiscal year 2022 and thereafter.

(c) \$8,546,000 the first year and \$8,546,000 the second year are from the deer management account for the purposes identified in Minnesota Statutes, section 97A.075, subdivision 1.

(d) \$250,000 the first year and \$250,000 the second year are from the game and fish fund for the walk-in access program under Minnesota Statutes, section 97A.126.

(e) Notwithstanding Minnesota Statutes, section 297A.94, \$100,000 the first year and \$100,000 the second year are from the heritage enhancement account in the game and fish fund for shooting sports facility grants under Minnesota Statutes, section 87A.10, including grants for archery facilities. Grants must be matched with a nonstate match, which may include in-kind contributions. This is a onetime appropriation.

(f) Notwithstanding Minnesota Statutes, section 297A.94, \$10,000 the first year is from the heritage enhancement account in the game and fish fund for implementing nontoxic shot requirements under Minnesota Statutes, section 97B.673.

**Subd. 7. Enforcement**46,210,00047,810,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>7,632,000</u>	<u>8,175,000</u>
<u>Natural Resources</u>	<u>11,757,000</u>	<u>11,993,000</u>
<u>Game and Fish</u>	<u>26,715,000</u>	<u>27,533,000</u>
<u>Remediation</u>	<u>106,000</u>	<u>109,000</u>

(a) \$1,718,000 the first year and \$1,718,000 the second year are from the general fund for enforcement efforts to prevent the spread of aquatic invasive species.

(b) \$1,580,000 the first year and \$1,580,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified under Minnesota Statutes, section 297A.94, paragraph (h), clause (1).

(c) \$1,182,000 the first year and \$1,182,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(d) \$315,000 the first year and \$315,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for grants to local law enforcement agencies for snowmobile enforcement activities. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(e) \$250,000 the first year and \$250,000 the second year are from the all-terrain vehicle account in the natural resources fund for grants to qualifying organizations to assist in safety and environmental education and monitoring trails on public lands under Minnesota Statutes, section 84.9011. Grants issued under this paragraph must be issued through a formal agreement with the organization. By December 15 each year, an organization receiving a grant under this paragraph must report to the commissioner with details on expenditures and outcomes from the grant. Of this appropriation, \$25,000 each year is for administering these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(f) \$510,000 the first year and \$510,000 the second year are from the natural resources fund for grants to county law enforcement agencies for off-highway vehicle enforcement and public education activities based on off-highway vehicle use in the county. Of this amount, \$498,000 each year is from the all-terrain

vehicle account, \$11,000 each year is from the off-highway motorcycle account, and \$1,000 each year is from the off-road vehicle account. The county enforcement agencies may use money received under this appropriation to make grants to other local enforcement agencies within the county that have a high concentration of off-highway vehicle use. Of this appropriation, \$25,000 each year is for administering these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(g) \$176,000 the first year and \$176,000 the second year are from the game and fish fund for an ice safety program.

(h) \$60,000 the first year and \$4,000 the second year are from the game and fish fund to provide outreach and education, in coordination with interested organizations, to communities concerned about cultural artifacts regarding the new requirements established under Minnesota Statutes, section 84.0896.

(i) The base for fiscal year 2022 and thereafter is \$7,553,000 from the general fund, \$27,955,000 from the game and fish fund, \$12,080,000 from the natural resources fund, and \$111,000 from the remediation fund. These base level adjustments include pension costs as provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a).

**Subd. 8. Operations Support**

3,000,000

2,350,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>2,850,000</u>	<u>2,350,000</u>
<u>Natural Resources</u>	<u>150,000</u>	<u>-0-</u>

(a) \$2,000,000 the first year and \$1,500,000 the second year are available for legal costs. Of this amount, up to \$500,000 the first year and \$375,000 the second year may be transferred to the Minnesota Pollution Control Agency. This is a onetime appropriation and is available until June 30, 2023.

(b) \$850,000 the first year and \$850,000 the second year are available for protecting the department's business systems and associated infrastructure.

(c) \$150,000 the first year is from the water recreation account in the natural resources fund for programming costs required for the new watercraft licensing categories established in this act.

**Subd. 9. Pass Through Funds**867,000867,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>187,000</u>	<u>187,000</u>
<u>Natural Resources</u>	<u>380,000</u>	<u>380,000</u>
<u>Permanent School</u>	<u>300,000</u>	<u>300,000</u>

(a) \$380,000 the first year and \$380,000 the second year are from the natural resources fund for grants to be divided equally between the city of St. Paul for the Como Park Zoo and Conservatory and the city of Duluth for the Lake Superior Zoo. This appropriation is from revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (5).

(b) \$187,000 the first year and \$187,000 the second year are for the Office of School Trust Lands.

(c) \$300,000 the first year and \$300,000 the second year are from the forestry suspense account in the permanent school fund for the Office of School Trust Lands.

**Subd. 10. Cancellation**

The unencumbered amount of the general fund appropriation in Laws 2016, chapter 189, article 3, section 3, subdivision 8, for legal costs, estimated to be \$500,000, is canceled on June 30, 2019.

**EFFECTIVE DATE.** Subdivision 10 is effective the day following final enactment.

**Sec. 4. BOARD OF WATER AND SOIL RESOURCES****\$19,963,000****\$18,931,000**

(a) \$3,423,000 the first year and \$3,423,000 the second year are for natural resources block grants to local governments to implement the Wetland Conservation Act and shoreland management under Minnesota Statutes, chapter 103F, and local water management under Minnesota Statutes, chapter 103B. The board may reduce the amount of the natural resources block grant to a county by an amount equal to any reduction in the county's general services allocation to a soil and water conservation district from the county's previous year allocation when the board determines that the reduction was disproportionate.

(b) \$3,116,000 the first year and \$3,116,000 the second year are for grants to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331, and for general purposes, nonpoint engineering, and implementation and stewardship of the reinvest in Minnesota reserve program. Expenditures may be made from these appropriations for supplies

and services benefiting soil and water conservation districts. Any district receiving a payment under this paragraph must maintain a web page that publishes, at a minimum, its annual report, annual audit, annual budget, and meeting notices.

(c) \$761,000 the first year and \$761,000 the second year are to implement, enforce, and provide oversight for the Wetland Conservation Act, including administering the wetland banking program and in-lieu fee mechanism.

(d) \$1,560,000 the first year and \$1,560,000 the second year are for the following cost-share programs:

(1) \$260,000 each year is for the feedlot water quality cost-sharing program for feedlots under 500 animal units and nutrient and manure management projects in watersheds where there are impaired waters:

(2) \$1,200,000 each year is for cost-sharing programs of soil and water conservation districts for perennially vegetated riparian buffers, erosion control, water retention and treatment, and other high-priority conservation practices; and

(3) \$100,000 each year is for county cooperative weed management programs and to restore native plants in selected invasive species management sites.

(e) \$166,000 the first year and \$166,000 the second year are to provide technical assistance to local drainage management officials and for the costs of the Drainage Work Group. The board must coordinate with the Drainage Work Group according to Minnesota Statutes, section 103B.101, subdivision 13.

(f) \$100,000 the first year and \$100,000 the second year are for a grant to the Red River Basin Commission for water quality and floodplain management, including administration of programs. This appropriation must be matched by nonstate funds.

(g) \$140,000 the first year and \$140,000 the second year are for grants to Area II Minnesota River Basin Projects for floodplain management.

(h) \$125,000 the first year and \$125,000 the second year are for conservation easement stewardship.

(i) \$269,000 the first year and \$259,000 the second year are for critical information technology upgrades, development, and security improvements.

(j) \$240,000 the first year and \$240,000 the second year are for a grant to the Lower Minnesota River Watershed District to defray the annual cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River.

(k) \$3,500,000 the first year and \$3,500,000 the second year are for payments to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331. This is a onetime appropriation.

(l) \$150,000 the first year is for:

(1) identifying and listing ineligible materials under Minnesota Statutes, section 103F.49;

(2) assessing the viability of replacing plastic materials used in conservation and bioengineering projects with similarly designed organic materials; and

(3) by November 1, 2020, preparing and submitting a report to the chairs and ranking minority members of the committees and divisions with jurisdiction over environment and natural resources with:

(i) criteria to be used by the board for identifying and listing materials under Minnesota Statutes, section 103F.49;

(ii) recommendations for implementing Minnesota Statutes, section 103F.49, including a process for reviewing and updating the list; and

(iii) results of the assessment under clause (2) and any related recommendations.

The board must consult with the United States Department of Agriculture and the commissioners of natural resources, transportation, and the Pollution Control Agency and may contract with the University of Minnesota as necessary for the purposes of this appropriation. This is a onetime appropriation and is available until June 30, 2022.

(m) \$400,000 the first year is to provide onetime state incentive payments to enrollees in the federal Conservation Reserve Program (CRP) and its derivative programs available in Minnesota. The board may establish payment rates based on land valuation and on environmental benefit criteria, including but not limited to reducing nutrients in surface water or groundwater, protecting drinking water, enhancing soil health, and enhancing pollinator and wildlife habitat. The board may use state funds to implement the program and to provide technical assistance to landowners or their agents to fulfill enrollment and contract provisions. This is a onetime appropriation and is available until June 30, 2023.



(n) \$387,000 the first year and \$250,000 the second year are to provide grants or payments to plant residential lawns with native vegetation and pollinator-friendly forbs and legumes. The board must establish criteria for grants or payments awarded under this section. Grants or payments awarded under this section may be made for up to 75 percent of the costs of the project, except that in areas identified by the United States Fish and Wildlife Service as areas where there is a high potential for rusty patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs of the project. This is a onetime appropriation.

(o) \$150,000 the first year is to prepare a statewide action plan for soil health in cooperation with the University of Minnesota Water Resources Center and in consultation with the commissioners of agriculture, natural resources, and the Pollution Control Agency. The plan must include recommendations for protecting and improving the state's soil health for agricultural and water quality purposes, including recommendations for research and outreach. By February 15, 2020, the plan must be submitted to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over agriculture and environment and natural resources policy. This is a onetime appropriation.

(p) \$5,745,000 the first year and \$5,550,000 the second year are for agency administration and operation of the Board of Water and Soil Resources. The base for agency administration is \$5,351,000 in fiscal year 2022 and thereafter.

(q) Notwithstanding Minnesota Statutes, section 103C.501, the board may shift money in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address accountability, oversight, local government performance, or high-priority needs identified in local water management plans or comprehensive water management plans.

(r) The appropriations for grants in this section are available until June 30, 2023. Returned grant funds must be regranted consistent with the purposes of this section. If an appropriation for grants in either year is insufficient, the appropriation in the other year is available for it.

(s) Notwithstanding Minnesota Statutes, section 16B.97, the appropriations for grants in this section are exempt from the Department of Administration, Office of Grants Management Policy 08-10 Grant Monitoring.

Sec. 5. **METROPOLITAN COUNCIL****\$9,140,000****\$9,140,000**Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>2,540,000</u>	<u>2,540,000</u>
<u>Natural Resources</u>	<u>6,600,000</u>	<u>6,600,000</u>

(a) \$2,540,000 the first year and \$2,540,000 the second year are for metropolitan-area regional parks operation and maintenance according to Minnesota Statutes, section 473.351.

(b) \$6,600,000 the first year and \$6,600,000 the second year are from the natural resources fund for metropolitan-area regional parks and trails maintenance and operations. This appropriation is from revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (3).

Sec. 6. **CONSERVATION CORPS MINNESOTA****\$945,000****\$945,000**Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>455,000</u>	<u>455,000</u>
<u>Natural Resources</u>	<u>490,000</u>	<u>490,000</u>

Conservation Corps Minnesota may receive money appropriated from the natural resources fund under this section only as provided in an agreement with the commissioner of natural resources.

Sec. 7. **ZOOLOGICAL BOARD****\$10,394,000****\$9,999,000**Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>10,204,000</u>	<u>9,809,000</u>
<u>Natural Resources</u>	<u>190,000</u>	<u>190,000</u>

(a) \$190,000 the first year and \$190,000 the second year are from the natural resources fund from revenue deposited under Minnesota Statutes, section 297A.94, paragraph (h), clause (5).

(b) \$499,000 the first year is to upgrade critical communication and security technology infrastructure. This is a onetime appropriation.

(c) \$40,000 the first year is for the prairie butterfly conservation program. This is a onetime appropriation.

Sec. 8. <b><u>SCIENCE MUSEUM</u></b>	<b><u>\$1,079,000</u></b>	<b><u>\$1,079,000</u></b>
Sec. 9. <b><u>EXPLORE MINNESOTA TOURISM</u></b>	<b><u>\$14,394,000</u></b>	<b><u>\$14,594,000</u></b>

\$500,000 the first year and \$500,000 the second year must be matched from nonstate sources to develop maximum private sector involvement in tourism. Each \$1 of state incentive must be matched with \$6 of private sector money. "Matched" means revenue to the state or documented cash expenditures directly expended to support Explore Minnesota Tourism programs. Up to one-half of the private sector contribution may be in-kind or soft match. The incentive in fiscal year 2020 is based on fiscal year 2019 private sector contributions. The incentive in fiscal year 2021 is based on fiscal year 2020 private sector contributions. This incentive is ongoing.

Money for marketing grants is available either year of the biennium. Unexpended grant money from the first year is available in the second year.

\$100,000 each year is for a grant to the Northern Lights International Music Festival.

\$50,000 the first year and \$250,000 the second year are for the Minnesota Outdoor Recreation Office under Minnesota Statutes, section 116U.60.

#### Sec. 10. **CONTINGENT APPROPRIATIONS**

##### Subdivision 1. **Motor Fuels Tax**

(a) The following appropriations are available only if new revenue is raised from increases in the motor fuels tax rates under Minnesota Statutes, sections 296A.07 and 296A.08, enacted during the 2019 session:

(1) \$300,000 the first year and \$300,000 the second year are appropriated to the commissioner of natural resources from the water recreation account in the natural resources fund for grants to counties for boat and water safety. Any unencumbered balance does not cancel at the end of the first year and is available for the second year;

(2) \$3,350,000 the first year and \$3,350,000 the second year are appropriated to the commissioner of natural resources from the water recreation account in the natural resources fund for activities of the Division of Parks and Trails under Minnesota Statutes, section 86B.706, subdivision 3; and

(3) \$500,000 the first year and \$500,000 the second year are appropriated to the commissioner of natural resources from the all-terrain vehicle account in the natural resources fund for all-terrain vehicle trail management.

(b) In the appropriations specified under paragraph (a), the amounts appropriated are reduced proportionally, as necessary, if the legislation enacted in the 2019 legislative session does not provide sufficient revenue to the accounts.

**Subd. 2. Solid Waste Tax**

(a) The following appropriations are available only if new revenue is available in the environmental fund from increases in solid waste management tax rates under Minnesota Statutes, chapter 297H, enacted during the 2019 session:

(1) \$400,000 the first year and \$400,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for competitive recycling grants under Minnesota Statutes, section 115A.565. This appropriation is available until June 30, 2023. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year;

(2) \$750,000 the first year and \$750,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for reducing and diverting food waste, redirecting edible food for consumption, and removing barriers to collecting and recovering organic waste. Of this amount, \$500,000 each year is for grants to increase food rescue and waste prevention. This appropriation is available until June 30, 2023. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year;

(3) \$3,000,000 the first year and \$3,000,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for grants to counties to collect, transport, and process wood waste into usable biomass fuel for the St. Paul district heating and cooling system cogeneration facility or a waste wood and agricultural biomass-fueled combined heat and power facility owned in partnership with a governmental entity located in the state; and

(4) \$2,900,000 the first year and \$3,500,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for additional SCORE block grants to counties.

(b) In the appropriations specified under paragraph (a), the amounts appropriated are reduced proportionally, as necessary, if the legislation enacted in the 2019 legislative session does not provide sufficient revenue to the fund.

Sec. 11. Laws 2016, chapter 189, article 3, section 6, as amended by Laws 2017, chapter 93, article 1, section 12, is amended to read:

Sec. 6. **ADMINISTRATION** **\$250,000** **\$-0-**

\$250,000 the first year is from the state forest suspense account in the permanent school fund for the school trust lands director to initiate ~~real estate development projects on and complete a 25-year framework for managing~~ school trust lands as ~~determined by the school trust lands director~~ described in Minnesota Statutes, section 127A.353, subdivision 4, paragraph (a), clause (11). This is a onetime appropriation and is available until June 30, ~~2019~~ 2021.

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

Sec. 12. Laws 2017, chapter 93, article 1, section 9, is amended to read:

Sec. 9. **ADMINISTRATION** **\$800,000** **\$300,000**

(a) \$300,000 the first year and \$300,000 the second year are from the state forest suspense account in the permanent school fund for the school trust lands director. This appropriation is to be used for securing long-term economic return from the school trust lands consistent with fiduciary responsibilities and sound natural resources conservation and management principles.

(b) \$500,000 the first year is from the state forest suspense account in the permanent school fund for the school trust lands director to initiate the ~~private sale of surplus school trust lands identified according to Minnesota Statutes, section 92.82, paragraph (d)~~ Boundary Waters Canoe Area Wilderness private forest land alternative with the United States Department of Agriculture Forest Service and a nonprofit partner. The school trust lands director may use these funds for project costs, including but not limited to environmental assessments, valuation expenses, legal fees, closing costs, and transactional staff costs. This is a onetime appropriation and is available until June 30, ~~2019~~ 2021.

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

## ARTICLE 2 ENVIRONMENT AND NATURAL RESOURCES

Section 1. **[1.1465] STATE BEE.**

Subdivision 1. **Rusty patched bumble bee.** The rusty patched bumble bee, *Bombus affinis*, is the official bee of the state of Minnesota.

Subd. 2. **Photograph.** A photograph of the rusty patched bumble bee must be preserved in the Office of the Secretary of State.

Sec. 2. Minnesota Statutes 2018, section 16A.151, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific injured persons or entities, this section does not prohibit distribution of money to the specific injured persons or entities on whose behalf the litigation or settlement efforts were initiated. If money recovered on behalf of injured persons or entities cannot reasonably be distributed to those persons or entities because they cannot readily be located or identified or because the cost of distributing the money would outweigh the benefit to the persons or entities, the money must be paid into the general fund.

(b) Money recovered on behalf of a fund in the state treasury other than the general fund may be deposited in that fund.

(c) This section does not prohibit a state official from distributing money to a person or entity other than the state in litigation or potential litigation in which the state is a defendant or potential defendant.

(d) State agencies may accept funds as directed by a federal court for any restitution or monetary penalty under United States Code, title 18, section 3663(a)(3) or United States Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue account and are appropriated to the commissioner of the agency for the purpose as directed by the federal court.

(e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph (t), may be deposited as provided in section 16A.98, subdivision 12.

(f) If the Minnesota Pollution Control Agency recovers \$250,000 or more in litigation or in settlement of a matter that could have resulted in litigation for a civil penalty from violations of a permit issued by the Minnesota Pollution Control Agency, then 40 percent of the money recovered must be distributed to the community health board where the permitted facility is located. The commissioner of the Minnesota Pollution Control Agency must notify the commissioner of health and the community health board within 30 days of a final court order in the litigation or the effective date of the settlement agreement that the litigation has concluded or a settlement has been reached. The commissioner must collect and distribute the money to the commissioner of health. The commissioner of health must distribute the money to the community health board. The community health board must meet directly with the population potentially affected by the pollution that was the subject of the litigation or settlement to understand the population's concerns and incorporate those concerns into a project that benefits that population. The project must be implemented by the community health board and funded as directed in this paragraph. This paragraph does not apply to money recovered in litigation or settlement of a matter that could have resulted in litigation with subdivisions of the state. This paragraph is for the distribution of money only and does not create a right of intervention in the litigation or settlement of the enforcement action for any person or entity.

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

Sec. 3. Minnesota Statutes 2018, section 16A.152, subdivision 2, is amended to read:

Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of management and budget must allocate money to the following accounts and purposes in priority order:

(1) the cash flow account established in subdivision 1 until that account reaches \$350,000,000;

(2) the budget reserve account established in subdivision 1a until that account reaches \$1,596,522,000;

(3) the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve;

(4) the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, by the same amount; and

(5) the clean water fund established in section 114D.50 until \$22,000,000 has been transferred into the fund metropolitan landfill contingency action trust account established in section 473.845 until \$13,905,000 has been transferred into the account.

(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations schedules otherwise established in statute.

(c) The commissioner of management and budget ~~shall~~ must certify the total dollar amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education. The commissioner of education ~~shall~~ must increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter.

(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been made.

Sec. 4. Minnesota Statutes 2018, section 17.035, subdivision 1, is amended to read:

Subdivision 1. **Reimbursement.** A meat processor holding a license under chapter 28A may apply to the commissioner of agriculture for full reimbursement of ~~\$70 towards~~ the processor's reasonable and documented cost of processing donated deer, as determined by the commissioner within the limits of available funding. The meat processor shall deliver the deer, processed into cuts or ground meat, to a charitable organization that is registered under chapter 309 and with the commissioner of agriculture and that operates a food assistance program. To request reimbursement, the processor shall submit an application, on a form prescribed by the commissioner of agriculture, the tag number under which the deer was taken, and a receipt for the deer from the charitable organization.

Sec. 5. Minnesota Statutes 2018, section 84.026, is amended by adding a subdivision to read:

Subd. 4. **Paying grant-eligible expenditures.** Notwithstanding section 16A.41, the commissioner may make payments for otherwise eligible grant-program expenditures that are made on or after the effective date of the appropriation that funds the payments for:

(1) grants-in-aid under sections 84.794, 84.803, 84.83, 84.927, and 85.44;

(2) local recreation grants under section 85.019; and

(3) enforcement and public education grants under sections 84.794, 84.803, 84.83, 84.927, 86B.701, 86B.705, and 87A.10.

Sec. 6. Minnesota Statutes 2018, section 84.027, subdivision 18, is amended to read:

Subd. 18. **Permanent school fund authority; reporting.** (a) The commissioner of natural resources has the authority and responsibility ~~for the administration of~~ to administer school trust lands under sections ~~92.121~~ 92.122 and 127A.31. The commissioner shall biannually report to the Legislative Permanent School Fund Commission and the legislature on the management of the school trust lands that shows how the commissioner has and will continue to achieve the following goals:

- (1) manage the school trust lands efficiently and in a manner that reflects the undivided loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;
- (2) reduce the management expenditures of school trust lands and maximize the revenues deposited in the permanent school trust fund;
- (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring returns of not less than fair market value, to maximize the revenues deposited in the permanent school trust fund and retain the value from the long-term appreciation of the school trust lands;
- (4) manage the school trust lands to maximize the long-term economic return for the permanent school trust fund while maintaining sound natural resource conservation and management principles;
- (5) optimize school trust land revenues and maximize the value of the trust consistent with ~~the~~ balancing of short-term and long-term interests, so that long-term benefits are not lost in an effort to maximize short-term gains; and
- (6) maintain the integrity of the trust and prevent the misapplication of its lands and its revenues.

(b) When the commissioner finds an irresolvable conflict between maximizing the long-term economic return and protecting natural resources and recreational values on school trust lands, the commissioner shall give precedence to the long-term economic return in managing school trust lands. By July 1, 2018, the permanent school fund ~~shall~~ must be compensated for all school trust lands included under a designation or policy provision that prohibits long-term economic return. The commissioner shall submit recommendations to the appropriate legislative committees and divisions on methods of funding for the compensation required under this paragraph, including recommendations for appropriations from the general fund, nongeneral funds, and the state bond fund. Any uncompensated designation or policy provision restrictions on the long-term economic return on school trust lands remaining after July 1, 2018, ~~shall~~ must be compiled and submitted to the Legislative Permanent School Fund Commission for review.

(c) By December 31, 2013, the report required under paragraph (a) ~~shall~~ must provide an inventory and identification of all school trust lands that are included under a designation or policy provision that prohibits long-term economic return. The report ~~shall~~ must include a plan to compensate the permanent school fund through the purchase or exchange of the lands or a plan to manage the school trust land to generate long-term economic return to the permanent school fund. Subsequent reports under paragraph (a) ~~shall~~ must include a status report of the commissioner's progress in maximizing the long-term economic return on lands identified in the 2013 report.

(d) When ~~future management practices, policies, or designations or policies~~ by the commissioner diminish or prohibit the long-term economic return on school trust land, the conflict ~~shall~~ must be resolved ~~by compensating the permanent school fund through an exchange or purchase of the lands before designation or application of the policy as provided in section 92.122.~~

Sec. 7. Minnesota Statutes 2018, section 84.0895, is amended by adding a subdivision to read:

**Subd. 10. Rusty patched bumble bee.** The rusty patched bumble bee, *Bombus affinis*, is designated as an endangered species under this section, is the state bee under section 1.1465, has been listed as an endangered species under the federal Endangered Species Act, and is a species that is of most concern to the state in order to prevent extinction. The Environmental Quality Board must coordinate efforts to protect the rusty patched bumble bee in the state.



Sec. 8. **[84.0896] TRADE IN PROHIBITED ANIMAL PARTS PROHIBITED.**

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

(b) "Antique" means an item that:

(1) contains no more than 200 grams of prohibited animal part as a fixed component of an item that is not made wholly or partially from a prohibited animal part; and

(2) is documented to be at least 100 years old.

(c) "Prohibited animal part" means any of the following:

(1) a tooth or tusk from any species of elephant, hippopotamus, mammoth, mastodon, walrus, whale, or narwhal, or any piece thereof, whether raw or worked;

(2) a product containing any of the materials described in clause (1);

(3) a horn; piece of horn; or derivative of a horn, such as a powder, of any species of rhinoceros; and

(4) a product containing any of the materials described in clause (3).

(d) "Sell" or "sale" means an exchange for consideration and includes barter and possession with intent to sell. The term does not include a transfer of ownership by gift, donation, or bequest.

**Subd. 2. Prohibition.** A person shall not purchase or sell any item that the person knows or should know is a prohibited animal part.

**Subd. 3. Exceptions.** (a) Subdivision 2 does not prohibit the sale or purchase of a prohibited animal part if the sale or purchase is:

(1) undertaken as part of law enforcement activities;

(2) expressly authorized by federal law;

(3) of an antique;

(4) of a musical instrument containing a lawfully acquired fixed component made of no more than 200 grams of prohibited animal part; or

(5) of a prohibited animal part by a bona fide educational or scientific institution that is a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code.

(b) Subdivision 2 does not prohibit possession of a cultural artifact containing a prohibited animal part.

**Subd. 4. Disposition of seized prohibited animal parts.** Notwithstanding any other provision of law, a prohibited animal part seized under this section must, upon a conviction, be forfeited to the state and either destroyed or given to a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code, for an educational or scientific purpose.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to crimes committed on or after that date.

Sec. 9. Minnesota Statutes 2018, section 84.788, subdivision 2, is amended to read:

Subd. 2. **Exemptions.** Registration is not required for off-highway motorcycles:

(1) owned and used by the United States, an Indian tribal government, the state, another state, or a political subdivision;

(2) registered in another state or country that have not been within this state for more than 30 consecutive days;

(3) registered under chapter 168, when operated on forest roads to gain access to a state forest campground;

~~(4) used exclusively in organized track racing events;~~

~~(5)~~ (4) operated on state or grant-in-aid trails by a nonresident possessing a nonresident off-highway motorcycle state trail pass;

~~(6)~~ (5) operated by a person participating in an event for which the commissioner has issued a special use permit; or

~~(7)~~ (6) operated on boundary trails and registered in another state or country providing equal reciprocal registration or licensing exemptions for registrants of this state.

Sec. 10. Minnesota Statutes 2018, section 84.794, subdivision 2, is amended to read:

Subd. 2. **Purposes.** (a) Subject to appropriation by the legislature, money in the off-highway motorcycle account may only be spent for:

(1) administration, enforcement, and implementation of sections 84.787 to 84.795;

(2) acquisition, maintenance, and development of off-highway motorcycle trails and use areas; ~~and~~

(3) grants-in-aid to counties and municipalities to construct and maintain off-highway motorcycle trails and use areas; and

(4) grants for enforcement and public education to local law enforcement agencies.

(b) The distribution of funds made available for grants-in-aid must be guided by the statewide comprehensive outdoor recreation plan.

Sec. 11. Minnesota Statutes 2018, section 84.83, subdivision 3, is amended to read:

Subd. 3. **Purposes for the account; allocation.** (a) The money deposited in the account and interest earned on that money may be expended only as appropriated by law for the following purposes:

(1) for a grant-in-aid program to counties and municipalities for construction and maintenance of snowmobile trails that are determined by the commissioner to be part of the state's grant-in-aid system, including maintenance of trails on lands and waters of Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion; and on the following lakes in Cook County: Devil Track and Hungry Jack; The commissioner may establish a performance-based funding formula for annual grants-in-aid. The procedures and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply. In administering the performance-based grants-in-aid, the commissioner must:

(i) determine annual grant amounts based on a funding formula that includes consideration of historical costs, snowfall, use, and tourism;

(ii) make grant payments based on:

(A) successful completion of performance benchmarks;

(B) reimbursement of eligible expenditures; or

(C) a combination of subitems (A) and (B); and

(iii) assess penalties to nonperforming grant-in-aid recipients, which may include withholding grant payments or making the grantee or trail system ineligible for future grant-in-aid funding.

(2) for acquisition, development, and maintenance of to acquire, develop, and maintain state recreational snowmobile trails;

(3) for snowmobile safety programs; and

(4) for the administration and enforcement of to administer and enforce sections 84.81 to 84.91 and appropriated grants to local law enforcement agencies.

(b) No less than 60 percent of revenue collected from snowmobile registration and snowmobile state trail sticker fees must be expended for grants-in-aid to develop, maintain, and groom trails and acquire easements.

**Sec. 12. [84.976] NO CHILD LEFT INSIDE GRANT PROGRAM.**

Subdivision 1. **Establishment.** The commissioner of natural resources must establish and administer a program to provide grants for outdoor environmental, ecological, and other natural-resource-based education and recreation programs serving youth.

Subd. 2. **Eligibility.** The commissioner may award grants under this section to public entities or private nonprofit organizations.

Subd. 3. **Priorities.** In awarding grants under this section, the commissioner must give priority to programs that:

(1) provide students with opportunities to directly experience and understand nature and the natural world;

(2) use a research-based, effective environmental, ecological, agricultural, or other natural-resource-based educational curriculum;

(3) maximize the number of participants that can be served;

(4) serve children with limited opportunities to participate in natural-resource-based outdoor activities;

(5) use public park and other natural resource venues and personnel as a resource; and

(6) commit matching funds or in-kind resources.

Sec. 13. Minnesota Statutes 2018, section 84D.15, is amended to read:

**84D.15 INVASIVE SPECIES ACCOUNT ACCOUNTS.**

Subdivision 1. **Creation.** The invasive species account ~~is~~ and the invasive species research account are created in the state treasury in the natural resources fund.

Subd. 2. **Receipts.** (a) Money received from ~~surcharges on watercraft licenses under section 86B.415, subdivision 7, civil penalties under section 84D.13, and service provider permits under section 84D.108, shall~~ must be deposited in the invasive species account. Each year, the commissioner of management and budget ~~shall~~ must transfer from the game and fish fund to the invasive species account, the annual surcharge collected on nonresident fishing licenses under section 97A.475, subdivision 7, paragraph (b). Each fiscal year, the commissioner of management and budget ~~shall~~ must transfer \$750,000 from the water recreation account under section 86B.706 to the invasive species account.

(b) Money received from surcharges on watercraft licenses under section 86B.415, subdivision 7, must be deposited as follows:

(1) 80 percent from each surcharge must be deposited in the invasive species account; and

(2) 20 percent from each surcharge must be deposited in the invasive species research account.

Subd. 3. **Use of money in invasive species account.** Money credited to the invasive species account in subdivision 2 ~~shall~~ must be used for management of invasive species and implementation of this chapter as it pertains to invasive species, including control, public awareness, law enforcement, assessment and monitoring, management planning, habitat improvements, and research. Of the money credited to the account, at least ten percent from each surcharge on watercraft licenses under section 86B.415, subdivision 7, must be used for grants to lake associations to manage aquatic invasive plant species.

Subd. 4. **Use of money in invasive species research account.** Money credited to the invasive species research account in subdivision 2, paragraph (b), must be used for grants to the Board of Regents of the University of Minnesota for the Minnesota Aquatic Invasive Species Research Center to research aquatic invasive species.

Sec. 14. Minnesota Statutes 2018, section 85.012, subdivision 49, is amended to read:

Subd. 49. ~~St. Croix~~ Walter F. Mondale State Park, Pine County.

Sec. 15. Minnesota Statutes 2018, section 85.42, is amended to read:

**85.42 USER FEE; VALIDITY.**

(a) The fee for an annual cross-country-ski pass is ~~\$19~~ \$24 for an individual age 16 and over. The fee for a three-year pass is ~~\$54~~ \$69 for an individual age 16 and over. This fee ~~shall~~ must be collected at the time the pass is purchased. Three-year passes are valid for three years beginning the previous July 1. Annual passes are valid for one year beginning the previous July 1.

(b) The cost for a daily cross-country skier pass is ~~\$5~~ \$9 for an individual age 16 and over. This fee ~~shall~~ must be collected at the time the pass is purchased. The daily pass is valid only for the date designated on the pass form.

(c) A pass must be signed by the skier across the front of the pass to be valid and ~~becomes~~ is nontransferable ~~on signing when signed.~~

(d) The commissioner and agents ~~shall~~ must issue a duplicate pass to a person whose pass is lost or destroyed, using the process established under section 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate cross-country-ski pass is \$2.

Sec. 16. Minnesota Statutes 2018, section 85.44, is amended to read:

#### **85.44 CROSS-COUNTRY-SKI TRAIL GRANT-IN-AID PROGRAM.**

The commissioner shall establish a grant-in-aid program for local units of government and special park districts ~~for the acquisition, development, and maintenance of~~ to acquire, develop, and maintain cross-country-ski trails that are determined by the commissioner to be part of the state's grant-in-aid system. Grants ~~shall be~~ are available ~~for acquisition of~~ to acquire trail easements but may not be used to acquire any lands in fee title. Local units of government and special park districts applying for and receiving grants under this section ~~shall be~~ are considered to have cross-country-ski trails for one year following the expiration of their last grant. The department shall reimburse all public sponsors of grants-in-aid cross-country-ski trails based upon criteria established by the department. ~~Prior to the use of~~ Before using any reimbursement criteria, a certain proportion of the revenues ~~shall~~ must be allocated on the basis of user fee sales location. The commissioner may establish a performance-based funding formula for annual grants-in-aid. The procedures and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply. In administering the performance-based grants-in-aid, the commissioner must:

(1) determine annual grant amounts based on a funding formula that includes consideration of historical costs, snowfall, use, and tourism;

(2) make grant payments based on:

(i) successful completion of performance benchmarks;

(ii) reimbursement of eligible expenditures; or

(iii) a combination of items (i) and (ii); and

(3) assess penalties to nonperforming grant-in-aid recipients, which may include withholding grant payments or making the grantee or trail system ineligible for future grant-in-aid funding.

Sec. 17. Minnesota Statutes 2018, section 85.47, is amended to read:

#### **85.47 SPECIAL USE PERMITS; FEES.**

Fees collected for special use permits to use state trails not on state forest, state park, or state recreation area lands and for use of state water access sites must be deposited in the natural resources fund and are appropriated to the commissioner of natural resources for operating and maintaining state trails and water access sites.

Sec. 18. Minnesota Statutes 2018, section 86B.415, subdivision 1, is amended to read:

Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b) and ~~subdivision~~ subdivisions 1a and 4, the fee for a watercraft license for watercraft 19 feet or less in length is ~~\$27~~ \$39.25.

(b) The watercraft license ~~fee~~ fees for the specified watercraft are as follows:

(1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered for rent or lease, ~~the fee is \$9~~ \$11.25;

(2) for a sailboat, 19 feet in length or less, ~~the fee is \$10.50~~ \$15.25;

(3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching boat and water safety, ~~the fee is~~ as provided in subdivision 4;

(4) for a watercraft owned by a dealer under a dealer's license, ~~the fee is~~ as provided in subdivision 5;

(5) for a personal watercraft, ~~the fee is \$37.50~~ \$54.50, except for a personal watercraft that is offered for rent or lease according to section 86B.313, subdivision 4, \$47; and

(6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses (1) to (5), ~~the fee is \$18~~ \$26.

Sec. 19. Minnesota Statutes 2018, section 86B.415, subdivision 1a, is amended to read:

Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing shells.** Except as provided under subdivision 4, the fee for a watercraft license for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is ~~\$10.50~~ \$15.25.

Sec. 20. Minnesota Statutes 2018, section 86B.415, subdivision 2, is amended to read:

Subd. 2. **Watercraft over 19 feet.** Except as provided in subdivisions 1a, 3, 4, and 5, the watercraft license fee:

(1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$45~~ \$65.25;

(2) for a watercraft 26 feet but less than 40 feet in length is ~~\$67.50~~ \$98; and

(3) for a watercraft 40 feet in length or longer is ~~\$90~~ \$130.50.

Sec. 21. Minnesota Statutes 2018, section 86B.415, subdivision 3, is amended to read:

Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the license fee for a watercraft more than 19 feet in length for hire with an operator is ~~\$75~~ \$108.75 each.

Sec. 22. Minnesota Statutes 2018, section 86B.415, subdivision 4, is amended to read:

Subd. 4. **Watercraft used by nonprofit corporation for teaching organization or homestead resort.** (a) The watercraft license fee for a watercraft used by a nonprofit organization for teaching boat and water safety is \$4.50 each.

(b) The following fees apply to watercraft owned and used by a homestead resort, as defined under section 273.13, subdivision 22, paragraph (c), that contains ten rental units or less, when the watercraft remains on a single water body:

(1) for a watercraft 40 feet in length or longer, \$90;

(2) for a watercraft 26 feet but less than 40 feet in length, \$67.50;

(3) for a watercraft more than 19 feet but less than 26 feet in length, \$45;

(4) for a watercraft more than 19 feet in length for hire with an operator, \$75;

(5) for a watercraft 17 to 19 feet in length, \$27, except as provided in clauses (6) to (10);

(6) for a watercraft, other than personal watercraft, 19 feet in length or less that is offered for rent or lease, \$9;

(7) for a sailboat 19 feet in length or less, \$10.50;

(8) for a personal watercraft, \$37.50;

(9) for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length, \$10.50; and

(10) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses (6) to (9), \$18.

Sec. 23. Minnesota Statutes 2018, section 86B.415, subdivision 5, is amended to read:

Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer under a dealer's license. The fee for a dealer's license is ~~\$67.50~~ \$98.

Sec. 24. Minnesota Statutes 2018, section 86B.415, subdivision 7, is amended to read:

Subd. 7. **Watercraft surcharge.** A ~~\$5~~ \$20 surcharge is placed on each watercraft licensed under subdivisions 1 to 3 and 5 and a \$5 surcharge is placed on each watercraft licensed under subdivision 4 for control, public awareness, law enforcement, monitoring, and research of aquatic invasive species such as zebra mussel, purple loosestrife, and Eurasian watermilfoil in public waters and public wetlands.

Sec. 25. Minnesota Statutes 2018, section 88.642, subdivision 1, is amended to read:

Subdivision 1. **Written consent.** No person shall cut, harvest, remove, transport, or possess for decorative purposes or for sale more than three decorative trees, more than 100 pounds of decorative boughs, more than 50 spruce stems or branches greater than six inches in length, more than 50 birch stems or branches greater than one-inch large-end diameter, or more than 100 pounds of any other decorative materials without the written consent of the owner or authorized agent of the private or public land on which the decorative materials were cut or harvested. The written consent ~~shall be on a form furnished or otherwise approved by the commissioner of natural resources and shall~~ must contain the legal description of the land where the decorative materials were cut or harvested, as well as the name of the legal owner of the land or the owner's authorized agent. The written consent must be carried by every person cutting, harvesting, removing, possessing, or transporting any decorative materials, or in any way aiding therein, and must be exhibited to any officer at the officer's request at any time.

Sec. 26. Minnesota Statutes 2018, section 88.642, subdivision 3, is amended to read:

Subd. 3. **Transportation requirements.** No person, common carrier, ~~bough~~ decorative materials buyer, or authorized agent shall purchase or otherwise receive for shipment or transportation any decorative materials without recording the seller's or consignor's name and address and the written consent on a form furnished or otherwise approved by the commissioner of natural resources.

Sec. 27. Minnesota Statutes 2018, section 88.6435, is amended to read:

**88.6435 BOUGH DECORATIVE MATERIALS BUYERS.**

~~Subdivision 1. **Permits.** A person may not buy more than 100 pounds of decorative boughs in any calendar year without a bough buyer's permit issued by the commissioner of natural resources. The annual fee for a permit for a resident or nonresident to buy decorative boughs is \$25.~~

Subd. 1a. **License.** (a) A person must have a buyer's license for decorative materials to:

(1) buy more than 100 pounds of decorative boughs in any calendar year;

(2) buy more than 50 spruce stems or branches greater than six inches in length in any calendar year; or

(3) buy more than 50 birch stems or branches greater than one-inch large-end diameter in any calendar year.

(b) The annual fee for a buyer's license for decorative materials for a resident or nonresident is \$25.

~~Subd. 2. **Record requirements.** (a) When buying or otherwise receiving decorative boughs materials, a person permitted licensed under this section must record:~~

~~(1) the seller's name and address;~~

~~(2) the form of written consent; and~~

~~(3) the government permit number or legal description or property tax identification number of the land from which the boughs decorative materials were obtained.~~

~~(b) The information under paragraph (a) must be provided recorded on a form furnished or otherwise approved by the commissioner of natural resources in consultation with the balsam bough industry groups and must be exhibited to an officer upon request.~~

~~(b) Boughs may not be purchased (c) A licensed buyer may not purchase decorative materials if the seller fails to exhibit the written consent required under section 88.642, subdivision 1, or if the boughs do not conform to the standards specified on the consent. Decorative boughs cut from public lands materials must conform to standards specified in the written consent.~~

~~(d) Records shall must be maintained from July 1 until June 30 of the following calendar year and shall must be open to inspection to an officer during reasonable hours.~~

~~(e) Customer name and address records created and maintained by permittees licensees under this section are classified as private or nonpublic government data.~~

~~Subd. 3. **Revocation of permits Penalties.** (a) The commissioner may deny, modify, suspend, or revoke a permit license issued under this section for cause, including falsification of for falsifying records required under this section or violation of any other provision of for violating sections 88.641 to 88.648.~~

~~(b) A person convicted of two or more violations of sections 88.641 to 88.648 within three years may not obtain a bough buyer's permit license for decorative materials for three years from after the date of the last conviction.~~



Subd. 4. ~~Forest bough~~ **Special forest products account; disposition of fees.** (a) The ~~forest bough special forest products~~ account is established in the state treasury ~~within~~ in the natural resources fund.

(b) Fees for ~~permits~~ licenses issued under this section must be deposited in the state treasury and credited to the ~~forest bough special forest products~~ account and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, are annually appropriated to the commissioner of natural resources for costs associated with special forest product information and education programs for harvesters and buyers.

Sec. 28. Minnesota Statutes 2018, section 89.37, subdivision 3, is amended to read:

Subd. 3. **Private lands.** The commissioner may supply only bare root seedlings, woody cuttings, and transplant material for use on private land, provided that such material must be sold in lots of not less than ~~500~~ 250 for a sum determined by the commissioner to be equivalent to the cost of the materials and the expenses of their distribution. The commissioner may not directly or indirectly supply any other planting stock for use on private lands.

Sec. 29. **[89.435] FOREST CARBON SEQUESTRATION GOAL.**

It is the goal of the state to plant an additional 1,000,000 trees each year in fiscal years 2020, 2021, 2022, and 2023, to provide additional carbon sequestration and improve forest health.

Sec. 30. Minnesota Statutes 2018, section 90.01, is amended by adding a subdivision to read:

Subd. 13. **Special forest products.** "Special forest products" means woody and herbaceous plants, plant parts, seeds, fungus, soil, gravel, and forest substrate for consumption, decoration, or medicine or for any other specialty use.

Sec. 31. Minnesota Statutes 2018, section 90.195, is amended to read:

**90.195 SPECIAL USE AND PRODUCT PERMIT.**

(a) The commissioner may issue a fuelwood permit to salvage or cut not to exceed 12 cords of fuelwood per year for personal use from either or both of the following sources:

- (1) dead, down, and damaged trees; or
- (2) other trees that are of negative value under good forest management practices.

(b) The fuelwood permits under paragraph (a) may be issued for a period not to exceed one year. The commissioner ~~shall~~ must charge a fee for the permit as provided under section 90.041, subdivision 10. The fee ~~shall~~ must not exceed the current market value of fuelwood of similar species, grade, and volume that is being sold in the area where the salvage or cutting is authorized under the permit.

~~(b) (c)~~ (c) The commissioner may issue a ~~special product permit under section 89.42 for commercial use, which may include permit for harvesting or collecting~~ incidental volumes of ~~boughs, gravel, hay, biomass, and other products derived from forest management activities~~ special forest products. The value of the products is the current market value of the products that are being sold in the area. The permit may be issued for a period not to exceed one year, and the commissioner ~~shall~~ must charge a fee for the permit as provided under section 90.041, subdivision 10.

~~(e)~~ (d) The commissioner may issue a special use permit for incidental volumes of timber from approved right-of-way road clearing across state land ~~for the purpose of accessing to access~~ a state timber permit. The permit ~~shall~~ must include the volume and value of timber to be cleared and may be issued for a period not to exceed one year. A presale conference as required under section 90.151, subdivision 6, must be completed before the start of any activities under the permit.

Sec. 32. **[92.122] COMPENSATING PERMANENT SCHOOL FUND.**

Subdivision 1. **Compensation requirements.** (a) When the revenue generated from school trust land and associated resources is diminished by management practices applied to the land and resources as determined by the commissioner of natural resources, the commissioner must compensate the permanent school fund.

(b) When generating revenue from school trust land and associated resources will be prohibited by a policy or designation applied to the land and resources as determined by the commissioner, the commissioner must compensate the permanent school fund before the policy or designation is applied.

Subd. 2. **Compensation methods.** To compensate the permanent school fund under subdivision 1, the commissioner may use compensation methods that include:

(1) exchanging other land that is compatible with the goal of the permanent school fund under section 127A.31, as allowed under sections 94.343, subdivision 1, and 94.3495, and the Minnesota Constitution, article XI, section 10;

(2) leasing under section 92.50 and according to subdivision 3, with rental payments as compensation; and

(3) condemning the land under section 92.83, with payment of the amount of the award and judgment as compensation.

Subd. 3. **Lease terms for compensating fund.** With advice from the school trust lands director according to section 127A.353, subdivision 4, the commissioner may lease school trust land to compensate the permanent school fund. Rental payments received under this subdivision:

(1) must be credited to the forest suspense account as nonqualifying revenue and not subject to cost certification under section 16A.125;

(2) must be paid in full upon executing the lease; and

(3) are determined by the commissioner and subject to review by a licensed appraiser.

Sec. 33. Minnesota Statutes 2018, section 92.50, subdivision 1, is amended to read:

Subdivision 1. **Lease terms.** (a) The commissioner of natural resources may lease land under the commissioner's jurisdiction and control:

(1) to remove sand, gravel, clay, rock, marl, peat, and black dirt;

(2) to store ore, waste materials from mines, or rock and tailings from ore milling plants;

(3) for roads or railroads;

(4) to compensate the permanent school fund according to section 92.122; or

~~(4)~~ (5) for other uses consistent with the interests of the state.

(b) The commissioner shall offer the lease at public or private sale for an amount and under terms and conditions prescribed by the commissioner. Commercial leases for more than ten years and leases for removal of peat that cover 320 or more acres must be approved by the Executive Council.

(c) The lease term may not exceed 21 years except:

(1) leases of lands for storage sites for ore, waste materials from mines, or rock and tailings from ore milling plants; or for the removal of peat for nonagricultural purposes may not exceed a term of 25 years; and

(2) leases for commercial purposes, including major resort, convention center, or recreational area purposes, may not exceed a term of 40 years.

(d) Leases must be subject to sale and leasing of the land for mineral purposes and contain a provision for cancellation for just cause at any time by the commissioner upon six months' written notice. A longer notice period, not exceeding three years, may be provided in leases for storing ore, waste materials from mines, or rock or tailings from ore milling plants. The commissioner may determine the terms and conditions, including the notice period, for cancellation of a lease for the removal of peat and commercial leases.

(e) Money received from leases under this section must be credited to the fund to which the land belongs.

Sec. 34. Minnesota Statutes 2018, section 97A.015, subdivision 25, is amended to read:

Subd. 25. **Game fish.** "Game fish" means ~~walleye, sauger, yellow perch, channel catfish, flathead catfish; members of the pike family, Esocidae, including muskellunge and northern pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family, Percichthyidae, including white bass and yellow bass; members of the salmon and trout subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout, and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon family, Acipenseridae, including lake sturgeon, and shovelnose sturgeon.~~ fish from the following families and species: Acipenseridae (lake sturgeon and shovelnose sturgeon), Anguillidae (American eel), Centrarchidae (black crappie; largemouth bass; rock bass; smallmouth bass; white crappie; and sunfishes, including bluegill, green sunfish, longear sunfish, orangespotted sunfish, pumpkinseed, and warmouth), Esocidae (muskellunge and northern pike), Gadidae (burbot), Ictaluridae (blue catfish, channel catfish, and flathead catfish), Moronidae (white bass and yellow bass), Percidae (sauger, walleye, and yellow perch), Polyodontidae (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown trout, chinook salmon, cisco or tullibee, coho salmon, kokanee salmon, lake trout, lake whitefish, pink salmon, and rainbow trout). "Game fish" includes hybrids of game fish.

Sec. 35. Minnesota Statutes 2018, section 97A.015, subdivision 43, is amended to read:

Subd. 43. **Rough fish.** "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin, ~~burbot, cisco,~~ gar, goldeye, and bullhead, except for any fish species listed as endangered, threatened, or of special concern in Minnesota Rules, chapter 6134.

Sec. 36. Minnesota Statutes 2018, section 97A.055, subdivision 4, is amended to read:

Subd. 4. **Game and fish annual reports.** (a) By December 15 each year, the commissioner shall submit to the legislative committees having jurisdiction over appropriations and the environment and natural resources reports on each of the following:

- (1) the amount of revenue from the following and purposes for which expenditures were made:
  - (i) the small-game license surcharge under section 97A.475, subdivision 4;
  - (ii) the Minnesota migratory-waterfowl stamp under section 97A.475, subdivision 5, clause (1);

- (iii) the trout-and-salmon stamp under section 97A.475, subdivision 10;
- (iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);
- (v) the wild-turkey management account under section 97A.075, subdivision 5;
- (vi) the deer license ~~donations and~~ surcharges under section 97A.475, subdivisions 3, paragraph (b), and 3a; and
- (vii) the walleye stamp under section 97A.475, subdivision 10a;

(2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c), and the purposes for which these amounts were spent;

(3) money credited to the game and fish fund under this section and purposes for which expenditures were made from the fund;

(4) outcome goals for the expenditures from the game and fish fund; and

(5) summary and comments of citizen oversight committee reviews under subdivision 4b.

(b) The report must include the commissioner's recommendations, if any, for changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

Sec. 37. Minnesota Statutes 2018, section 97A.055, subdivision 4b, is amended to read:

Subd. 4b. **Citizen oversight committees.** (a) The commissioner shall appoint committees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following committees, each comprised of at least ten affected persons:

(1) a Fisheries Oversight Committee to review fisheries funding and expenditures, including activities related to trout-and-salmon stamps and walleye stamps; and

(2) a Wildlife Oversight Committee to review wildlife funding and expenditures, including activities related to migratory waterfowl, pheasant, and wild turkey management and deer and big game management.

(c) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight Committee, and four additional members from each committee, shall form a Budgetary Oversight Committee to coordinate the integration of the fisheries and wildlife oversight committee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; and provide a forum to address issues that transcend the fisheries and wildlife oversight committees.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance.

(e) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight Committee shall be chosen by their respective committees. The chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of either of the other oversight committees.

(f) The Budgetary Oversight Committee may make recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) The committees authorized under this subdivision are not advisory councils or committees governed by section 15.059 and are not subject to section 15.059. Committee members appointed by the commissioner may request reimbursement for mileage expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. Committee members must not receive daily compensation for oversight activities. The Fisheries Oversight Committee, the Wildlife Oversight Committee, and the Budgetary Oversight Committee expire June 30, ~~2020~~ 2025.

Sec. 38. Minnesota Statutes 2018, section 97A.065, subdivision 6, is amended to read:

Subd. 6. **Deer license donations and surcharges.** (a) The surcharges collected under section 97A.475, subdivision 3a, ~~paragraph (b), shall~~ must be deposited in an account in the special revenue fund and are appropriated to the commissioner for deer management, including for grants or payments to agencies, organizations, or individuals for assisting with the cost of processing deer taken for population management purposes for venison donation programs. None of the additional license fees shall be transferred to any other agency for administration of programs other than venison donation. If any money transferred by the commissioner is not used for a venison donation program, it shall be returned to the commissioner.

(b) The surcharges ~~and donations~~ under section 97A.475, ~~subdivisions subdivision 3, paragraph (b); 3a, paragraph (a); and 4, paragraph (b), shall,~~ must be deposited in an account in the special revenue fund and are appropriated to the commissioner for the walk-in access program.

Sec. 39. Minnesota Statutes 2018, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), (13), (14), and (15); 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

(b) ~~\$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall~~ The deer management account is established as an account in the game and fish fund and may be used only for deer habitat improvement or deer management programs. The following amounts must be credited to the deer management account and is appropriated to the commissioner for deer habitat improvement or deer management programs.:

(1) \$16 from each annual deer license issued under section 97A.475, subdivisions 2, clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b);

(2) \$2 from each annual deer license issued under sections 97A.475, subdivisions 2, clauses (13), (14), and (15); and 3, paragraph (a), clauses (10), (11), and (12); and 97B.301, subdivision 4; and

(3) \$16 annually from the lifetime fish and wildlife trust fund, established under section 97A.4742, for each license issued to a person 18 years of age or older under section 97A.473, subdivision 4, and \$2 annually from the lifetime fish and wildlife trust fund for each license issued to a person under 18 years of age.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, ~~shall~~ must be credited to the deer and bear management account and is appropriated to the commissioner for deer- and bear-management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the ~~emergency deer feeding and~~ wild Cervidae health-management account and is appropriated for ~~emergency deer feeding and~~ wild Cervidae health management. Money appropriated for ~~emergency deer feeding and~~ wild Cervidae health management is available until expended.

(e) When the unencumbered balance in the appropriation for ~~emergency deer feeding and~~ wild Cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance ~~in excess of~~ over \$2,500,000 is canceled and is available for deer- and bear-management programs and computerized licensing.

Sec. 40. Minnesota Statutes 2018, section 97A.126, is amended to read:

**97A.126 WALK-IN ACCESS PROGRAM.**

Subdivision 1. **Establishment.** A walk-in access program is established to provide public access to wildlife habitat on ~~private~~ land not otherwise open to the public for hunting, excluding trapping, as provided under this section. The commissioner may enter into agreements with other units of government and landowners to provide ~~private land~~ hunting access.

Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person ~~must have a walk-in access hunter validation in possession to~~ may hunt on ~~private~~ lands, including agricultural lands, that are posted as being enrolled in the walk-in access program.

(b) Hunting on ~~private~~ lands that are posted as enrolled in the walk-in access program is allowed from one-half hour before sunrise to one-half hour after sunset.

(c) Hunter access on ~~private~~ lands that are posted as enrolled in the walk-in access program is restricted to nonmotorized use, except by hunters with disabilities operating motor vehicles on established trails or field roads who possess a valid permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.

(d) The general provisions for use of wildlife management areas adopted under sections 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats, firearms and target shooting, hunting stands, abandonment of trash and property, destruction or removal of property, introduction of plants or animals, and animal trespass, apply to hunters on lands enrolled in the walk-in access program.

(e) Any use of enrolled lands other than hunting according to this section is prohibited, including:

- (1) harvesting bait, including minnows, leeches, and other live bait;
- (2) training dogs or using dogs for activities other than hunting; and
- (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind, or other structure, unless constructed or maintained by the landowner.

Sec. 41. **97A.138] INSECTICIDES IN WILDLIFE MANAGEMENT AREAS.**

A person may not use a product containing an insecticide in a wildlife management area if the insecticide is from the neonicotinoid class of insecticides.

Sec. 42. Minnesota Statutes 2018, section 97A.321, subdivision 1, is amended to read:

Subdivision 1. **Owner responsibility; penalty amount.** (a) The owner of a dog that pursues but does not kill or mortally wound a big game animal is subject to a civil penalty of \$100 for each violation. The owner of a dog that kills or mortally wounds a big game animal is subject to a civil penalty of \$500 for each violation.

~~(b) Paragraph (a) does not apply to a person using a dog in compliance with section 97B.207.~~

Sec. 43. Minnesota Statutes 2018, section 97A.405, is amended by adding a subdivision to read:

Subd. 6. **Application deadline.** When an application deadline is specified, including an application deadline for determining the fee based on age for a lifetime license, an application must be received no later than 4:30 p.m. on the day of the deadline or, if mailed, an application must be postmarked on or before the deadline date.

Sec. 44. Minnesota Statutes 2018, section 97A.475, subdivision 3a, is amended to read:

~~Subd. 3a. **Deer license donation and surcharge.** (a) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), (13), (14), and (15), and 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12).~~

~~(b) (a) Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery established under section 97B.301, subdivision 4, must be increased by a surcharge of \$1.~~

~~(c) (b) An additional commission may not be assessed on the donation or surcharge.~~

Sec. 45. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

Subd. 4. **Small-game surcharge and donation.** (a) Fees for annual licenses to take small game must be increased by a surcharge of \$6.50, except licenses under subdivisions 2, clauses (18) and (19); and 3, paragraph (a), ~~clause~~ clauses (14) and (15). An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small-game-hunting regulations: "This \$6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

~~(b) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take small game. An additional commission may not be assessed on the donation. The following statement must be included in the annual small game hunting regulations: "The small game license donations are being paid by hunters for administration of the walk-in access program."~~

Sec. 46. Minnesota Statutes 2018, section 97A.475, subdivision 41, is amended to read:

Subd. 41. **Turtle licenses license.** (a) ~~The fee for a turtle seller's license to sell turtles and to take, transport, buy, and possess turtles for sale is \$250.~~

~~(b) The fee for a recreational turtle license to take, transport, and possess turtles for personal use is \$25.~~

~~(c) The fee for a turtle seller's apprentice license is \$100.~~

Sec. 47. Minnesota Statutes 2018, section 97B.011, is amended to read:

**97B.011 DOGS PURSUING BIG GAME.**

(a) A person who observes a dog wounding, killing, or pursuing in a manner that endangers big game may kill the dog:

(1) at any time, if the person is a peace officer or conservation officer; or

(2) between January 1 and July 14, if the person is not a peace officer or conservation officer and the discharge of firearms is allowed.

The officer or person is not liable for damages for killing the dog.

(b) Paragraph (a) does not apply to a dog used in compliance with section 97B.207.

Sec. 48. Minnesota Statutes 2018, section 97B.081, subdivision 3, is amended to read:

Subd. 3. **Exceptions.** (a) It is not a violation of this section for a person to:

(1) cast the rays of a spotlight, headlight, or other artificial light to take raccoons according to section 97B.621, subdivision 3, or tend traps according to section 97B.931;

(2) hunt fox or coyote from January 1 to March 15 while using a handheld artificial light, provided that the person is:

(i) on foot;

(ii) using a shotgun;

(iii) not within a public road right-of-way;

(iv) using a handheld or electronic calling device; and

(v) not within 200 feet of a motor vehicle; or

(3) cast the rays of a handheld artificial light to retrieve wounded or dead big game animals, provided that the person is:

(i) on foot; and

(ii) not in possession of a firearm or bow.

(b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight, headlight, or other artificial light to:

(1) carry out any agricultural, safety, emergency response, normal vehicle operation, or occupation-related activities that do not involve taking wild animals; or

(2) carry out outdoor recreation as defined in section 97B.001 that is not related to spotting, locating, or taking a wild animal.



(c) Except as otherwise provided by the game and fish laws, it is not a violation of this section for a person to use an electronic range finder device from one-half hour before sunrise until one-half hour after sunset while lawfully hunting wild animals.

(d) It is not a violation of this section for a licensed bear hunter to cast the rays of a handheld artificial light to track or retrieve a wounded or dead bear while possessing a firearm, ~~provided that:~~

(1) if the person:

~~(1)~~ (i) has the person's valid bear-hunting license in possession;

~~(2)~~ (ii) is on foot; and

~~(3)~~ (iii) is following the blood trail of a bear that was shot during legal shooting hours; or

(2) as provided in section 97B.207.

(e) It is not a violation of this section for a licensed deer hunter to cast the rays of a handheld artificial light to track or retrieve a wounded deer as provided in section 97B.207.

(f) For purposes of this subdivision, "handheld artificial light" means an artificial light that is carried in the hand or attached to the person.

Sec. 49. Minnesota Statutes 2018, section 97B.205, is amended to read:

**97B.205 ~~USE OF~~ USING DOGS AND HORSES TO TAKE BIG GAME PROHIBITED.**

A person may not use a dog or horse to take big game, ~~except as provided under section 97B.207.~~

Sec. 50. **97B.207] USING DOGS TO LOCATE WOUNDED DEER OR BEAR.**

Subdivision 1. **Using dogs allowed.** A person may use a dog to locate and retrieve a wounded deer or bear only as provided in this section.

Subd. 2. **Requirements for hunters and handlers.** (a) A person attempting to locate and retrieve a wounded deer or bear using a dog must have a valid license to take the deer or bear and have the license in possession. If the person is a dog handler that does not have a valid hunting license, the person must be accompanied by a licensed hunter with the license in possession.

(b) The licensed hunter, and any accompanying dog handler, must be on foot and must wear blaze orange or blaze pink as provided in section 97B.071, paragraph (a).

(c) Any light used must be a handheld artificial light, as defined under section 97B.081, subdivision 3, paragraph (f).

Subd. 3. **Requirements for dogs.** (a) A dog used to locate a wounded deer or bear must be accompanied by a licensed hunter and any dog handler until the wounded deer or bear is located. The dog must be leashed and the licensed hunter or dog handler must be in physical control of the leash at all times. The leash must not exceed 30 feet in length.

(b) The dog owner's information, including the owner's name and telephone number, must be on the dog while the dog is used to locate a wounded deer or bear under this section.

(c) The licensed hunter and any accompanying dog handler are jointly and severally responsible for a dog under this section. A violation of this subdivision is a misdemeanor under section 97A.301, subdivision 1, and section 97A.421 applies.

Subd. 4. **Additional requirements.** (a) The trespass provisions in section 97B.001 apply to activities under this section, including all requirements to gain permission to enter private or public property.

(b) Activities under this section may occur during legal shooting hours or outside legal shooting hours of the open season for the location and species. Any activity occurring under this section outside the open season for the location and species must be reported to the local conservation officer before locating or retrieving the wounded deer or bear.

Sec. 51. Minnesota Statutes 2018, section 97B.655, is amended to read:

**97B.655 TAKING ANIMALS CAUSING DAMAGE.**

Subdivision 1. **Owners and occupants may take certain animals.** (a) A person or the person's agent may take bats, snakes, salamanders, lizards, weasel, mink, squirrel, rabbit, hare, raccoon, bobcat, fox, opossum, muskrat, or beaver on land owned or occupied by the person where the animal is causing damage. The person or the person's agent may take the animal without a license and in any manner except by artificial lights in the closed season or by poison. Raccoons may be taken under this subdivision with artificial lights during open season.

(b) Any traps used under this subdivision must be tagged as required under section 97B.928 if placed by an agent of the landowner or occupant.

(c) A person or the person's agent who kills mink, raccoon, bobcat, fox, opossum, muskrat, or beaver under this subdivision must notify a conservation officer or employee of the Fish and Wildlife Division within 24 hours after the animal is killed.

Subd. 2. **Special permit for taking protected wild animals.** (a) The commissioner may issue special permits under section 97A.401, subdivision 5, to take protected wild animals that are damaging property or to remove or destroy their dens, nests, or houses, or dams.

(b) Removing or destroying a beaver dam associated with beavers causing damage must be according to section 97B.665.

Sec. 52. Minnesota Statutes 2018, section 97B.665, is amended by adding a subdivision to read:

Subd. 1a. **Removing beaver dams; agreement by landowner.** (a) Except as provided in paragraph (b), a beaver dam that is causing damage to property may be removed or destroyed by a person or the person's agent from property that is owned, occupied, or otherwise managed by the person.

(b) A person or a person's agent may not remove or destroy a beaver dam under this subdivision when a permit is required under section 103G.245 if removing or destroying the dam would change or diminish the historical water levels, course, current, or cross section of public waters.

(c) A person or a person's agent may not remove or destroy a beaver dam under this subdivision if the dam is on public property or another person's private property unless the person obtains the approval or permission of the landowner of the property where the beaver dam is located.

(d) If unable to obtain the approval or permission of the landowner under paragraph (c), a person may petition to district court for relief as provided in subdivision 2.

(e) For purposes of this subdivision:

(1) "landowner" means:

(i) the owner, lessee, or occupant of private property; or

(ii) an authorized manager of public property; and

(2) "person" includes a governmental entity in addition to the entities described under section 97A.015, subdivision 35.

Sec. 53. Minnesota Statutes 2018, section 97B.667, subdivision 2, is amended to read:

Subd. 2. **Local Government units.** (a) ~~Local~~ Government units may, as provided in this section, kill or arrange to have killed beaver that are causing damage, including damage to silvicultural projects and drainage ditches, on property owned or managed by the ~~local~~ government unit. ~~Removal or destruction of~~ Removing or destroying any associated beaver lodge is subject to section 97A.401, subdivision 5, and removing or destroying any associated beaver dam is subject to section 97B.665.

(b) The ~~local~~ government unit may kill beaver associated with the lodge or damage in any manner, except by poison or artificial lights.

(c) The ~~local~~ government unit may arrange to have killed any beaver associated with the lodge or damage by trapping through a third-party contract or under subdivision 4.

Sec. 54. Minnesota Statutes 2018, section 97B.667, subdivision 3, is amended to read:

Subd. 3. **Permits and notice; requirements.** (a) Before killing or arranging to kill a beaver under this section, the road authority or ~~local~~ government unit must contact a conservation officer for a special beaver permit- if the beaver will be killed within two weeks before or after the trapping season for beaver, and the conservation officer must issue the permit for any beaver subject to this section. A permit is not required:

(1) for a licensed trapper during the open trapping season for beaver; or

(2) when the trapping season for beaver is closed and it is not within two weeks before or after the trapping season for beaver.

(b) A road authority or ~~local~~ government unit that kills or arranges to have killed a beaver under this section must notify a conservation officer or employee of the Fish and Wildlife Division within ten days after the animal is killed.

Sec. 55. Minnesota Statutes 2018, section 97B.667, subdivision 4, is amended to read:

Subd. 4. **Local Beaver control programs.** A road authority or ~~local~~ government unit may, after consultation with the Fish and Wildlife Division, implement a ~~local~~ beaver control program designed to reduce the number of incidents of beaver:

(1) interfering with or damaging a public road; or

(2) causing damage, including damage to silvicultural projects and drainage ditches, on property owned or managed by the ~~local~~ government unit.

The ~~local~~ control program may include ~~the offering of a bounty for the lawful taking of~~ to lawfully take beaver.

Sec. 56. Minnesota Statutes 2018, section 97B.667, is amended by adding a subdivision to read:

Subd. 5. **Tagging requirements for traps.** Traps used under subdivision 1 or 2 must be identified with the name and telephone number of the government unit. Traps used for trapping under a third-party contract must be tagged with the contractor's information as provided in section 97B.928.

Sec. 57. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME IN CERTAIN AREAS.**

Subdivision 1. **Nontoxic shot on wildlife management areas in farmland zone.** After July 1, 2020, a person may not take small game, rails, or common snipe on any wildlife management area within the farmland zone with shot other than:

(1) steel shot;

(2) copper-plated, nickel-plated, or zinc-plated steel shot; or

(3) shot made of other nontoxic material approved by the director of the United States Fish and Wildlife Service.

Subd. 2. **Farmland zone.** For the purposes of this section, the farmland zone is the portion of the state that falls south and west of Minnesota Highway 70 westward from the Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the Canadian border.

Sec. 58. Minnesota Statutes 2018, section 97C.605, subdivision 1, is amended to read:

Subdivision 1. ~~**Resident angling license required**~~ **Taking turtles; requirements.** ~~(a) In addition to any other license required in this section, A person may not take, possess, or transport turtles without a resident angling license, except as provided in subdivision 2e~~ and a recreational turtle license.

(b) Turtles taken from the wild are for personal use only and may not be resold.

Sec. 59. Minnesota Statutes 2018, section 97C.605, subdivision 2c, is amended to read:

Subd. 2c. **License exemptions.** ~~(a) A person does not need a turtle seller's license or an angling license~~ the licenses specified under subdivision 1:

~~(1) when buying turtles for resale at a retail outlet;~~

~~(2) (1) when buying a turtle at a retail outlet; or~~

~~(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the buyer; number of each species of turtle; and name and license number of the turtle seller; or~~

~~(4)~~ (2) to take, possess, and rent ~~or sell~~ up to 25 turtles greater than four inches in length for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person is a resident under age 18. The person is responsible for the well-being of the turtles.

(b) A person with an aquatic farm license with a turtle endorsement or a private fish hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate turtles and turtle eggs according to Minnesota Rules, part 6256.0900, without the licenses specified under subdivision 1.

Sec. 60. Minnesota Statutes 2018, section 97C.605, subdivision 3, is amended to read:

Subd. 3. **Taking; methods prohibited.** ~~(a)~~ A person may take turtles in any manner, except by the use of:

- (1) explosives, drugs, poisons, lime, and other harmful substances;
- (2) traps, ~~except as provided in paragraph (b) and rules adopted under this section;~~
- (3) nets other than anglers' fish landing nets; or
- (4) commercial equipment, ~~except as provided in rules adopted under this section.~~

~~(b) Until new rules are adopted under this section, a person with a turtle seller's license may take turtles with a floating turtle trap that:~~

- ~~(1) has one or more openings above the water surface that measure at least ten inches by four inches; and~~
- ~~(2) has a mesh size of not less than one half inch, bar measure.~~

Sec. 61. **[103F.49] CONSERVATION MATERIALS CONTAINING PLASTICS.**

Subdivision 1. **Identifying and listing.** By January 1, 2021, the Board of Water and Soil Resources must:

(1) identify materials used in conservation and bioengineering projects that contain plastic that are used or are likely to be used in state-funded stream bank stabilization projects;

(2) determine whether feasible alternatives for the materials identified are available that do not contain plastic; and

(3) post a list of the materials with feasible alternatives on the board's website stating that the materials are ineligible for state funding beginning January 1, 2022.

Subd. 2. **Prohibition.** Beginning January 1, 2022, a person may not:

(1) purchase a material listed under subdivision 1, in whole or in part, with state funds; or

(2) use a material listed under subdivision 1 as part of a project funded in whole or in part with state funds.

Sec. 62. Minnesota Statutes 2018, section 103G.241, subdivision 1, is amended to read:

Subdivision 1. **Conditions to affect public waters.** An agent or employee of another may not construct, reconstruct, remove, or make a change in a reservoir, dam, or waterway obstruction on a public water or in any manner change or diminish the course, current, or cross section of public waters unless the agent or employee has:

(1) obtained a signed statement from the property owner stating that the permits required for the work have been obtained or a permit is not required; and

(2) mailed or electronically transmitted a copy of the statement to the regional office of the Department of Natural Resources where the proposed work is located.

Sec. 63. Minnesota Statutes 2018, section 103G.241, subdivision 3, is amended to read:

Subd. 3. **Form for compliance.** The commissioner shall develop a form to be distributed to contractors' associations and county auditors to comply with this section. The form must include:

(1) a listing of the activities for which a permit is required;

(2) a description of the penalties for violating this chapter;

(3) the mailing addresses, electronic mail addresses, and telephone numbers of the regional offices of the Department of Natural Resources;

(4) a statement that water inventory maps completed according to section 103G.201 are on file with the auditors of the counties; and

(5) spaces for a description of the work and the names, mailing addresses, electronic mail addresses, and telephone numbers of the person authorizing the work and the agent or employee proposing to undertake it.

Sec. 64. Minnesota Statutes 2018, section 103G.287, subdivision 1, is amended to read:

Subdivision 1. **Applications for groundwater appropriations; preliminary well-construction approval.** (a) Groundwater use permit applications are not complete until the applicant has supplied:

(1) a water well record as required by section 103I.205, subdivision 9, information on the subsurface geologic formations penetrated by the well and the formation or aquifer that will serve as the water source, and geologic information from test holes drilled to locate the site of the production well;

(2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;

(3) information on groundwater quality in terms of the measures of quality commonly specified for the proposed water use and details on water treatment necessary for the proposed use;

(4) the results of an aquifer test completed according to specifications approved by the commissioner. The test must be conducted at the maximum pumping rate requested in the application and for a length of time adequate to assess or predict impacts to other wells and surface water and groundwater resources. The permit applicant is responsible for all costs related to the aquifer test, including the construction of groundwater and surface water monitoring installations, and water level readings before, during, and after the aquifer test; and

(5) the results of any assessments conducted by the commissioner under paragraph (c).

(b) The commissioner may waive an application requirement in this subdivision if the information provided with the application is adequate to determine whether the proposed appropriation and use of water is sustainable and will protect ecosystems, water quality, and the ability of future generations to meet their own needs.

(c) The commissioner shall provide an assessment of a proposed well needing a groundwater appropriation permit. The commissioner shall evaluate the information submitted as required under section 103I.205, subdivision 1, paragraph (e), and determine whether the anticipated appropriation request is likely to meet the applicable requirements of this chapter. If the appropriation request is likely to meet applicable requirements, the commissioner shall provide the person submitting the information with a letter or electronically transmitted notice providing preliminary approval to construct the well and the requirements, including test-well information, that will be needed to obtain the permit.

(d) The commissioner must provide an applicant denied a groundwater use permit or issued a groundwater use permit that is reduced or restricted from the original request with all information the commissioner used in making the determination, including hydrographs, flow tests, aquifer tests, topographic maps, field reports, photographs, and proof of equipment calibration.

Sec. 65. Minnesota Statutes 2018, section 103G.301, subdivision 2, is amended to read:

Subd. 2. **Permit application and notification fees.** (a) A fee to defray the costs of receiving, recording, and processing must be paid for a permit application authorized under this chapter, except for a general permit application, for each request to amend or transfer an existing permit, and for a notification to request authorization to conduct a project under a general permit. Fees established under this subdivision, unless specified in paragraph (c), ~~shall be compliant~~ must comply with section 16A.1285.

(b) Proposed projects that require water in excess of 100 million gallons per year must be assessed fees to recover the costs incurred to evaluate the project and the costs incurred for environmental review. Fees collected under this paragraph must be credited to an account in the natural resources fund and are appropriated to the commissioner.

(c) The fee to apply for a permit to appropriate water, in addition to any fee under paragraph (b), ~~and for a permit to construct or repair a dam that is subject to dam safety inspection~~ is \$150. The application fee for a permit to construct or repair a dam that is subject to a dam safety inspection, to work in public waters, or to divert waters for mining must be at least ~~\$150~~ \$300, but not more than ~~\$1,000~~ \$3,000. The fee for a notification to request authorization to conduct a project under a general permit is \$100.

Sec. 66. Minnesota Statutes 2018, section 103G.311, subdivision 2, is amended to read:

Subd. 2. **Hearing notice.** (a) The hearing notice on an application must include:

- (1) the date, place, and time fixed by the commissioner for the hearing;
- (2) the waters affected, the water levels sought to be established, or control structures proposed; and
- (3) the matters prescribed by sections 14.57 to 14.59 and rules adopted thereunder.

(b) A summary of the hearing notice must be published by the commissioner at the expense of the applicant or, if the proceeding is initiated by the commissioner in the absence of an applicant, at the expense of the commissioner.

(c) The summary of the hearing notice must be:

(1) published once a week for two successive weeks before the day of hearing in a legal newspaper published in the county where any part of the affected waters is located; and

(2) mailed or electronically transmitted by the commissioner to the county auditor, the mayor of a municipality, the watershed district, and the soil and water conservation district affected by the application.

Sec. 67. Minnesota Statutes 2018, section 103G.311, subdivision 5, is amended to read:

Subd. 5. **Demand for hearing.** (a) If a hearing is waived and an order is made issuing or denying the permit, the applicant, the managers of the watershed district, the board of supervisors of the soil and water conservation district, or the governing body of the municipality may file a demand for hearing on the application. The demand for a hearing must be filed within 30 days after mailed or electronically transmitted notice of the order with the bond required by subdivision 6.

(b) The commissioner must give notice as provided in subdivision 2, hold a hearing on the application, and make a determination on issuing or denying the permit as though the previous order had not been made.

(c) The order issuing or denying the permit becomes final at the end of 30 days after mailed or electronically transmitted notice of the order to the applicant, the managers of the watershed district, the board of supervisors of the soil and water conservation district, or the governing body of the municipality, and an appeal of the order may not be taken if:

(1) the commissioner waives a hearing and a demand for a hearing is not made; or

(2) a hearing is demanded but a bond is not filed as required by subdivision 6.

Sec. 68. Minnesota Statutes 2018, section 103G.315, subdivision 8, is amended to read:

Subd. 8. **Notice of permit order.** Notice of orders made after hearing must be given by publication of the order once a week for two successive weeks in a legal newspaper in the county where the hearing was held and by mailing or electronically transmitting copies of the order to parties who entered an appearance at the hearing.

Sec. 69. Minnesota Statutes 2018, section 103G.408, is amended to read:

**103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.**

(a) The commissioner, upon consideration of recommendations and objections as provided in clause (2), item (iii), and paragraph (c), may issue a public-waters-work permit for the temporary drawdown of a public water when:

(1) the public water is a shallow lake to be managed for fish, wildlife, or ecological purposes by the commissioner and the commissioner has conducted a public hearing presenting a comprehensive management plan outlining how and when temporary drawdowns under this section will be conducted; or

(2) the permit applicant is a public entity and:

(i) the commissioner deems the project to be beneficial and makes findings of fact that the drawdown is in the public interest;

(ii) the permit applicant has obtained permission from at least 75 percent of the riparian landowners; and

(iii) the permit applicant has conducted a public hearing according to paragraph (d).



(b) In addition to the requirements in section 103G.301, subdivision 6, the permit applicant shall serve a copy of the application on each county, municipality, and watershed management organization, if one exists, within which any portion of the public water is located and on the lake improvement district, if one exists.

(c) A county, municipality, watershed district, watershed management organization, or lake improvement district required to be served under paragraph (b) or section 103G.301, subdivision 6, may file a written recommendation for the issuance of a permit or an objection to the issuance of a permit with the commissioner within 30 days after receiving a copy of the application.

(d) The hearing notice for a public hearing under paragraph (a), clause (2), item (iii), must:

(1) include the date, place, and time for the hearing;

(2) include the waters affected and a description of the proposed project;

(3) be mailed or electronically transmitted to the director, the county auditor, the clerk or mayor of a municipality, the lake improvement district if one exists, the watershed district or water management organization, the soil and water conservation district, and all riparian owners of record affected by the application; and

(4) be published in a newspaper of general circulation in the affected area.

(e) Periodic temporary drawdowns conducted under paragraph (a) ~~shall~~ are not ~~be~~ considered takings from riparian landowners.

(f) This section does not apply to public waters that have been designated for wildlife management under section 97A.101.

Sec. 70. Minnesota Statutes 2018, section 103G.615, subdivision 3a, is amended to read:

Subd. 3a. **Invasive aquatic plant management permit.** (a) "Invasive aquatic plant management permit" means an aquatic plant management permit as defined in rules of the Department of Natural Resources that authorizes the selective control of invasive aquatic plants to cause a significant reduction in the abundance of the invasive aquatic plant.

(b) The commissioner may waive the dated signature of approval requirement in rules of the Department of Natural Resources for invasive aquatic plant management permits if obtaining signatures would create an undue burden on the permittee or if the commissioner determines that aquatic plant control is necessary to protect natural resources.

(c) If the signature requirement is waived under paragraph (b) because obtaining signatures would create an undue burden on the permittee, the commissioner shall require an alternate form of landowner notification, including news releases or public notices in a local newspaper, a public meeting, or a mailing or electronic transmission to the most recent permanent physical or electronic mailing address of affected landowners. The notification must be given annually and must include: the proposed date of treatment, the target species, the method of control or product being used, and instructions on how the landowner may request that control not occur adjacent to the landowner's property.

(d) The commissioner may allow dated signatures of approval obtained for an invasive aquatic plant management permit to satisfy rules of the Department of Natural Resources to remain valid for three years if property ownership remains unchanged.

Sec. 71. **[115A.141] CARPET PRODUCTS; STEWARDSHIP PROGRAM; STEWARDSHIP PLAN.**

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

(1) "blended carpet" means carpet with a nonuniform face fiber, which is manufactured with multiple polymer types, fiber types, or both, in the face of the constructed material;

(2) "brand" means a name, symbol, word, or mark that identifies carpet, rather than its components, and attributes the carpet to the owner or licensee of the brand as the producer;

(3) "carpet" means a manufactured article that is affixed or placed on the floor or building walking surface or used as a decorative or functional building interior or exterior feature, and is primarily constructed of a top visible surface of synthetic face fibers or yarns or tufts attached to a backing system derived from synthetic or natural materials. Carpet includes, but is not limited to, blended carpet, nylon carpet, PET carpet, polypropylene carpet, PTT carpet, wool carpet, commercial or residential broadloom carpet, modular carpet tiles, and artificial turf. Carpet includes a pad or underlayment used in conjunction with a carpet. Carpet does not include handmade rugs, area rugs, or mats;

(4) "discarded carpet" means carpet that is no longer used for its manufactured purpose, and may include carpet that is being evaluated for reuse and directed to reuse, as defined in this section;

(5) "distributor" means a person who buys or otherwise acquires carpet from another source and sells or offers to sell that carpet to retailers and installers in this state;

(6) "nylon carpet" means carpet made with a uniform face fiber made with either nylon 6 or nylon 6,6;

(7) "PET carpet" means carpet made from polyethylene terephthalate;

(8) "producer" means a person that:

(i) has legal ownership of the brand, brand name, or cobrand of carpet sold in the state;

(ii) imports carpet branded by a producer that meets the specifications of item (i) when the producer has no physical presence in the United States;

(iii) if items (i) and (ii) do not apply, makes unbranded carpet that is sold in the state; or

(iv) sells carpet at wholesale or retail, does not have legal ownership of the brand, and elects to fulfill the responsibilities of the producer for the carpet;

(9) "polypropylene carpet" means carpet made from polypropylene;

(10) "program year" means a calendar year;

(11) "PTT carpet" means carpet made from polytrimethylene terephthalate;

(12) "recycling" means the process by which discarded carpet is collected and processed into raw materials or products. Recycling includes only discarded carpet that is an output of a recycling facility destined for an end market or reuse and does not include all discarded carpet accepted by a recycling facility. Recycling does not include;

(i) energy recovery or energy generation by means of combusting discarded carpet; and

(ii) any disposal or use of discarded carpet within the permitted boundaries of a disposal facility;

(13) "recycling rate" means the percentage of discarded carpet that is managed through recycling or reuse, as defined in this section, and is calculated by dividing the amount of discarded carpet that is collected and recycled or reused by the total amount of discarded carpet generated over a program year. To determine the annual recycling rates required by this section, the amount of discarded carpet generated must be calculated using a standard recognized methodology based on annual sales, replacement rate, and the average weight of carpet and must be approved by the agency;

(14) "retailer" means any person who sells or offers carpet for sale at retail in the state that generates sales tax revenue;

(15) "reuse" means donating or selling discarded carpet back into the market for its original intended use, when the carpet retains its original purpose and performance characteristics;

(16) "sale" or "sell" means the transfer of title of carpet for consideration, including:

(i) a remote sale conducted through a sales outlet, catalog, website, or similar electronic means; or

(ii) a lease through which carpet is provided to a consumer by a producer or retailer;

(17) "stewardship assessment" means the amount added to the purchase price of carpet sold in the state that is necessary to cover the cost of collecting, transporting, processing, and marketing discarded carpet by the stewardship organization operating under a product stewardship plan;

(18) "stewardship organization" means a single organization exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code of 1986 (United States Code, title 21, section 501(c)(3)) that is established by producers in accordance with this section to develop, implement, and administer a product stewardship program under this section;

(19) "stewardship plan" means a detailed plan describing the manner in which a product stewardship program under subdivision 2 will be implemented; and

(20) "wool carpet" means carpet made from wool.

**Subd. 2. Product stewardship program.** A producer of carpet sold in the state must participate in the stewardship organization to implement and finance a statewide product stewardship program operated under an agency-approved product stewardship plan that manages carpet by reducing carpet's waste generation, promoting its reuse and recycling, and providing for negotiation and execution of agreements to collect, transport, and process carpet for recycling and reuse.

**Subd. 3. Requirement for sale.** On and after January 1, 2022, no producer, distributor, or retailer may sell carpet or offer carpet for sale in the state unless the carpet's producer participates in the product stewardship organization to implement and finance a statewide product stewardship program operated under a stewardship plan approved by the agency.

**Subd. 4. Requirements for stewardship plan.** (a) On or before January 1, 2021, initially and on or before each July 1 in a year when the stewardship plan is required to be updated under paragraph (b), the stewardship organization must submit a stewardship plan to the agency and receive agency approval of the plan. A stewardship plan must include all elements required under subdivision 5.

(b) At least every three years, the stewardship organization operating a product stewardship program must update the stewardship plan and submit the updated plan to the agency for review and approval.

(c) It is the responsibility of the stewardship organization to notify the agency within 30 days of any significant changes or modifications to the plan or its implementation. Within 30 days of the notification, a written plan revision must be submitted to the agency for review and approval.

(d) Upon agency approval of the stewardship plan, the stewardship organization must comply with and implement the contents of the approved plan.

**Subd. 5. Stewardship plan content.** The stewardship plan must contain:

(1) certification that the product stewardship program will accept all discarded carpet regardless of which producer produced the carpet and its individual components;

(2) contact information for the individual and the entity submitting the plan and for all producers participating in the product stewardship program;

(3) a description of the methods by which discarded carpet will be collected in all areas in the state without relying on end-of-life fees, including an explanation of how the collection system will be convenient and adequate to serve the needs of small businesses and residents. The stewardship program must include an operating collection site located in each county of the state by January 1, 2023. Subject to approval by the agency, the stewardship program may propose an alternative to a collection site location in each county that is convenient and adequate to collect discarded carpet generated in each county;

(4) a description of how the adequacy of the collection program will be monitored and maintained;

(5) the names and locations of collectors, transporters, and recycling facilities that will manage discarded carpet;

(6) a description of how the discarded carpet and the carpet's components will be safely and securely transported, tracked, and handled from collection through final recycling and processing;

(7) a description of the method that will be used to reuse, deconstruct, or recycle the discarded carpet to ensure that the product's components, to the extent feasible, are transformed or remanufactured into raw materials or finished products for use;

(8) a description of the promotion and outreach activities that will be used to encourage participation in the collection and recycling programs and how the activities' effectiveness will be evaluated and the program modified, if necessary;

(9) evidence of adequate insurance and financial assurance that may be required for collection, handling, and disposal operations;

(10) performance goals, including an estimate of the percentage of discarded carpet that will be collected, reused, recycled, and disposed during each of the three years of each stewardship plan. The program must achieve at a minimum, a 15 percent recycling rate in program year 2023 and must include and meet escalating performance goals for each subsequent year. The performance goals must be based on:

(i) the most recent collection data available for the state;

(ii) the amount of carpet disposed of annually;

(iii) the weight of the carpet that is expected to be available for collection annually; and

(iv) actual collection data from other existing stewardship programs.

A stewardship plan must state the methodology used to determine these goals. The agency must review and may adjust the recycling rate and performance goals, based on information included in the stewardship plan and annual reports, other information provided by the stewardship organization, and economic and any other relevant information;

(11) a discussion of the status of statewide collection infrastructure, processor capacity, and end markets for discarded carpet and what, if any, additional statewide collection infrastructure, processor capacity, and end markets are needed to improve the functioning of the program and meet increasing performance goals;

(12) carpet design changes that will be considered to reduce toxicity, water use, or energy use or to increase recycled content, recyclability, or carpet longevity;

(13) a discussion of market development opportunities to expand the use of recovered carpet, with consideration of expanding processing activity near areas of collection;

(14) a financial plan that demonstrates sufficient funding to carry out the stewardship plan, including the administrative, operational, and capital costs of the plan, and payment of incentive payments to carpet collectors, processors, and end use markets to assist with the implementation of this section;

(15) annual budgets showing revenue and expenditure projections for the current program year and for the next three years of the program;

(16) a process by which the financial activities of the stewardship organization related to the implementation of the plan are subject to an annual independent audit, which shall be reviewed by the agency;

(17) baseline information, for the most recent three-year period for which data is available, on the number of square feet and pounds of carpet sold in this state, by type of carpet pursuant to subdivision 1, clause (3);

(18) a discussion of the feasibility, cost, and effectiveness of labeling the backside of new carpet with the polymer type or nonpolymer material used to manufacture the carpet to assist processors in more easily identifying the type of discarded carpet collected for processing;

(19) a description of a mandatory program to train carpet installers on properly managing discarded carpet so that it can be reused or recycled under this section; and

(20) a summary of the consultation process that identifies the consulted stakeholders, the stakeholder comments raised in the consultation process, and the stewardship organization's responses to those comments as required under subdivision 7.

**Subd. 6. Stewardship assessment.** (a) On and after July 1, 2021, a producer must add a stewardship assessment fee of four cents per square foot to the purchase price of nylon carpet, polypropylene carpet, and wool carpet, and six cents per square foot to the purchase price of PET carpet, PTT carpet, blended carpet, and any other types of carpet sold by the producer in this state. The assessment added under this section must be remitted by the producer on a quarterly basis to the stewardship organization.

(b) The assessment must be added by the producer to the purchase price of all carpet sold by producers to a Minnesota retailer or distributor or otherwise sold for use in this state. The assessment must be clearly visible on all invoices or functionally equivalent billing documents as a separate line item and must be accompanied by a brief description of the assessment.

(c) If the amount of the assessment is too low to properly fund the stewardship program, the stewardship organization must submit a plan update to the agency to increase the assessment, subject to agency review and approval in accordance with this section before the assessment is increased.

(d) On and after January 1, 2025, if a fund balance greater than one-half of the program's annual operating cost is reached, the stewardship organization must submit a plan update to the agency to reduce the assessment, subject to agency review and approval in accordance with this section before the assessment is reduced.

(e) The assessment fee must be deposited by the stewardship organization into a Federal Deposit Insurance Corporation (FDIC) insured financial institution, and, if for any reason this section is repealed, the entire assessment fund balance must be transferred by the stewardship organization to the state to be deposited into the environmental fund.

(f) A stewardship assessment must not be used to pay for any penalties assessed under this section or for the final disposal or incineration of discarded carpet.

**Subd. 7. Consultation required.** (a) The stewardship organization must consult with stakeholders, including retailers, installers, collectors, recyclers, local government, customers, and citizens, during development of the stewardship plan; solicit stakeholder comments; and incorporate stakeholder comments regarding the plan to the extent feasible before submitting a plan to the agency for review.

(b) The stewardship organization must invite comments from local governments, communities, and citizens to report their satisfaction with services, including education and outreach, provided by the product stewardship program. The information must be submitted to the agency and used by the agency in reviewing proposed updates or changes to the stewardship plan.

**Subd. 8. Agency review and approval.** (a) Within 90 days after receiving a proposed stewardship plan, the agency must determine whether the plan complies with subdivision 5 and is sufficient to achieve the goals and requirements of this section. If the agency approves a plan, the agency must notify the applicant of the plan approval in writing. If the agency rejects a plan, the agency must notify the applicant in writing of the reasons for rejecting the plan. An applicant whose plan is rejected by the agency must submit a revised plan to the agency within 60 days after receiving notice of rejection.

(b) Any proposed changes to a stewardship plan must be approved by the agency in writing.

**Subd. 9. Plan availability.** All draft stewardship plans must be placed on the agency's website for at least 30 days before agency approval and made available at the agency's headquarters for public review and comment. All approved stewardship plans must be placed on the agency's website while the plan is in effect.

**Subd. 10. Conduct authorized.** The stewardship organization that organizes collection, transport, and processing of carpet under this section is immune from liability for the conduct under state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce only to the extent that the conduct is necessary to plan and implement the organization's chosen organized collection or recycling system.

**Subd. 11. Education materials.** (a) Producers of carpet or the stewardship organization must provide retailers, installers, and consumers with educational materials regarding the stewardship assessment and product stewardship program. The materials must include, but are not limited to, information regarding available end-of-life

management options for carpet offered through the product stewardship program and information that notifies consumers that a charge for operating the product stewardship program is included in the purchase price of carpet sold in the state.

(b) Each distributor or retailer must provide the educational materials referenced in this subdivision to carpet installation contractors and consumers at the time of purchase or delivery or both.

Subd. 12. **Retailer and distributor responsibilities.** (a) On and after January 1, 2022, no carpet may be sold in the state unless the carpet's producer is participating in an approved stewardship plan.

(b) Any retailer or distributor may participate, on a voluntary basis, as a designated collection point pursuant to a product stewardship program under this section and in accordance with applicable law.

(c) No retailer or distributor shall be found to be in violation of this section if, on the date the carpet was ordered from the producer or its agent, the producer was listed as compliant on the agency's website, as provided in subdivision 15.

(d) Nothing in this section prohibits a retailer or distributor from selling their inventory of carpet existing prior to January 1, 2022.

Subd. 13. **Stewardship reports.** Beginning March 31, 2023, and each March 31 thereafter, the stewardship organization must submit an annual report to the agency describing the product stewardship program. At a minimum, the report must contain:

(1) a description of the methods used to collect, transport, and process carpet in all regions of the state;

(2) the weight of all carpet collected in the seven-county metropolitan area and in the remainder of the state and a comparison to the performance goals, recycling rates, and collection infrastructure established in the stewardship plan and, if appropriate, an explanation stating the reason or reasons performance goals were not met;

(3) the amount of discarded carpet collected in the state by method of disposition, including reuse, recycling, and other methods of processing, including the amount collected but not reused or recycled, and its methods of ultimate disposition;

(4) identification of the facilities processing carpet and the weight processed by type of carpet listed in subdivision 1, clause (3), at each facility;

(5) an evaluation of the program's funding mechanism and budget for each program year, including a copy of the independent audit;

(6) samples of educational materials provided to consumers and an evaluation of the effectiveness of the materials and the methods used to disseminate the materials;

(7) a description of progress made toward achieving carpet design changes in order to achieve the goals listed in subdivision 5, clause (12);

(8) an assessment of how the stewardship organization is achieving the goals of this section and the goals established in the stewardship plan, including a discussion of each of the required elements of the stewardship plan under subdivision 5;

(9) data necessary to determine whether the amount of the stewardship assessment will be sufficient to achieve the goals of this section and the goals established in the stewardship plan and will properly fund the stewardship program; and

(10) other information that the agency may request for the purposes of determining compliance under this section.

Subd. 14. **Sales information.** Sales information provided to the commissioner under this section is classified as private or nonpublic data, as specified in section 115A.06, subdivision 13.

Subd. 15. **Agency responsibilities.** The agency must provide on its website a list of all compliant producers and brands participating in stewardship plans that the agency has approved and a list of all producers and brands the agency has identified as noncompliant with this section.

Subd. 16. **Local government responsibilities.** A city, county, or other public agency may voluntarily participate by serving as a designated collection point by providing education and outreach, or by using other strategies to assist in meeting product stewardship program recycling obligations. A city, county, or other public agency providing voluntary assistance must be reimbursed for all of its expenses by the stewardship organization.

Subd. 17. **Administrative fee.** (a) The stewardship organization submitting a stewardship plan must pay the agency an annual administrative fee. The agency must set the fee at an amount that is adequate to cover the agency's full costs of administering and enforcing this section.

(b) Fees collected under this subdivision are subject to section 16A.1285.

(c) The agency must identify the direct program development or regulatory costs it incurs under this section before the first stewardship plan is submitted and must establish a fee in an amount adequate to cover those costs, which must be paid by the stewardship organization.

(d) The stewardship organization must pay the agency's administrative fee under paragraph (a) on or before July 1, 2021, and annually thereafter, and the agency's onetime development fee under paragraph (c) on or before July 1, 2021. Each year after the initial payment, and notwithstanding paragraph (b), the annual administrative fee may not exceed five percent of the aggregate stewardship assessment collected under subdivision 6 for the preceding calendar year.

Subd. 18. **Account created.** A carpet stewardship account is created as an account in the special revenue fund. All fees collected by the agency from the stewardship organization under this section must be deposited in the account. Any earnings from assets of the account must be credited to the account. Money in the account is appropriated to the commissioner for the purposes of this section.

Subd. 19. **Duty to provide information.** Any producer, distributor, retailer, stewardship organization, or other person must furnish to the agency any information which that person may have or may reasonably obtain that the agency requests for the purposes of determining compliance under this section.

Sec. 72. Minnesota Statutes 2018, section 115A.142, is amended to read:

#### **115A.142 REPORT TO LEGISLATURE AND GOVERNOR.**

As part of the report required under section 115A.121, the commissioner of the Pollution Control Agency ~~shall~~ must provide a report to the governor and the legislature on the implementation of ~~section~~ sections 115A.141 and 115A.1415.



Sec. 73. Minnesota Statutes 2018, section 115A.51, is amended to read:

**115A.51 APPLICATION REQUIREMENTS.**

(a) Applications for assistance under the program ~~shall~~ must demonstrate:

~~(a)~~ (1) that the project is conceptually and technically feasible;

~~(b)~~ (2) that affected political subdivisions are committed to implement the project, to provide necessary local financing, and to accept and exercise the government powers necessary to the project;

~~(c)~~ (3) that operating revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources, together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project;

~~(d)~~ (4) that the applicant has evaluated the feasible and prudent alternatives to disposal, including using existing solid waste management facilities with reasonably available capacity sufficient to accomplish the goals of the proposed project, and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators;

(5) that the applicant has identified:

(i) waste management objectives in applicable county and regional solid waste management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

(ii) other solid waste facilities identified in the county and regional plans; and

(6) that the applicant has conducted a comparative analysis of the project against existing public and private solid waste facilities, including an analysis of potential displacement of those facilities, to determine whether the project is the most appropriate alternative to achieve the identified waste management objectives that considers:

(i) conformity with approved county or regional solid waste management plans;

(ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

(iii) environmental standards related to public health, air, surface water, and groundwater.

(b) The commissioner may require completion of a comprehensive solid waste management plan conforming to the requirements of section 115A.46, before accepting an application. Within five days of filing an application with the agency, the applicant must submit a copy of the application to each solid waste management facility mentioned in the portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).

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

Sec. 74. **[115A.903] WASTE TIRE FACILITIES OPERATING OUTDOORS; FINANCIAL QUALIFICATIONS.**

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

(b) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

(c) "Financial qualification" means the ability of an applicant or permit holder to pay the costs to properly design, construct, operate, maintain, and close a waste tire facility.

(d) "Waste tire facility" means a permitted facility operated by a tire collector or tire processor at which waste tires are stored or processed outdoors.

**Subd. 2. Application; financial qualification.** (a) An applicant for a permit for a waste tire facility must submit in an application to the commissioner:

(1) information demonstrating the applicant's financial qualification to design, construct, operate, maintain, and close a waste tire facility; and

(2) cost estimates for:

(i) site investigation;

(ii) land acquisition costs, including financing terms and costs;

(iii) project design;

(iv) construction;

(v) operations;

(vi) maintenance; and

(vii) facility closing.

(b) As part of the financial qualification review, an applicant must:

(1) provide a copy of its most recent audited or reviewed financial statements prepared by a certified public accountant according to generally accepted accounting principles, if the applicant is an operating business prior to application;

(2) provide a copy of its owners' personal financial statements, if the applicant is not an operating business prior to application; and

(3) demonstrate its financial viability through one or a combination of assets including cash, marketable securities or bonds, or letters of credit or loan commitments from a financial institution that is a member of the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA) and is authorized to do business in the United States.

(c) Any person whose assets are used as part of the financial qualification review must be designated as a joint permittee with the applicant on the permit for the facility.

**Subd. 3. Financial qualification review.** The commissioner may provide to the state auditor a copy of any filing that an applicant for a permit or a permit holder submits to the commissioner to meet the financial qualification requirement under this section. The state auditor must review the filing and provide the commissioner with a written opinion as to the adequacy of the filing to meet the purposes of this section, including any recommended changes.

Subd. 4. **Changes affecting financial qualification.** (a) To continue to hold a permit for a waste tire facility, a permit holder must maintain financial qualification and must provide any information requested by the commissioner to establish that the permit holder continues to maintain financial qualification. A permit holder must notify the commissioner within 30 days of any significant change in:

(1) the identity of any person or structure of the business entity that holds the permit for the facility;

(2) the identity of any person or structure of the business entity that owns or operates the facility; or

(3) assets of the permit holder, owner, or operator of the facility.

(b) A change is significant under paragraph (a) if the change:

(1) has the potential to affect the financial qualification of the permit holder, owner, or operator; or

(2) would result in a change in the identity of the permit holder, owner, or operator for purposes of financial qualification.

The commissioner may, after reviewing the changes, require the permit holder to reestablish financial qualification and may modify or revoke a permit or require issuance of a new permit.

Subd. 5. **Application.** (a) The financial qualification requirements of this section apply only in the first ten years of operation of a waste tire facility permitted in the state.

(b) This section does not apply to political subdivisions operating a waste tire facility.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to waste tire facilities issued a permit on or after that date.

Sec. 75. **[115B.172] NATURAL RESOURCES DAMAGES ACCOUNT.**

Subdivision 1. **Establishment.** The natural resources damages account is established as an account in the remediation fund.

Subd. 2. **Revenues.** The account consists of money from the following sources:

(1) revenue from actions taken to recover natural resources damages under section 115B.17, subdivision 7, or any other law, unless otherwise specified in the settlement agreement;

(2) appropriations and transfers to the account as provided by law;

(3) interest earned on the account; and

(4) money received by the commissioner of the Pollution Control Agency or the commissioner of natural resources for deposit in the account in the form of a gift or grant.

Subd. 3. **Expenditures.** (a) Money in the account is appropriated to the commissioner of natural resources for the purposes authorized in section 115B.20, subdivision 2, clause (4).

(b) The commissioner of management and budget must allocate the amounts available in any biennium to the commissioner of natural resources for the purposes of this section based upon work plans submitted by the commissioner of natural resources and may adjust those allocations if revised work plans are submitted. Copies of the work plans must be submitted to the chairs of the house of representatives and senate committees and divisions having jurisdiction over environment and natural resources finance.

Subd. 4. **Report.** By November 1 each year, the commissioner of natural resources must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources policy and finance on expenditures from the natural resources damages account during the previous fiscal year.

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

Sec. 76. Minnesota Statutes 2018, section 115B.421, is amended to read:

**115B.421 CLOSED LANDFILL INVESTMENT FUND.**

The closed landfill investment fund is established in the state treasury. The fund consists of money credited to the fund, and interest and other earnings on money in the fund. Beginning July 1, 2003, funds must be deposited as described in section 115B.445. The fund shall be managed to maximize long-term gain through the State Board of Investment. Money in the fund is appropriated to the commissioner and may be spent by the commissioner after fiscal year 2020 in accordance with sections 115B.39 to 115B.444.

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

Sec. 77. Minnesota Statutes 2018, section 116.02, is amended to read:

**116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

Subdivision 1. **Creation.** A pollution control agency, designated as the Minnesota Pollution Control Agency, is ~~hereby~~ created. The agency consists of the commissioner and eight members appointed by the governor, by and with the advice and consent of the senate. One member must be a person knowledgeable in the field of agriculture, and one must be a representative of organized labor.

Subd. 2a. **Terms, compensation, removal, vacancies.** The membership terms, compensation, removal of members, and filling of vacancies on the agency is as provided in section 15.0575.

Subd. 3a. **Membership.** The membership of the Pollution Control Agency must be broadly representative of the skills and experience necessary to effectuate the policy of sections 116.01 to 116.075, except that no member other than the commissioner may be an officer or employee of the state or federal government. Only two members at one time may be officials or employees of a municipality or any governmental subdivision, but neither may be a member ex officio or otherwise on the management board of a municipal sanitary sewage disposal system.

Subd. 4a. **Chair.** The commissioner serves as chair of the agency. The agency elects other officers as the agency deems necessary.

Subd. 5. **Agency successor to commission.** The Pollution Control Agency is the successor of the Water Pollution Control Commission, and all powers and duties now vested in or imposed upon said commission by chapter 115, or any act amendatory thereof or supplementary thereto, are hereby transferred to, imposed upon, and vested in the ~~commissioner of the~~ Minnesota Pollution Control Agency.

Subd. 6a. **Required decisions.** The agency must make final decisions on the following matters:

(1) a petition for preparing an environmental assessment worksheet, if the project proposer or a person commenting on the proposal requests that the decision be made by the agency and the agency requests that it make the decision under subdivision 8a;

(2) the need for an environmental impact statement following preparation of an environmental assessment worksheet under applicable rules, if:

(i) the agency has received a request for an environmental impact statement;

(ii) the project proposer or a person commenting on the proposal requests that the declaration be made by the agency and the agency requests that it make the decision under subdivision 8a; or

(iii) the commissioner is recommending preparation of an environmental impact statement;

(3) the scope and adequacy of environmental impact statements;

(4) issuing, reissuing, modifying, or revoking a permit if:

(i) a variance is sought in the permit application or a contested case hearing request is pending; or

(ii) the permit applicant, the permittee, or a person commenting on the permit action requests that the decision be made by the agency and the agency requests that it make the decision under subdivision 8a;

(5) final adoption or amendment of agency rules for which a public hearing is required under section 14.25 or for which the commissioner decides to proceed directly to a public hearing under section 14.14, subdivision 1;

(6) approving or denying an application for a variance from an agency rule if:

(i) granting the variance request would change an air, soil, or water quality standard;

(ii) the commissioner determines that granting the variance would have a significant environmental impact; or

(iii) the applicant or a person commenting on the variance request requests that the decision be made by the agency and the agency requests that it make the decision under subdivision 8a; and

(7) whether to reopen, rescind, or reverse a decision of the agency.

Subd. 7a. **Additional decisions.** The commissioner may request that the agency make additional decisions or provide advice to the commissioner.

Subd. 8a. **Other actions.** (a) Any other action not specifically within the authority of the commissioner must be made by the agency if:

(1) before the commissioner's final decision on the action, one or more members of the agency notify the commissioner of their request that the decision be made by the agency; or

(2) any person submits a petition to the commissioner requesting that the decision be made by the agency and the commissioner grants the petition.

(b) If the commissioner denies a petition submitted under paragraph (a), clause (2), the commissioner must advise the agency and the petitioner of the reasons for the denial.

Subd. 9a. **Informing public.** The commissioner must inform interested persons as appropriate in public notices and other public documents of their right to request the agency to make decisions in specific matters according to subdivision 6a and the right of agency members to request that decisions be made by the agency according to subdivision 8a. The commissioner must regularly inform the agency of activities that have broad policy implications or potential environmental significance and of activities in which the public has exhibited substantial interest.

Subd. 11. **Changing decisions.** (a) The agency must not reopen, rescind, or reverse a decision of the agency except upon:

(1) the affirmative vote of two-thirds of the agency; or

(2) a finding that there was an irregularity in a hearing related to the decision, an error of law, or a newly discovered material issue of fact.

(b) The requirements in paragraph (a) are minimum requirements and do not limit the agency's authority under sections 14.06 and 116.07, subdivision 3, to adopt rules:

(1) applying the requirement in paragraph (a), clause (1) or (2), to certain decisions of the agency; or

(2) establishing additional or more stringent requirements for reopening, rescinding, or reversing decisions of the agency.

Sec. 78. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

Subdivision 1. **Office.** (a) The Office of Commissioner of the Pollution Control Agency is created and is under the supervision and control of the commissioner, who is appointed by the governor under the provisions of section 15.06.

(b) The commissioner may appoint a deputy commissioner and assistant commissioners who ~~shall be~~ are in the unclassified service.

(c) The commissioner shall make all decisions on behalf of the agency that are not required to be made by the agency under section 116.02.

Sec. 79. Minnesota Statutes 2018, section 116.03, subdivision 2a, is amended to read:

Subd. 2a. **Mission; efficiency.** It is part of the agency's mission that, within the agency's resources, the commissioner and the members of the agency 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 agency as efficiently as possible;

(3) coordinate the agency'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) ~~utilize~~ use constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;

(6) 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) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the agency.

Sec. 80. Minnesota Statutes 2018, section 116.155, subdivision 1, is amended to read:

Subdivision 1. **Creation.** The remediation fund is created as a special revenue fund in the state treasury to provide a reliable source of public money for response and corrective actions to address releases of hazardous substances, pollutants or contaminants, agricultural chemicals, and petroleum, and for environmental response actions at qualified landfill facilities for which the agency has assumed such responsibility, including perpetual care of such facilities. The specific purposes for which the general portion of the fund may be spent are provided in subdivision 2. In addition to the general portion of the fund, the fund contains ~~three~~ four accounts described in subdivisions 4 to ~~5a~~ 5b.

Sec. 81. Minnesota Statutes 2018, section 116.155, subdivision 3, is amended to read:

Subd. 3. **Revenues.** The following revenues shall be deposited in the general portion of the remediation fund:

(1) response costs ~~and natural resource damages~~ related to releases of hazardous substances, or pollutants or contaminants, recovered under sections 115B.17, ~~subdivisions~~ subdivision 6 and 7; 115B.443; 115B.444, or any other law;

(2) money paid to the agency or the Agriculture Department by voluntary parties who have received technical or other assistance under sections 115B.17, subdivision 14, 115B.175 to 115B.179, and 115C.03, subdivision 9;

(3) money received in the form of gifts, grants, reimbursement, or appropriation from any source for any of the purposes provided in subdivision 2, except federal grants; and

(4) interest accrued on the fund.

Sec. 82. Minnesota Statutes 2018, section 116.155, is amended by adding a subdivision to read:

Subd. 5b. **Natural resources damages account.** The natural resources damages account is as described in section 115B.172.

Sec. 83. **[116.2025] SALT APPLICATORS; VOLUNTARY CERTIFICATION PROGRAM.**

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

(1) "certified commercial applicator" means an individual who applies deicer, completed training on snow and ice removal and deicer application approved by the commissioner, and passed an examination after completing the training;

(2) "commercial applicator" means an individual who applies deicer for hire, but does not include a municipal, state, or other government employee;

(3) "deicer" means any substance used to melt snow and ice, or used for its anti-icing effects, on privately owned surfaces traveled by pedestrians and vehicles; and

(4) "owner" means a person that owns or leases real estate and that enters into a written contract with a certified commercial applicator for snow and ice removal and deicer application.

**Subd. 2. Voluntary certification program; best management practices.** (a) The commissioner of the Pollution Control Agency must develop a training program that promotes best management practices for snow and ice removal and deicer application that protect water quality and allows commercial applicators to obtain certification as a water-friendly applicator. The commissioner must certify a commercial applicator as a water-friendly applicator if the applicator successfully completes the program and passes the examination.

(b) The commissioner, in consultation with the University of Minnesota, must provide additional training under this section for certified commercial applicators renewing certification after their initial training and certification.

(c) The commissioner, in consultation with the University of Minnesota, must provide the training and testing module at locations statewide and may make the recertification training available online.

(d) The commissioner, in consultation with the University of Minnesota, must annually post the best management practices and a list of certified commercial applicators on the agency's website.

(e) The commissioner may charge a fee of no more than \$350 per certified commercial applicator for the training or recertification under this section. Fees collected under this subdivision must be deposited in the environmental fund.

**Subd. 3. Liability.** (a) A certified commercial applicator or an owner is not liable for damages arising from hazards resulting from the accumulation of snow and ice on any real estate maintained by the certified commercial applicator when the hazard is solely caused by snow or ice and the certified commercial applicator used the best management practices for snow and ice removal and deicing approved by the commissioner.

(b) Nothing in paragraph (a) prevents or limits the liability of a certified commercial applicator or owner if the certified commercial applicator or owner:

(1) commits an act or omission that constitutes negligence or willful or wanton disregard for the safety of entrants onto real estate of the owner that is maintained by the certified commercial applicator and that act or omission proximately causes injury, damage, or death;

(2) has actual knowledge or reasonably should have known of a dangerous condition on the real estate of the owner maintained by the certified commercial applicator;

(3) intentionally injures an entrant on real estate of the owner that is maintained by the certified applicator; or

(4) fails to comply with the best management practices for snow and ice removal and deicer application approved by the commissioner.

(c) The liability of a commercial applicator who applies deicer but is not certified under this section may not be determined under the standards provided in this subdivision.



Subd. 4. **Record keeping.** A certified commercial applicator must maintain the following records as part of the best management practices approved by the commissioner:

(1) a copy of the applicator's certification approved by the commissioner and any recertification;

(2) evidence of passing the examination approved by the commissioner;

(3) copies of the winter maintenance assessment tool requirements developed by the commissioner;

(4) a written record describing the road, parking lot, and property maintenance practices used. The written record must include the type and rate of application of deicer used, the dates of treatment, and the weather conditions for each event requiring deicing. The records must be kept for a minimum of six years; and

(5) proof of compliance with the reporting requirements under subdivision 7.

Subd. 5. **Penalty.** The commissioner may revoke or decline to renew the certification of a commercial applicator who violates this section or rules adopted under this section.

Subd. 6. **Relation to other law.** Nothing in this section affects municipal liability under section 466.03.

Subd. 7. **Reporting required.** By July 1 each year, a certified commercial applicator must submit to the commissioner on a form prescribed by the commissioner the amounts and types of deicers used in the previous calendar year.

Subd. 8. **Expiration.** This section expires August 1, 2026.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to claims arising on or after that date.

Sec. 84. **[116U.60] MINNESOTA OUTDOOR RECREATION OFFICE.**

Subdivision 1. **Office established.** The Minnesota Outdoor Recreation Office is established as an office in Explore Minnesota Tourism. The governor, in consultation with the commissioners of natural resources and employment and economic development, must appoint the director of the Minnesota Outdoor Recreation Office.

Subd. 2. **Purpose.** The purpose of the Minnesota Outdoor Recreation Office is to promote and increase participation in outdoor recreation by all Minnesota citizens by:

(1) supporting the outdoor recreation economy of Minnesota and working toward equitable and inclusive access to the outdoors;

(2) creating and developing an inventory of existing public and private resources promoting outdoor recreation;

(3) coordinating outdoor recreation policy and management among state and federal agencies and local government entities;

(4) assisting in promoting and marketing opportunities and events for outdoor recreation;

(5) assisting the Department of Employment and Economic Development in supporting outdoor recreation businesses and providing technical assistance with resources and opportunities for economic development;

(6) developing strategies to recruit and grow outdoor recreation businesses and to enhance recreation-related employment in Minnesota;

(7) promoting outdoor recreation opportunities for people with disabilities;

(8) promoting education and use of outdoor recreation assets to enhance public health;

(9) supporting outdoor recreation programs at Minnesota educational institutions;

(10) collecting data on the impact of outdoor recreation in the state and the accessibility of natural resources for underserved populations; and

(11) recommending initiatives to increase access to outdoor recreational amenities and experiences.

Subd. 3. **Account; donations.** The director of the Minnesota Outdoor Recreation Office may accept gifts and grants for purposes related to the duties of the Minnesota Outdoor Recreation Office. Money received by the director from gifts and grants is deposited in an account in the special revenue fund and appropriated to the director for the purposes specified in the gift or grant.

Subd. 4. **Strategic plan.** By January 15, 2020, the director of the Minnesota Outdoor Recreation Office must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over Explore Minnesota Tourism and environment and natural resources policy and finance that contains a strategic plan for the Minnesota Outdoor Recreation Office. In developing the strategic plan, the director must consult with the Explore Minnesota Tourism Council; the commissioners of natural resources, health, transportation, and employment and economic development; and the chairs and ranking minority members or their designees of the house of representatives and senate committees and divisions with jurisdiction over Explore Minnesota Tourism and environment and natural resources policy and finance.

Subd. 5. **Consultation and cooperation.** (a) The director of the Minnesota Outdoor Recreation Office must consult with the Explore Minnesota Tourism Council in carrying out the purposes of the Minnesota Outdoor Recreation Office.

(b) Explore Minnesota Tourism and the commissioners of natural resources, health, transportation, and employment and economic development must cooperate with the director of the Minnesota Outdoor Recreation Office in fulfilling the duties of the Minnesota Outdoor Recreation Office as they relate to the purposes of the respective office or agencies.

Subd. 6. **Report.** By January 1, 2021, and each year thereafter, the director of the Minnesota Outdoor Recreation Office must submit an annual report to the legislature on the donations received, accomplishments, recommendations, and findings of the Minnesota Outdoor Recreation Office from the preceding fiscal year.

Subd. 7. **Regulatory authority.** Nothing contained in this section supplants or impacts the regulatory authority of other state agencies.

Sec. 85. Minnesota Statutes 2018, section 127A.353, subdivision 1, is amended to read:

Subdivision 1. **Appointment.** The school trust lands director shall be appointed by the governor. The commissioner of natural resources shall provide human resources, payroll, accounting, procurement, and other similar administrative services to the school trust lands director. The director's appointment is subject to the advice and consent of the senate.

Sec. 86. Minnesota Statutes 2018, section 325F.071, is amended to read:

**325F.071 FLAME-RETARDANT CHEMICALS; PROHIBITION.**

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

(b) "Child" means a person under 12 years of age.

(c) "Children's product" means a product primarily designed or intended by a manufacturer to be used by or for a child, including any article used as a component of such a product, but excluding a food, beverage, dietary supplement, pharmaceutical product or biologic, children's toys that are subject to the most recent version of the American Society for Testing and Materials F963, Standard Consumer Safety Specification for Toy Safety, a medical device as defined in the Federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 321(h), products listed under section 116.9405, clauses (10) and (11), and products listed under sections 325F.03 and 325F.04.

(d) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances.

(e) "Residential or business textile" means a textile designed for use in the home, businesses, or places of lodging as a covering on windows, walls, or floors. Residential or business textile includes carpeting and carpet padding.

~~(d) (f) "Upholstered residential furniture" means furniture with padding, coverings, and cushions intended and sold for use in the home or places of lodging.~~

Subd. 2. **Flame-retardant chemicals; prohibition.** (a) On and after July 1, 2018, no manufacturer or wholesaler may manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state a children's product ~~or~~, upholstered ~~residential~~ furniture, a residential or business textile, or a mattress containing, in amounts greater than 1,000 parts per million in any product component, ~~the following flame-retardants: any halogenated, phosphorus-based, nitrogen-based, and nanoscale flame retardants.~~

~~(1) TDCPP (tris(1,3-dichloro-2-propyl)phosphate), Chemical Abstracts Service number 13674-87-8;~~

~~(2) decabromodiphenyl ether, Chemical Abstracts Service number 1163-19-5;~~

~~(3) hexabromocyclododecane, Chemical Abstracts Service number 25637-99-4; and~~

~~(4) TCEP (tris(2-chloroethyl)phosphate), Chemical Abstracts Service number 115-96-8.~~

(b) On and after July 1, 2019, no retailer may sell or offer for sale or use in this state a children's product ~~or~~, upholstered ~~residential~~ furniture, a residential or business textile, or a mattress containing in amounts greater than 1,000 parts per million in any product component the flame retardant chemicals listed in paragraph (a).

(c) The sale or offer for sale of any previously owned product containing a chemical restricted under this section is exempt from the provisions of this section.

Subd. 3. **Flame-retardant chemicals; replacement chemicals.** A manufacturer shall not replace a chemical whose use is prohibited under this section with a chemical identified on the basis of credible scientific evidence by a state, federal, or international agency as being known or suspected with a high degree of probability to:

(1) harm the normal development of a fetus or child or cause other developmental toxicity;

- (2) cause cancer, genetic damage, or reproductive harm;
- (3) disrupt the endocrine or hormone system; or
- (4) damage the nervous system, immune system, or organs, or cause other systemic toxicity.

Subd. 4. **Firefighting foam.** Beginning July 1, 2020, a manufacturer or wholesaler may not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state class B firefighting foam that contains intentionally added PFAS except for use by oil refineries, oil and petroleum terminals, and airports.

Subd. 5. **Training exercises.** Class B firefighting foam that contains intentionally added PFAS must not be used in training exercises, including at oil refineries, oil and petroleum terminals, and airports.

Subd. 6. **Enforcement.** The commissioner of the Pollution Control Agency must enforce compliance with this section under sections 115.071 and 116.072. The commissioner must coordinate with the commissioners of commerce and health in enforcing this section to aid in the law enforcement process or promote public health. Coordination includes but is not limited to investigation, enforcement and sharing related data among the agencies in the course of those processes, and using each agency's investigative and enforcement authorities, where they are applicable.

**EFFECTIVE DATE.** (a) The amendments to subdivision 2, paragraph (a), are effective July 1, 2020.

(b) The amendments to subdivision 2, paragraph (b), are effective July 1, 2021.

Sec. 87. Laws 2013, chapter 114, article 4, section 105, as amended by Laws 2017, chapter 93, article 2, section 148, is amended to read:

Sec. 105. **RULES; SILICA SAND.**

(a) The commissioner of the Pollution Control Agency may adopt rules pertaining to the control of particulate emissions from silica sand projects. The rulemaking is exempt from Minnesota Statutes, section 14.125.

(b) The commissioner of natural resources shall ~~adopt rules~~ develop a model ordinance pertaining to the reclamation of silica sand mines. ~~The rulemaking is exempt from Minnesota Statutes, section 14.125~~ commissioner shall publish the model ordinance in the State Register.

(c) By January 1, 2014, the Department of Health shall adopt an air quality health-based value for silica sand.

(d) The Environmental Quality Board may amend its rules for environmental review, adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to take into account the increased activity in the state and concerns over the size of specific operations. The Environmental Quality Board shall consider whether the requirements of Minnesota Statutes, section 116C.991, should remain part of the environmental review requirements for silica sand and whether the requirements should be different for different geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section 14.125.

Sec. 88. **STAMP DESIGN; RULE AMENDMENT.**

(a) The commissioner of natural resources shall amend Minnesota Rules, part 6290.0400, subpart 3, to:

(1) allow a contest entry to be created using nonphotographic digital media; and

(2) require a person submitting a contest entry to list all media used in the creation of the entry.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

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

Sec. 89. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

The commissioner of natural resources must not renew or transfer a turtle seller's license after the effective date of this section.

Sec. 90. **CHRONIC WASTING DISEASE ADOPT-A-DUMPSTER PROGRAM; DEER CARCASS HANDLING GUIDELINES.**

(a) The commissioner of natural resources must establish a chronic wasting disease adopt-a-dumpster program to provide dumpsters dedicated to disposing of deer carcasses in areas where chronic wasting disease has been detected. The commissioner must work with solid waste haulers and other interested parties and encourage volunteer support to ensure the dumpsters are located at convenient locations with appropriate signage, lined, and maintained. The commissioner must ensure the carcasses collected are properly disposed of to minimize the spread of chronic wasting disease.

(b) The commissioner of natural resources, in consultation with the commissioners of health and the Pollution Control Agency, must develop guidelines to prevent the spread of chronic wasting disease and protect public health that take into consideration infectious waste as defined under Minnesota Statutes, section 116.76, subdivision 12:

(1) for hunters for handling deer in the field and transporting and disposing of carcasses;

(2) for solid waste facilities and solid waste haulers for proper handling, transportation, and disposal of deer carcasses; and

(3) for taxidermists and meat processors for proper handling, processing, and disposal of deer carcasses.

(c) By January 15, 2020, the commissioner of natural resources must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources with the results of the program developed under paragraph (a) and the guidelines developed under paragraph (b).

Sec. 91. **REVISOR INSTRUCTION.**

(a) The revisor of statutes shall renumber Minnesota Statutes, section 85.012, subdivision 49, as subdivision 58a, and include the history of the current subdivision 49 under the new subdivision 58a.

(b) The revisor must assign the priority order for the metropolitan landfill contingency action trust account established in section 3 to follow any amendment to Minnesota Statutes, section 16A.152, subdivision 2, for special education aid enacted during the 2019 legislative session.

(c) The revisor of statutes must change the reference in Minnesota Statutes, sections 127A.30, subdivision 2, and 287.22, from "section 92.121" to "section 92.122."

Sec. 92. **REPEALER.**

(a) Minnesota Statutes 2018, sections 92.121; and 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

(b) Laws 2015, First Special Session chapter 4, article 4, section 149, is repealed.

(c) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed."

Delete the title and insert:

"A bill for an act relating to state government; appropriating money for environment and natural resources; modifying fees and surcharges; creating accounts and providing for disposition of certain receipts; modifying bough buyer provisions; modifying certain permit and reimbursement provisions; reestablishing citizen board of Pollution Control Agency; providing for carpet stewardship; modifying game and fish law; modifying forestry provisions; designating state bee; creating natural resource programs; modifying solid waste provisions; providing for voluntary certification of salt applicators; creating Minnesota Outdoor Recreation Office; modifying certain consumer protection provisions; modifying provisions for certain grants for outdoor recreation; modifying game and fish law; providing for removal of beavers and beaver dams causing damage; banning certain insecticides in wildlife management areas; modifying school trust lands; extending citizen oversight committees; modifying groundwater use permitting; requiring a model ordinance pertaining to silica sand mines; requiring rulemaking; amending Minnesota Statutes 2018, sections 16A.151, subdivision 2; 16A.152, subdivision 2; 17.035, subdivision 1; 84.026, by adding a subdivision; 84.027, subdivision 18; 84.0895, by adding a subdivision; 84.788, subdivision 2; 84.794, subdivision 2; 84.83, subdivision 3; 84D.15; 85.012, subdivision 49; 85.42; 85.44; 85.47; 86B.415, subdivisions 1, 1a, 2, 3, 4, 5, 7; 88.642, subdivisions 1, 3; 88.6435; 89.37, subdivision 3; 90.01, by adding a subdivision; 90.195; 92.50, subdivision 1; 97A.015, subdivisions 25, 43; 97A.055, subdivisions 4, 4b; 97A.065, subdivision 6; 97A.075, subdivision 1; 97A.126; 97A.321, subdivision 1; 97A.405, by adding a subdivision; 97A.475, subdivisions 3a, 4, 41; 97B.011; 97B.081, subdivision 3; 97B.205; 97B.655; 97B.665, by adding a subdivision; 97B.667, subdivisions 2, 3, 4, by adding a subdivision; 97C.605, subdivisions 1, 2c, 3; 103G.241, subdivisions 1, 3; 103G.287, subdivision 1; 103G.301, subdivision 2; 103G.311, subdivisions 2, 5; 103G.315, subdivision 8; 103G.408; 103G.615, subdivision 3a; 115A.142; 115A.51; 115B.421; 116.02; 116.03, subdivisions 1, 2a; 116.155, subdivisions 1, 3, by adding a subdivision; 127A.353, subdivision 1; 325F.071; Laws 2013, chapter 114, article 4, section 105, as amended; Laws 2016, chapter 189, article 3, section 6, as amended; Laws 2017, chapter 93, article 1, section 9; proposing coding for new law in Minnesota Statutes, chapters 1; 84; 89; 92; 97A; 97B; 103F; 115A; 115B; 116; 116U; repealing Minnesota Statutes 2018, sections 92.121; 97C.605, subdivisions 2, 2a, 2b, 5; Laws 2015, First Special Session chapter 4, article 4, section 149; Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, 8."

The motion prevailed and the amendment was adopted.

Albright was excused between the hours of 2:35 p.m. and 3:10 p.m.

Hansen moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 24, line 12, after "for" insert "maintaining and"

Page 64, line 22, delete "or tullibee" and insert "(tullibee)"

Page 68, after line 13, insert:

"Sec. 40. Minnesota Statutes 2018, section 97A.075, subdivision 5, is amended to read:

Subd. 5. **Turkey account.** (a) \$4.50 from each turkey license sold, except youth licenses under section 97A.475, subdivision 2, clause (4), and subdivision 3, paragraph (a), clause (7), must be credited to the wild-turkey management account and is appropriated to the commissioner only for:

(1) the development, restoration, and maintenance of suitable habitat for wild turkeys on public and private land including forest stand improvement and establishment of nesting cover, winter roost area, and reliable food sources;

(2) acquisitions of, or easements on, critical wild-turkey habitat;

(3) reimbursement of expenditures to provide wild-turkey habitat on public and private land;

(4) trapping and transplantation of wild turkeys; and

(5) the promotion of turkey habitat development and maintenance, population surveys and monitoring, and research.

(b) Money in the account may not be used for:

~~(4)~~ costs unless they are directly related to a specific parcel of land under paragraph (a), clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4), or to specific promotional or evaluative activities under paragraph (a), clause (5); ~~or~~

~~(2) any permanent personnel costs."~~

Page 76, after line 15, insert:

"Sec. 59. Minnesota Statutes 2018, section 97C.391, subdivision 1, is amended to read:

Subdivision 1. **General restrictions.** A person may not buy or sell fish taken from the waters of this state, except:

(1) minnows;

(2) rough fish ~~excluding ciscoes~~;

(3) smelt taken from Lake Superior and rivers and streams that flow into Lake Superior;

(4) fish taken under licensed commercial fishing operations;

(5) fish that are private aquatic life; and

(6) fish lawfully taken and subject to sale from other states and countries.

Sec. 60. Minnesota Statutes 2018, section 97C.395, subdivision 2, is amended to read:

Subd. 2. **Continuous season for certain species.** For sunfish, white crappie, black crappie, yellow perch, catfish, rock bass, white bass, yellow bass, burbot, cisco (tullibee), lake whitefish, and rough fish, the open season is continuous."

Page 107, line 20, delete "by" and insert "at"

Page 107, line 21, delete the second "and" and after "airports" insert ", or Camp Ripley"

Page 107, line 24, after the period, insert "This subdivision does not apply to training exercises at Camp Ripley."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Marquart moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 83, after line 17, insert:

"Sec. 71. Minnesota Statutes 2018, section 115.03, is amended by adding a subdivision to read:

Subd. 5e. **Sugar beet storage.** The commissioner must not require a sugar beet company that has a current national pollutant discharge elimination system permit or state disposal system permit to install an engineered liner for a storm water runoff pond at a remote storage site for sugar beets unless a risk assessment confirms that there is significant impact on groundwater and that an engineered liner is necessary to prevent, control, or abate water pollution. For purposes of this subdivision, "remote storage site for sugar beets" means an area where sugar beets are temporarily stored before delivery to a sugar beet processing facility and that is not located on land adjacent to the processing facility.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Heintzeman moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 51, after line 28, insert:

"Sec. 9. Minnesota Statutes 2018, section 84.775, subdivision 1, is amended to read:

Subdivision 1. **Civil citation; authority to issue.** (a) A conservation officer or other licensed peace officer may issue a civil citation to a person who operates:

(1) an off-highway motorcycle in violation of sections 84.773, subdivision 1 or 2, clause (1); 84.777; 84.788 to 84.795; or 84.90;



(2) an off-road vehicle in violation of sections 84.773, subdivision 1 or 2, clause (1); 84.777; 84.798 to 84.804; or 84.90; or

(3) an all-terrain vehicle in violation of sections 84.773, subdivision 1 or 2, clause (1); 84.777; 84.90; or 84.922 to 84.928.

(b) A civil citation under paragraph (a) shall require restitution for public and private property damage and impose a penalty of:

(1) \$100 for the first offense;

(2) \$200 for the second offense; and

(3) \$500 for third and subsequent offenses.

(c) A conservation officer or other licensed peace officer may issue a civil citation to a person who operates an off-highway motorcycle, off-road vehicle, or all-terrain vehicle in violation of section 84.773, subdivision 2, clause (2) or (3). A civil citation under this paragraph shall require restitution for damage to wetlands and impose a penalty of:

(1) \$100 for the first offense;

(2) \$500 for the second offense; and

(3) \$1,000 for third and subsequent offenses.

(d) If the peace officer determines that there is damage to property requiring restitution, the commissioner must send a written explanation of the extent of the damage and the cost of the repair by first class mail to the address provided by the person receiving the citation within 15 days of the date of the citation.

(e) An off-road vehicle ~~or all-terrain vehicle~~ that is equipped with a snorkel device and receives a civil citation under this section is subject to twice the penalty amounts in paragraphs (b) and (c).

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

Page 53, after line 25, insert:

"Sec. 13. Minnesota Statutes 2018, section 84.925, subdivision 1, is amended to read:

Subdivision 1. ~~Program~~ **Training and certification programs established.** (a) The commissioner shall establish;

(1) a comprehensive all-terrain vehicle environmental and safety education and training certification program, including the preparation and dissemination of vehicle information and safety advice to the public, the training of all-terrain vehicle operators, and the issuance of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the all-terrain vehicle environmental and safety education and training course-; and

(2) a voluntary all-terrain vehicle online training program for youth and a parent or guardian, offered at no charge for operators at least six years of age but younger than ten years of age.

(b) A parent or guardian must be present at ~~the hands-on a training portion of the program for~~ when the youth who are six through is under ten years of age.

(~~b~~) (c) For the purpose of administering the program and to defray the expenses of training and certifying vehicle operators, the commissioner shall collect a fee from each person who receives the training for certification under paragraph (a), clause (1). The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish both fees in a manner that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees may be established by the commissioner notwithstanding section 16A.1283. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund and the amount thereof, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the programs. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses.

(~~c~~) (d) The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the ~~program programs~~ established under this section. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. The commissioner shall consult with the commissioner of public safety in regard to ~~training program~~ the subject matter of the training programs and performance testing that leads to the certification of vehicle operators. The commissioner shall incorporate a riding component in the ~~safety education and training program certification program established under this section and may incorporate a riding component in the training program established under paragraph (a), clause (2)~~.

Sec. 14. Minnesota Statutes 2018, section 84.9256, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public road rights-of-way that is permitted under section 84.928 and as provided under paragraph (j), a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

- (1) make a direct crossing of a public road right-of-way;
- (2) operate an all-terrain vehicle on a public road right-of-way in the state; or
- (3) operate an all-terrain vehicle on public lands or waters, except as provided in paragraph (f).

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands and waters or state or grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied by a person 18 years of age or older who holds a valid driver's license.

(d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old, but less than 16 years old, must:

(1) successfully complete the safety education and training program under section 84.925, subdivision 1, including a riding component; and

(2) be able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle.

(e) A person at least ~~six~~ ten years of age may take the safety education and training program and may receive an all-terrain vehicle safety certificate under paragraph (d), but the certificate is not valid until the person reaches age 12.

(f) A person at least ten years of age but under 12 years of age may operate an all-terrain vehicle with an engine capacity up to 110cc if the vehicle is a class 1 all-terrain vehicle with straddle-style seating or up to 170cc if the vehicle is a class 1 all-terrain vehicle with side-by-side-style seating on public lands or waters if accompanied by a parent or legal guardian.

(g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

(h) A person under the age of 16 may not operate an all-terrain vehicle on public lands or waters or on state or grant-in-aid trails if the person cannot properly reach and control:

(1) the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle with straddle-style seating; or

(2) the steering wheel and foot controls of a class 1 all-terrain vehicle with side-by-side-style seating while sitting upright in the seat with the seat belt fully engaged.

(i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than 16 years old, may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate an all-terrain vehicle on public lands and waters or state or grant-in-aid trails if:

(1) the nonresident youth has in possession evidence of completing an all-terrain safety course offered by the ATV Safety Institute or another state as provided in section 84.925, subdivision 3; and

(2) the nonresident youth is accompanied by a person 18 years of age or older who holds a valid driver's license.

(j) A person 12 years of age but less than 16 years of age may operate an all-terrain vehicle on the roadway, bank, slope, or ditch of a public road right-of-way as permitted under section 84.928 if the person:

(1) possesses a valid all-terrain vehicle safety certificate issued by the commissioner; and

(2) is accompanied by a parent or legal guardian on a separate all-terrain vehicle.

Sec. 15. Minnesota Statutes 2018, section 84.928, subdivision 2, is amended to read:

Subd. 2. **Operation generally.** A person may not drive or operate an all-terrain vehicle:

(1) at a rate of speed greater than reasonable or proper under the surrounding circumstances;

(2) in a careless, reckless, or negligent manner so as to endanger or to cause injury or damage to the person or property of another;

(3) without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight;

(4) without a functioning stoplight if so equipped;

(5) in a tree nursery or planting in a manner that damages or destroys growing stock;

(6) without a brake operational by either hand or foot;

(7) with more than one person on the vehicle, except as allowed under section 84.9257;

(8) at a speed exceeding ten miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter; or

~~(9) with a snorkel device that has a raised air intake six inches or more above the vehicle manufacturer's original air intake, except within the Iron Range Off Highway Vehicle Recreation Area as described in section 85.013, subdivision 12a, or other public off highway vehicle recreation areas; or~~

~~(40)~~ (9) in a manner that violates operation rules adopted by the commissioner.

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

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Nash moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 71, after line 1, insert:

"Sec. 48. Minnesota Statutes 2018, section 97B.015, subdivision 6, is amended to read:

Subd. 6. **Provisional certificate for persons with permanent physical or developmental disability.** Upon the recommendation of a course instructor, the commissioner may issue a provisional firearms safety certificate to a person who satisfactorily completes the classroom portion of the firearms safety course but is unable to pass the written or an alternate format exam portion of the course because of a permanent physical disability or developmental disability as defined in section 97B.1055, subdivision 1. The certificate is valid only when used according to section 97B.1055."

Page 72, after line 9, insert:

"Sec. 50. Minnesota Statutes 2018, section 97B.1055, is amended to read:

**97B.1055 HUNTING BY PERSONS WITH A PERMANENT PHYSICAL OR DEVELOPMENTAL DISABILITY.**

Subdivision 1. **Definitions.** For purposes of this section and section 97B.015, subdivision 6;:

(1) ~~"person with developmental disability" means a person who has been diagnosed as diagnosis of having substantial limitations in present functioning, manifested as significantly subaverage intellectual functioning, existing concurrently with demonstrated deficits in adaptive behavior, and who manifests when these conditions manifest before the person's 22nd birthday. A person with a related condition means a person who meets the diagnostic definition under section 252.27, subdivision 1a.; and~~

(2) "permanent physical disability" means a physical disability that prevents a person from being able to navigate natural terrain or hold a firearm for a required field component for the firearms safety training program under section 97B.020.

Subd. 2. **Obtaining license.** (a) Notwithstanding section 97B.020, a person with a permanent physical disability or developmental disability may obtain a firearms hunting license with a provisional firearms safety certificate issued under section 97B.015, subdivision 6.

(b) Any person accompanying or assisting a person with a permanent physical disability or developmental disability under this section must possess a valid firearms safety certificate issued by the commissioner.

Subd. 3. **Assistance required.** A person who obtains a firearms hunting license under subdivision 2 must be accompanied and assisted by a parent, guardian, or other adult person designated by a parent or guardian when hunting. A person who is not hunting but is solely accompanying and assisting a person with a permanent physical disability or developmental disability need not obtain a hunting license.

Subd. 4. **Prohibited activities.** (a) This section does not entitle a person to possess a firearm if the person is otherwise prohibited from possessing a firearm under state or federal law or a court order.

(b) No person shall knowingly authorize or permit a person, who by reason of a permanent physical disability or developmental disability is incapable of safely possessing a firearm, to possess a firearm to hunt in the state or on any boundary water of the state."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Becker-Finn moved to amend the Nash amendment to S. F. No. 2314, the third engrossment, as amended, as follows:

Page 2, after line 21, insert:

"Sec. 51. Minnesota Statutes 2018, section 97B.1115, is amended to read:

**97B.1115 USE OF MECHANICAL OR ELECTRONIC ASSISTANCE TO HOLD AND DISCHARGE FIREARMS OR BOWS BY ~~PHYSICALLY DISABLED~~ A PERSON WITH A PHYSICAL DISABILITY.**

(a) Notwithstanding sections 97B.035, subdivision 1, 97B.321, and 97B.701, subdivision 2, the commissioner may ~~authorize a physically disabled hunter~~ issue a special permit to take big game and small game, without a fee, to a person with a physical disability who has a verified statement of the disability from a licensed physician or a certified nurse practitioner or certified physician assistant acting under the direction of a licensed physician to use a swivel or otherwise mounted firearm or bow or any electronic or mechanical device to discharge a firearm or bow as long as the participant is physically present at the site.

(b) A person using mechanical or electronic assistance under this section may be assisted by another person. The person assisting may take a wounded animal shot by the person using mechanical or electronic assistance under this section if the person with the disability is physically incapable of doing so. The person assisting must be licensed to take the animal."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Nash amendment, as amended, to S. F. No. 2314, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Fabian moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 104, after line 6, insert:

"Sec. 84. Minnesota Statutes 2018, section 116.993, subdivision 2, is amended to read:

Subd. 2. **Eligible borrower.** To be eligible for a loan under this section, a borrower must:

- (1) be a small business corporation, sole proprietorship, partnership, or association;
- (2) be a potential emitter of pollutants to the air, ground, or water;
- (3) need capital for equipment purchases that will meet or exceed environmental regulations or need capital for site investigation and cleanup;
- (4) have less than ~~50~~ 100 full-time equivalent employees; and
- (5) have an after tax profit of less than \$500,000; ~~and,~~
- ~~(6) have a net worth of less than \$1,000,000.~~

Sec. 85. Minnesota Statutes 2018, section 116.993, subdivision 6, is amended to read:

Subd. 6. **Loan conditions.** A loan made under this section must include:

- (1) an interest rate that is ~~four percent or~~ at or below one-half the prime rate, ~~whichever is greater~~ not to exceed five percent;
- (2) a term of payment of not more than seven years; and
- (3) an amount not less than \$1,000 or exceeding ~~\$50,000~~ \$75,000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Winkler moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 27, delete lines 20 to 24 and insert:

"(o) \$50,000 the first year is from the state parks account in the natural resources fund for signage and interpretative resources necessary for naming state park assets and a segment of the St. Croix River State Water Trail after Walter F. Mondale as provided in this act."

Page 55, delete section 14 and insert:

"Sec. 14. Minnesota Statutes 2018, section 85.32, subdivision 1, is amended to read:

Subdivision 1. **Designation.** (a) The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to manage state water trails on the Lake Superior water trail under section 85.0155 and on the following rivers, which have historic, recreational, and scenic values: Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines, Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North, Sauk, Otter Tail, Redwood, Blue Earth, Cedar, Shell Rock, Vermilion in St. Louis County, north fork of the Crow, and south fork of the Crow. The commissioner may map and sign points of interest, public water access sites, portages, camp sites, and dams, rapids, waterfalls, and other serious hazards that are dangerous to canoe, kayak, and watercraft travelers. The commissioner may maintain passageway for watercraft on state water trails.

(b) The segment of the St. Croix River Water Trail between Wild River State Park and William O'Brien State Park is designated as the Walter F. Mondale Scenic River Way."

Page 109, after line 29, insert:

"Sec. 91. **NAMING OF STATE PARK FACILITIES AFTER WALTER F. MONDALE.**

Subdivision 1. **Wild River State Park; visitor center.** The visitor center at Wild River State Park is designated as the Walter F. Mondale Visitor Center.

Subd. 2. **St. Croix State Park; visitor center.** The visitor center at St. Croix State Park is designated as the Walter F. Mondale Visitor Center.

Subd. 3. **Interstate State Park; scenic overlook and trail.** The scenic overlook and trail at Interstate State Park is designated as the Walter F. Mondale Scenic Overlook and Trail.

Subd. 4. **William O'Brien State Park; day use area.** The day use area at William O'Brien State Park, currently referred to as the Lake Alice Day Use Area, is designated as the Walter F. Mondale Day Use Area."

Page 110, delete lines 2 to 4

Page 110, line 5, delete "(b)" and insert "(a)"

Page 110, line 9, delete "(c)" and insert "(b)"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Becker-Finn; Davnie; Noor; Mann; Dehn; Kunesh-Podein; Lee; Gomez; Hornstein; Hansen; Hassan; Mariani; Long; Wagenius; Loeffler; Lillie; Xiong, J.; Vang; Xiong, T., and Cantrell moved to amend the Winkler amendment to S. F. No. 2314, the third engrossment, as amended, as follows:

Page 2, after line 2, insert:

"Page 108, after line 22, insert:

"Sec. 88. **LAKE DESIGNATION; CITY OF THE FIRST CLASS.**

Any lake located in a city of the first class that (1) has an area of at least 375 acres but less than 500 acres, and (2) is included as part of the Grand Rounds National Scenic Byway is named and designated Bde Maka Ska."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Winkler amendment, as amended, to S. F. No. 2314, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Fabian moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 69, after line 8, insert:

"Sec. 41. Minnesota Statutes 2018, section 97A.137, subdivision 3, is amended to read:

Subd. 3. **Use of motorized vehicles by disabled hunters.** ~~The commissioner may issue a special permit, without a fee, authorizing a hunter~~ (a) A person with a permanent physical disability to may use a snowmobile, highway-licensed vehicle, all-terrain vehicle, or motor boat in wildlife management areas. To qualify for a permit under this subdivision, The disabled person with a physical disability must possess:

(1) the required hunting licenses; and

(2) ~~a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3~~ a valid disability parking certificate authorized by section 169.345 or valid license plates issued under section 168.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Lueck moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 8, line 3, delete "2,490,000" and insert "1,490,000"

Page 21, after line 17, insert:

"(n) \$1,000,000 the first year is for restoring and enhancing wild-rice waters. Of this amount, \$500,000 is for competitive grants to bands of the Minnesota Chippewa tribe to restore and enhance wild-rice waters. The commissioner must develop forms and procedures for soliciting and reviewing applications for grants under this paragraph. This is a onetime appropriation."

Adjust amounts accordingly

The motion did not prevail and the amendment was not adopted.



Davids moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 8, line 3, delete "2,490,000" and insert "2,340,000"

Page 14, line 16, delete "\$150,000" and insert "\$300,000"

Adjust amounts accordingly

The motion did not prevail and the amendment was not adopted.

Fabian moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 98, after line 28, insert:

"(6) final adoption of a new standard or the alteration or modification of an existing standard that makes the standard more stringent. Prior to adopting the standard, alteration or modification, the agency must obtain a social permit to adopt the standard, alteration, or modification. For purposes of this subdivision, the agency obtains a social permit when a resolution in support of the new or modified standard is adopted by the board of county commissioners of every county in Minnesota;"

Page 98, line 29, delete "(6)" and insert "(7)"

Page 99, line 6, delete "(7)" and insert "(8)"

The motion did not prevail and the amendment was not adopted.

Drazkowski moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 73, after line 12, insert:

"Sec. 51. Minnesota Statutes 2018, section 97B.311, is amended to read:

**97B.311 DEER SEASONS AND RESTRICTIONS.**

(a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken, including hunter selection criteria for special hunts established under section 97A.401, subdivision 4. The commissioner may, by rule, prescribe the open seasons for deer within the following periods:

- (1) taking with firearms, other than muzzle-loading firearms, between November 1 and December 15;
- (2) taking with muzzle-loading firearms between September 1 and December 31; and
- (3) taking by archery between September 1 and December 31.

(b) Notwithstanding paragraph (a), the commissioner may establish special seasons within designated areas at any time of year.

(c) The commissioner may not impose an antler point restriction other than that imposed under Minnesota Rules, part 6232.0200, subpart 6."

Page 110, line 14, after "(b)" insert "Laws 2013, chapter 121, section 53, and" and delete "is" and insert "are"

Page 110, line 15, delete "part" and insert "parts 6232.0350 and"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Drazkowski amendment and the roll was called. There were 59 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Demuth	Gunther	Kresha	Neu	Schomacker
Anderson	Dettmer	Haley	Layman	Nornes	Scott
Backer	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Bahr	Erickson	Heinrich	Lueck	Pelowski	Theis
Baker	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mahoney	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mann	Poppe	Winkler
Bernardy	Elkins	Kotzya-Witthuhn	Mariani	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Marquart	Richardson	Xiong, J.
Brand	Freiberg	Lee	Masin	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moller	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Moran	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Morrison	Schultz	
Christensen	Hausman	Lillie	Murphy	Stephenson	
Claflin	Her	Lippert	Nelson, M.	Sundin	
Considine	Hornstein	Lislegard	Noor	Tabke	
Davnie	Howard	Loeffler	Olson	Vang	

The motion did not prevail and the amendment was not adopted.

Fabian moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 19, after line 2, insert:

"(c) \$50,000 the first year and \$250,000 the second year are for grants to lake associations, local units of government, and other entities to manage aquatic invasive species."

Reletter the paragraphs in sequence

Page 42, delete lines 1 to 4

Page 104, delete section 84

Adjust amounts accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Fabian amendment and the roll was called. There were 59 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Demuth	Gruenhagen	Koznick	Nelson, N.	Schomacker
Anderson	Dettmer	Gunther	Kresha	Neu	Scott
Backer	Drazkowski	Haley	Layman	Nornes	Swedzinski
Bahr	Ecklund	Hamilton	Lucero	O'Driscoll	Theis
Baker	Erickson	Heinrich	Lueck	O'Neill	Torkelson
Bennett	Fabian	Heintzeman	McDonald	Petersburg	Urdahl
Boe	Franson	Hertaus	Mekeland	Pierson	Vogel
Daniels	Garofalo	Johnson	Miller	Poston	West
Daudt	Green	Jurgens	Munson	Quam	Zerwas
Davids	Grossell	Kiel	Nash	Robbins	

Those who voted in the negative were:

Acomb	Dehn	Klevorn	Mahoney	Persell	Wagenius
Bahner	Edelson	Koegel	Mann	Pinto	Wazlawik
Becker-Finn	Elkins	Kotzya-Witthuhn	Mariani	Poppe	Winkler
Bernardy	Fischer	Kunesh-Podein	Marquart	Pryor	Wolgamott
Bierman	Freiberg	Lee	Masin	Richardson	Xiong, J.
Brand	Gomez	Lesch	Moller	Sandell	Xiong, T.
Cantrell	Halverson	Liebling	Moran	Sandstede	Youakim
Carlson, A.	Hansen	Lien	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hausman	Lillie	Murphy	Schultz	
Christensen	Her	Lippert	Nelson, M.	Stephenson	
Claflin	Hornstein	Lislegard	Noor	Sundin	
Considine	Howard	Loeffler	Olson	Tabke	
Davnie	Huot	Long	Pelowski	Vang	

The motion did not prevail and the amendment was not adopted.

Fischer moved to amend S. F. No. 2314, the third engrossment, as amended, as follows:

Page 73, after line 12, insert:

"Sec. 51. Minnesota Statutes 2018, section 97B.645, subdivision 9, is amended to read:

Subd. 9. **No open season.** There ~~shall be~~ is no open season for wolves ~~until after the wolf is delisted under the federal Endangered Species Act of 1973. After that time, the commissioner may prescribe open seasons and restrictions for taking wolves but must provide opportunity for public comment."~~

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Fischer amendment and the roll was called. There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Acomb	Considine	Her	Lien	Morrison	Schultz
Bahner	Davnie	Hornstein	Lillie	Murphy	Stephenson
Becker-Finn	Dehn	Howard	Lippert	Nelson, M.	Vang
Bernardy	Edelson	Huot	Loeffler	Noor	Wagenius
Bierman	Elkins	Klevorn	Long	Olson	Wazlawik
Boe	Fischer	Koegel	Mahoney	Persell	Winkler
Cantrell	Freiberg	Kotzya-Witthuhn	Mann	Pinto	Wolgamott
Carlson, A.	Gomez	Kunesh-Podein	Mariani	Pryor	Xiong, J.
Carlson, L.	Halverson	Lee	Masin	Richardson	Xiong, T.
Christensen	Hansen	Lesch	Moller	Sandell	Youakim
Clafin	Hausman	Liebling	Moran	Sauke	Spk. Hortman

Those who voted in the negative were:

Albright	Drazkowski	Hamilton	Lueck	O'Neill	Scott
Anderson	Ecklund	Heinrich	Marquart	Pelowski	Sundin
Backer	Erickson	Heintzeman	McDonald	Petersburg	Swedzinski
Bahr	Fabian	Johnson	Mekeland	Pierson	Tabke
Baker	Franson	Jurgens	Miller	Poppe	Theis
Bennett	Garofalo	Kiel	Munson	Poston	Torkelson
Daniels	Green	Koznick	Nash	Quam	Urdahl
Daudt	Grossell	Kresha	Nelson, N.	Robbins	Vogel
Davids	Gruenhagen	Layman	Neu	Runbeck	West
Demuth	Gunther	Lislegard	Nornes	Sandstede	Zerwas
Dettmer	Haley	Lucero	O'Driscoll	Schomacker	

The motion prevailed and the amendment was adopted.

S. F. No. 2314, A bill for an act relating to state government; appropriating money for environment and natural resources and tourism; modifying programs; creating accounts and providing for disposition of certain receipts; modifying certain natural resources fee and permit conditions; authorizing sales of certain state land; establishing the Wild Rice Stewardship Council; creating the Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group; providing appointments; requiring reports; making technical corrections; amending Minnesota Statutes 2018,

sections 17.035, subdivision 1; 35.153, by adding subdivisions; 35.155, subdivisions 4, 6, 7, 9, 10, 11; 84.026, by adding a subdivision; 84.027, subdivision 18, by adding a subdivision; 84.0273; 84.0895, subdivision 2; 84.775, subdivision 1; 84.788, subdivision 2; 84.794, subdivision 2; 84.83, subdivision 3; 84.86, subdivision 1; 84.925, subdivision 1; 84.9256, subdivision 1; 84.928, subdivision 2; 84D.03, subdivisions 3, 4; 84D.108, subdivisions 2b, 2c; 85.054, subdivision 1; 85.44; 85.47; 85A.02, subdivision 17; 86B.005, subdivision 18; 86B.415, subdivision 1a; 89.71, by adding a subdivision; 92.115, subdivision 1; 92.50, subdivision 1; 93.25; 94.09, subdivision 3; 94.10; 97A.015, subdivisions 25, 43; 97A.051, subdivision 2; 97A.055, subdivision 4b; 97A.075, subdivision 1; 97A.126; 97A.433, subdivisions 4, 5; 97A.475, subdivision 4; 97A.505, subdivision 8; 97B.086; 97B.106, subdivision 2; 97B.426; 97B.516; 97B.722; 97B.731, subdivision 3; 97C.315, subdivision 1; 97C.345, by adding a subdivision; 97C.391, subdivision 1; 97C.395, subdivision 2; 97C.605, subdivision 2; 97C.815, subdivision 2; 103B.3369, subdivisions 5, 9; 103B.611, subdivision 3; 103B.801, subdivisions 2, 5; 103D.315, subdivision 8; 103F.361, subdivision 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371; 103F.373, subdivisions 1, 3, 4; 103G.2242, subdivision 14; 103G.241, subdivisions 1, 3; 103G.271, subdivision 7, by adding a subdivision; 103G.287, subdivisions 1, 4, 5; 103G.289; 103G.311, subdivisions 2, 5; 103G.315, subdivision 8; 103G.408; 103G.615, subdivision 3a; 114D.15, subdivisions 7, 11, 13, by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35, subdivisions 1, 3; 115.03, subdivisions 1, 5, by adding a subdivision; 115.035; 115.44, subdivision 6; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115A.51; 115B.421; 116.03, subdivision 1, by adding a subdivision; 116.07, subdivisions 2, 4d, by adding a subdivision; 116.0714; 116.993, subdivisions 2, 6; 116D.04, subdivision 2a; 216G.01, subdivision 3; 282.01, subdivision 4; Laws 2012, chapter 236, section 28, subdivisions 2, as amended, 9, as amended; Laws 2013, chapter 114, article 4, section 105, as amended; Laws 2015, chapter 76, section 2, subdivision 9, as amended; Laws 2016, chapter 189, article 3, sections 2, subdivision 2; 6, as amended; Laws 2017, chapter 93, article 1, section 9; article 2, section 155, as amended; Laws 2017, chapter 96, section 2, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 84; 92; 97A; 103C; 114D; 115B; 116; repealing Minnesota Statutes 2018, section 92.121; Minnesota Rules, part 6232.0350.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mahoney	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mann	Poppe	Winkler
Bernardy	Elkins	Kotyza-Witthuhn	Mariani	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Marquart	Richardson	Xiong, J.
Brand	Freiberg	Lee	Masin	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moller	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Moran	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Morrison	Schultz	
Christensen	Hausman	Lillie	Murphy	Stephenson	
Clafin	Her	Lippert	Nelson, M.	Sundin	
Considine	Hornstein	Lislegard	Noor	Tabke	
Davnie	Howard	Loeffler	Olson	Vang	

Those who voted in the negative were:

Albright	Bahr	Boe	Davids	Drazkowski	Franson
Anderson	Baker	Daniels	Demuth	Erickson	Garofalo
Backer	Bennett	Daudt	Dettmer	Fabian	Green

Grossell	Hertaus	Lucero	Nelson, N.	Pierson	Swedzinski
Gruenhagen	Johnson	Lueck	Neu	Poston	Theis
Gunther	Jurgens	McDonald	Nornes	Quam	Torkelson
Haley	Kiel	Mekeland	O'Driscoll	Robbins	Urdahl
Hamilton	Koznick	Miller	O'Neill	Runbeck	Vogel
Heinrich	Kresha	Munson	Pelowski	Schomacker	West
Heintzeman	Layman	Nash	Petersburg	Scott	Zerwas

The bill was passed, as amended, and its title agreed to.

The Speaker resumed the Chair.

S. F. No. 2227 was reported to the House.

Nelson, M., moved to amend S. F. No. 2227, the third engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1935, the first engrossment:

"ARTICLE 1  
STATE GOVERNMENT APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**

**2020**                      **2021**

Sec. 2. **LEGISLATURE**

Subdivision 1. **Total Appropriation**                      **\$88,669,000**                      **\$92,220,000**

**Appropriations by Fund**

	<b><u>2020</u></b>	<b><u>2021</u></b>
<b><u>General</u></b>	<b><u>88,541,000</u></b>	<b><u>92,092,000</u></b>
<b><u>Health Care Access</u></b>	<b><u>128,000</u></b>	<b><u>128,000</u></b>

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

Subd. 2. <b><u>Senate</u></b>	<u>32,105,000</u>	<u>32,105,000</u>
Subd. 3. <b><u>House of Representatives</u></b>	<u>37,420,000</u>	<u>38,857,000</u>
Subd. 4. <b><u>Legislative Coordinating Commission</u></b>	<u>19,144,000</u>	<u>21,258,000</u>

Appropriations by Fund

General	<u>19,016,000</u>	<u>21,130,000</u>
Health Care Access	<u>128,000</u>	<u>128,000</u>

(a) \$161,000 the first year and \$156,000 the second year are to support the Office on the Economic Status of Women and other duties under Minnesota Statutes, section 3.303, subdivision 7.

(b) \$140,000 the first year and \$1,039,000 the second year are to implement the accessibility standards established in Minnesota Statutes, section 3.199, including support for the working group on the legislature's accessibility measures established in article 2. The base for this appropriation is \$780,000 each year beginning in fiscal year 2022.

(c) \$218,000 the second year is for the Redistricting Advisory Commission established in Minnesota Statutes, section 2.032. The base for the commission is \$190,000 in fiscal year 2022 and \$0 in fiscal year 2023.

(d) \$135,000 the first year and \$130,000 the second year are for the Legislative Commission on Data Practices and Personal Data Privacy.

(e) \$10,000 each year is for purposes of the legislators' forum, through which Minnesota legislators meet with counterparts from South Dakota, North Dakota, and Manitoba to discuss issues of mutual concern.

**Legislative Auditor.** \$7,205,000 the first year and \$7,596,000 the second year are for the Office of the Legislative Auditor.

**Revisor of Statutes.** \$6,768,000 the first year and \$7,207,000 the second year are for the Office of the Revisor of Statutes.

**Legislative Reference Library.** \$1,664,000 the first year and \$1,775,000 the second year are for the Legislative Reference Library.

Sec. 3. <b><u>GOVERNOR AND LIEUTENANT GOVERNOR</u></b>	<b><u>\$3,972,000</u></b>	<b><u>\$3,972,000</u></b>
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(a) This appropriation is to fund the Office of the Governor and Lieutenant Governor.

(b) \$350,000 each year is for the Office of Public Engagement.

(c) Up to \$19,000 each year is for necessary expenses in the normal performance of the governor's and lieutenant governor's duties for which no other reimbursement is provided.

Sec. 4. **STATE AUDITOR** **\$10,669,000** **\$10,943,000**

Sec. 5. **ATTORNEY GENERAL** **\$26,681,000** **\$27,740,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	23,822,000	24,824,000
<u>State Government</u>		
<u>Special Revenue</u>	2,464,000	2,521,000
<u>Environmental</u>	145,000	145,000
<u>Remediation</u>	250,000	250,000

Sec. 6. **SECRETARY OF STATE** **\$7,525,000** **\$7,411,000**

\$163,000 the first year is transferred from the general fund to the Help America Vote Act account under Minnesota Statutes, section 5.30, and is credited to the state match requirement of the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101. This is a onetime appropriation.

Sec. 7. **CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD** **\$1,173,000** **\$1,123,000**

\$50,000 the first year is for updates to the Campaign Finance Reporter application. This is a onetime appropriation.

Sec. 8. **STATE BOARD OF INVESTMENT** **\$139,000** **\$139,000**

Sec. 9. **ADMINISTRATIVE HEARINGS** **\$8,231,000** **\$8,231,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	400,000	400,000
<u>Workers' Compensation</u>	7,831,000	7,831,000

\$263,000 each year is for municipal boundary adjustments.



Sec. 10. **OFFICE OF MN.IT SERVICES****\$17,379,000****\$12,079,000**

(a) \$12,650,000 the first year and \$7,350,000 the second year are for enhancements to cybersecurity across state government. The base for this appropriation in fiscal years 2022 and 2023 is \$7,347,000 each year.

(b) \$2,050,000 each year is to expand the state information technology project portfolio and project management oversight across state government. The base for this appropriation in fiscal years 2022 and 2023 is \$1,200,000 each year.

(c) The commissioner of management and budget is authorized to provide cash flow assistance of up to \$50,000,000 from the special revenue fund or other statutory general funds as defined in Minnesota Statutes, section 16A.671, subdivision 3, paragraph (a), to the Office of MN.IT Services for the purpose of managing revenue and expenditure differences. These funds shall be repaid with interest by the end of the fiscal year 2021 closing period.

(d) During the biennium ending June 30, 2021, the Office of MN.IT Services must not charge fees to a public noncommercial educational television broadcast station eligible for funding under Minnesota Statutes, chapter 129D, for access to state broadcast infrastructure. If the access fees not charged to public noncommercial educational television broadcast stations total more than \$400,000 for the biennium, the office may charge for access fees in excess of that amount.

Sec. 11. **ADMINISTRATION**Subdivision 1. **Total Appropriation****\$28,826,000****\$25,661,000**

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

Subd. 2. **Government and Citizen Services****11,983,000****10,013,000**

(a) \$100,000 each year is for website accessibility grants under Minnesota Statutes, section 16B.90.

(b) \$30,000 the second year is for the Capitol flag program established in Minnesota Statutes, section 16B.276. This is a onetime appropriation and is available until June 30, 2023.

**Council on Developmental Disabilities.** \$74,000 each year is for the Council on Developmental Disabilities.

**Office of State Procurement.** \$2,862,000 each year is for the Office of State Procurement.

Of this amount, \$441,000 each year is for the state match to the Procurement Technical Assistance Center. This is a onetime appropriation. The base for the Office of State Procurement is \$2,421,000 in fiscal year 2022 and each year thereafter.

**State Demographer.** \$2,739,000 the first year and \$739,000 the second year are for the state demographer. Of this amount, \$2,000,000 the first year is for Minnesota Census 2020 mobilization, including the grant program required under article 2.

**State Historic Preservation Office.** \$527,000 each year is for the State Historic Preservation Office.

<u>Subd. 3. <b>Strategic Management Services</b></u>	<u>2,671,000</u>	<u>2,651,000</u>
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<u>Subd. 4. <b>Fiscal Agent</b></u>	<u>14,172,000</u>	<u>12,997,000</u>
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**In-Lieu of Rent.** \$9,391,000 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 of equipment including 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, 2019.

(f) \$75,000 the first year is for a grant to the Association of Minnesota Public Educational Radio Stations for statewide programming to promote the Veterans' Voices program. The grant must be used to educate and engage communities regarding veterans' contributions, knowledge, skills, and experiences with an emphasis on Korean War veterans.

(g) 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.

(h) \$1,600,000 the first year is for grants to Twin Cities Public Television and to the Association of Minnesota Public Educational Radio Stations to produce the Beyond Opioids Project in collaboration with the stations of the Minnesota Public Television Association. Seventy percent of this appropriation must be for a grant to Twin Cities Public Television and 30 percent must be for a grant to the Association of Minnesota Public Educational Radio Stations. The commissioner of administration may use up to five percent of the total appropriation under this paragraph for administrative costs.

(i) \$162,000 each year is for transfer to the Minnesota Film and TV Board. The appropriation in each year is available only upon receipt by the board of \$1 in matching contributions of money or in-kind contributions from nonstate sources for every \$3 provided by this appropriation, except that each year up to \$50,000 is available on July 1 even if the required matching contribution has not been received by that date. Beginning in fiscal year 2022, these amounts are added to the base for the Film and TV Board in the Department of Employment and Economic Development.

**Sec. 12. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

**\$351,000**

**\$351,000**

**Sec. 13. MINNESOTA MANAGEMENT AND BUDGET**

**\$33,223,000**

**\$27,591,000**

(a) \$1,168,000 the first year and \$868,000 the second year are for efforts to support enhanced sexual harassment prevention activities, to support the Office of Inclusion and Equity, to fund state workforce recruitment activities, and to implement a statewide compensation study.

(b) \$205,000 the first year and \$252,000 the second year are to enhance capacity to provide legislators, executive branch officials, local governments, and other Minnesota stakeholders access to data-driven information.

(c) \$5,500,000 the first year is for system security and risk management. This is a onetime appropriation.

Sec. 14. **REVENUE**

Subdivision 1. **Total Appropriation**

**\$165,005,000**

**\$167,204,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	160,745,000	162,944,000
Health Care Access	1,760,000	1,760,000
Highway User Tax		
Distribution	2,195,000	2,195,000
Environmental	305,000	305,000

Subd. 2. **Tax System Management**

136,190,000

137,892,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	131,930,000	133,632,000
Health Care Access	1,760,000	1,760,000
Highway User Tax		
Distribution	2,195,000	2,195,000
Environmental	305,000	305,000

Subd. 3. **Debt Collection Management**

28,815,000

29,312,000

Sec. 15. **GAMBLING CONTROL**

**\$3,472,000**

**\$3,472,000**

These appropriations are from the lawful gambling regulation account in the special revenue fund.

Sec. 16. **RACING COMMISSION**

**\$913,000**

**\$913,000**

These appropriations are from the racing and card playing regulation accounts in the special revenue fund.

Sec. 17. **STATE LOTTERY**

Notwithstanding Minnesota Statutes, section 349A.10, subdivision 3, the State Lottery's operating budget must not exceed \$35,000,000 in fiscal year 2020 and \$36,500,000 in fiscal year 2021.

Sec. 18. <b><u>AMATEUR SPORTS COMMISSION</u></b>	<b><u>\$1,266,000</u></b>	<b><u>\$306,000</u></b>
<u>(a) \$600,000 the first year is for grants under Minnesota Statutes, section 240A.09, paragraph (b).</u>		
<u>(b) \$250,000 the first year is for grants to reimburse local governments that made improvements between January 1, 2017, and the effective date of this section that would have been eligible for grants under Minnesota Statutes, section 240A.09, paragraph (b), if funding had been available.</u>		
<u>(c) \$75,000 the first year is to determine a site and plans for a new velodrome for track cycling.</u>		
Sec. 19. <b><u>COUNCIL FOR MINNESOTANS OF AFRICAN HERITAGE</u></b>	<b><u>\$681,000</u></b>	<b><u>\$682,000</u></b>
Sec. 20. <b><u>COUNCIL ON LATINO AFFAIRS</u></b>	<b><u>\$679,000</u></b>	<b><u>\$685,000</u></b>
Sec. 21. <b><u>COUNCIL ON ASIAN-PACIFIC MINNESOTANS</u></b>	<b><u>\$609,000</u></b>	<b><u>\$616,000</u></b>
Sec. 22. <b><u>INDIAN AFFAIRS COUNCIL</u></b>	<b><u>\$1,119,000</u></b>	<b><u>\$1,106,000</u></b>
<u>\$533,000 the first year and \$520,000 the second year are to implement Minnesota Statutes, section 307.08.</u>		
Sec. 23. <b><u>MINNESOTA HISTORICAL SOCIETY</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$24,063,000</u></b>	<b><u>\$24,213,000</u></b>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <b><u>Operations and Programs</u></b>	<b><u>23,342,000</u></b>	<b><u>23,892,000</u></b>
<u>\$395,000 each year is for digital preservation and access to preserve and make available resources related to Minnesota history.</u>		
Subd. 3. <b><u>Fiscal Agent</u></b>		
(a) <u>Global Minnesota</u>	<u>39,000</u>	<u>39,000</u>
(b) <u>Minnesota Air National Guard Museum</u>	<u>17,000</u>	<u>17,000</u>
(c) <u>Minnesota Military Museum</u>	<u>450,000</u>	<u>50,000</u>
<u>Of these amounts, \$400,000 the first year is to:</u>		

(1) care for, catalog, and display the recently acquired collection of the personal and professional effects belonging to General John W. Vessey, Minnesota's most decorated veteran; and

(2) conduct a statewide story-sharing program to honor the distinct service of post 9/11 veterans in anticipation of the 2021 anniversary.

(d) Farmamerica 115,000 115,000

(e) Hockey Hall of Fame 50,000 50,000

Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Sec. 24. **BOARD OF THE ARTS**

Subdivision 1. **Total Appropriation** \$8,241,000 \$7,541,000

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

Subd. 2. **Operations and Services** 1,302,000 602,000

\$700,000 in the first year is for moving and relocation expenses for the board. Moving and relocation expenses are limited to the design and construction of new leased office space; moving, installing and reconfiguring information technology systems and audio visual equipment; purchasing and installing work stations; and professional moving services necessary to complete the relocation. The board may use no more than \$5,000 for other miscellaneous services, provided that the services must be directly related to the office relocation. On June 30, 2020, any unexpended amounts appropriated for moving and relocation expenses cancel to the general fund.

Subd. 3. **Grants Program** 4,800,000 4,800,000

Subd. 4. **Regional Arts Councils** 2,139,000 2,139,000

Any unencumbered balance remaining in this section the first year does not cancel, but is available for the second year.

Money appropriated in this section and distributed as grants may only be spent on projects located in Minnesota. A recipient of a grant funded by an appropriation in this section must not use more than five percent of the total grant for costs related to travel outside the state of Minnesota.

Sec. 25. **MINNESOTA HUMANITIES CENTER** **\$700,000** **\$700,000**

\$325,000 each year is for grants under Minnesota Statutes, section 138.912. No more than three percent of the appropriation may be used for the nonprofit administration of the program. Beginning in fiscal year 2022, these amounts are added to the base in the Department of Agriculture.

Sec. 26. **BOARD OF ACCOUNTANCY** **\$736,000** **\$667,000**

\$50,000 the first year is to update the online permitting system. The base in fiscal year 2023 is \$657,000.

Sec. 27. **BOARD OF ARCHITECTURE ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE, AND INTERIOR DESIGN** **\$905,000** **\$851,000**

\$50,000 the first year is to update the online permitting system. The base in fiscal year 2022 is \$831,000 and in fiscal year 2023 is \$821,000.

Sec. 28. **BOARD OF COSMETOLOGIST EXAMINERS** **\$2,916,000** **\$2,935,000**

Sec. 29. **BOARD OF BARBER EXAMINERS** **\$343,000** **\$343,000**

Sec. 30. **GENERAL CONTINGENT ACCOUNTS** **\$1,000,000** **\$500,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>500,000</u>	<u>-0-</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
<u>Workers' Compensation</u>	<u>100,000</u>	<u>100,000</u>

(a) The appropriations in this section may only be spent with the approval of the governor after consultation with the Legislative Advisory Commission pursuant to Minnesota Statutes, section 3.30.

(b) If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

(c) If a contingent account appropriation is made in one fiscal year, it should be considered a biennial appropriation.

Sec. 31. **TORT CLAIMS** **\$161,000** **\$161,000**

These appropriations are to be spent by the commissioner of management and budget according to Minnesota Statutes, section 3.736, subdivision 7. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 32. **MINNESOTA STATE RETIREMENT SYSTEM**

Subdivision 1. **Total Appropriation**

**\$15,111,000**

**\$15,151,000**

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

Subd. 2. **Combined Legislators and Constitutional Officers Retirement Plan**

9,111,000

9,151,000

Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.115.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Subd. 3. **Judges Retirement Plan**

6,000,000

6,000,000

For transfer to the judges retirement fund under Minnesota Statutes, section 490.123. This transfer continues each fiscal year until the judges retirement plan reaches 100 percent funding as determined by an actuarial valuation prepared according to Minnesota Statutes, section 356.214.

Sec. 33. **PUBLIC EMPLOYEES RETIREMENT ASSOCIATION**

**\$20,500,000**

**\$25,000,000**

General employees retirement plan of the Public Employees Retirement Association relating to the merged former MERF division.

State payments from the general fund to the Public Employees Retirement Association on behalf of the former MERF division account are \$16,000,000 on September 15, 2019, and \$16,000,000 on September 15, 2020.

These amounts are estimated to be needed under Minnesota Statutes, section 353.505.

Sec. 34. **TEACHERS RETIREMENT ASSOCIATION**

**\$29,831,000**

**\$29,831,000**

The amounts estimated to be needed are as follows:

**Special Direct State Aid.** \$27,331,000 each year is for special direct state aid authorized under Minnesota Statutes, section 354.436.

**Special Direct State Matching Aid.** \$2,500,000 each year is for special direct state matching aid authorized under Minnesota Statutes, section 354.435.



Sec. 35. **ST. PAUL TEACHERS RETIREMENT FUND** **\$14,827,000** **\$14,827,000**

The amounts estimated to be needed for special direct state aid to the first class city teachers retirement fund association authorized under Minnesota Statutes, section 354A.12, subdivisions 3a and 3c.

Sec. 36. **APPROPRIATION; SECRETARY OF STATE; COURT ORDERED ATTORNEY FEES.**

\$1,290,000 is appropriated in fiscal year 2019 from the general fund to the secretary of state for the payment of attorney fees awarded by court order in *Minnesota Voters Alliance v. Mansky*. This is a onetime appropriation.

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

Sec. 37. **CONTRACTS FOR PROFESSIONAL OR TECHNICAL SERVICES.**

(a) During the biennium ending June 30, 2021, the commissioner of management and budget must reduce total general fund appropriations across all executive branch state agencies for planned expenditures on contracts for professional or technical services by at least \$890,000. Contracts that provide services to support client-facing health care workers, corrections officers, public safety workers, mental health workers, and state cybersecurity systems; contracts that support the enterprise resource planning system replacement at the Minnesota State Colleges and Universities; and contracts that support information technology systems or services that were not part of an agency's base budget prior to the effective date of this act may not be reduced under this paragraph.

(b) The commissioner of management and budget, in consultation with the commissioner of administration, may authorize an agency to exceed the expenditure restriction provided by this section if a contract for professional or technical services is required to respond to an emergency.

(c) For purposes of this section:

(1) "professional or technical services" has the meaning given in Minnesota Statutes, section 16C.08, subdivision 1;

(2) "emergency" has the meaning given in Minnesota Statutes, section 16C.02, subdivision 6b; and

(3) "executive branch state agency" has the meaning given in Minnesota Statutes, section 16A.011, subdivision 12a, and includes the Minnesota State Colleges and Universities.

Sec. 38. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS; SECRETARY OF STATE.**

(a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving the administration and security of elections as authorized by federal law. Use of the appropriation is limited to the following activities:

(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;

(2) improving accessibility;

(3) preparing training materials and training local election officials; and

(4) implementing security improvements for election systems.

(b) 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.

(c) The appropriations under paragraphs (a) and (b) are onetime and available until March 23, 2023.

(d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for increasing secure access to the statewide voter registration system is deemed:

(1) to be money used for carrying out the purposes authorized under the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101; and

(2) to be credited toward any match required by those laws.

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

## ARTICLE 2 STATE GOVERNMENT OPERATIONS

### Section 1. **[3.199] ACCESSIBILITY IN THE LEGISLATURE'S INFORMATION TECHNOLOGY.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following term has the meaning given.

(b) "Responsible authority" means:

(1) for the house of representatives, the chief clerk of the house;

(2) for the senate, the secretary of the senate;

(3) for the Office of the Revisor of Statutes, the revisor of statutes;

(4) for the Office of the Legislative Auditor, the legislative auditor;

(5) for the Legislative Reference Library, the library director;

(6) for the Legislative Budget Office, the director of the Legislative Budget Office; and

(7) for any entity administered by the legislative branch not listed in clauses (1) to (6), the director of the Legislative Coordinating Commission.

Subd. 2. **Accessibility standards; compliance.** The senate, the house of representatives, and joint legislative offices and commissions must comply with accessibility standards adopted for state agencies by the chief information officer under section 16E.03, subdivision 9, for technology, software, and hardware procurement, unless the responsible authority for a legislative body or office has approved an exception for a standard for that body or office.

Subd. 3. **Not subject to MN.IT authority.** The chief information officer is not authorized to manage or direct compliance of the legislature with accessibility standards.

**EFFECTIVE DATE.** This section is effective September 1, 2021.

Sec. 2. Minnesota Statutes 2018, section 3.8843, subdivision 7, is amended to read:

Subd. 7. **Expiration.** This section expires June 30, ~~2019~~ 2026.

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

Sec. 3. Minnesota Statutes 2018, section 3.886, subdivision 6, is amended to read:

Subd. 6. **Expiration.** This section expires July 1, ~~2019~~ 2025.

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

Sec. 4. **[5.42] DISPLAY OF BUSINESS ADDRESS ON WEBSITE.**

(a) A business entity may request in writing that all addresses submitted by the business entity to the secretary of state be omitted from display on the secretary of state's website. A business entity may only request that all addresses be omitted from display if the entity certifies that:

(1) there is only one shareholder, member, manager, or owner of the business entity;

(2) the shareholder, manager, member, or owner is a natural person; and

(3) at least one of the addresses provided is the residential address of the sole shareholder, manager, member, or owner.

The secretary of state shall post a notice that this option is available and a link to the form needed to make a request on the secretary's website. The secretary of state shall also attach a copy of the request form to all business filing forms provided in a paper format that require a business entity to submit an address.

(b) This section does not change the classification of data under chapter 13 and addresses shall be made available to the public in response to requests made by telephone, mail, e-mail, and facsimile transmission.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to business entity filings filed with the secretary of state on or after that date.

Sec. 5. Minnesota Statutes 2018, section 15A.083, subdivision 6a, is amended to read:

Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the assistant chief administrative law judge and administrative law judge supervisors are ~~93.60~~ 100 percent of the salary of a chief district court judge. The salary of an administrative law judge employed by the Office of Administrative Hearings is 98.52 percent of the salary of a district court judge as set under section 15A.082, subdivision 3.

**EFFECTIVE DATE.** This section is effective July 1, 2019.

Sec. 6. Minnesota Statutes 2018, section 16A.013, is amended by adding a subdivision to read:

Subd. 1a. **Opportunity to make gifts via website.** The commissioner of management and budget must maintain a secure website which permits any person to make a gift of money electronically for any purpose authorized by subdivision 1. Gifts made using the website are subject to all other requirements of this section, sections 16A.014 to 16A.016, and any other applicable law governing the receipt of gifts by the state and the purposes for which a gift may be used. The website must include historical data on the total amount of gifts received using the site, itemized by month.

Sec. 7. **[16A.1335] EMPLOYEE SALARIES AND BENEFITS IN EVENT OF STATE GOVERNMENT SHUTDOWN.**

Subdivision 1. **Definition.** As used in this section, "government shutdown" means that, as of July 1 of an odd-numbered year, legislation appropriating money for the general operations of:

(1) an executive agency;

(2) an office or department of the legislature, including each house of the legislature and the Legislative Coordinating Commission; or

(3) a judicial branch agency or department, including a court;

has not been enacted for the biennium beginning July 1 of that year.

Subd. 2. **Payment required.** Notwithstanding section 16A.17, subdivision 8, state employees must be provided payment for lost salary and benefits resulting from their absence from work during a government shutdown. An employee is eligible for a payment under this section only upon the employee's return to work.

Subd. 3. **Appropriation; limitation.** (a) In the event of a government shutdown, the amount necessary to pay the salary and benefits of employees of any impacted agency, office, or department is appropriated beginning on that July 1 to that agency, office, or department. The appropriation is made from the fund or funds from which an appropriation was made in the previous fiscal year for salary and benefits paid to each affected employee.

(b) Amounts appropriated under this subdivision may not exceed the amount or amounts appropriated for general operations of the affected agency, office, or department in the previous fiscal year.

Subd. 4. **Certification of amount for employees in the legislative and judicial branches.** By June 25 of an odd-numbered year, if a government shutdown appears imminent, the chief clerk of the house of representatives, the secretary of the senate, and the chief clerk of the supreme court must each certify to the commissioner of management and budget the amount needed for salaries and benefits for each fiscal year of the next biennium, and the commissioner of management and budget shall make the certified amount available on July 1 of that year, or on another schedule that permits payment of all salary and benefit obligations required by this section in a timely manner.

Subd. 5. **Subsequent appropriations.** A subsequent appropriation to the agency, office, or department for regular operations for a biennium in which this section has been applied may only supersede and replace the appropriation provided by subdivision 3 by express reference to this section.

Sec. 8. Minnesota Statutes 2018, section 16A.90, is amended to read:

**16A.90 EMPLOYEE GAINSHARING SYSTEM.**

Subdivision 1. **Commissioner must establish program.** (a) The commissioner shall establish a program to provide onetime bonus compensation to state employees for ~~efforts made to reduce~~ suggestions that are implemented and result in a reduction of the costs of operating state government ~~or for ways of providing better or more efficient state services.~~ The commissioner may authorize an executive branch appointing authority to make a onetime award to an employee or group of employees whose suggestion ~~or involvement in a project~~ is determined by the commissioner to have resulted in documented cost-savings to the state. Before authorizing awards under this section, the commissioner shall establish guidelines for the program including but not limited to:

(1) the maximum award is ten percent of the documented savings ~~in the first fiscal year~~ within the first year after implementation of the employee suggestion in which the savings are realized up to \$50,000;

~~(2) the award must be paid from the appropriation to which the savings accrued; and~~

~~(3) (2) employees whose primary job responsibility is to identify cost savings or ways of providing better or more efficient state services are generally not eligible for bonus compensation under this section except in extraordinary circumstances as defined by the commissioner; and~~

(3) employees are eligible for awards under this section notwithstanding chapter 179A.

(b) The program required by this section must be in addition to any existing monetary or nonmonetary performance-based recognition programs for state employees, including achievement awards, continuous improvement awards, and general employee recognitions.

Subd. 2. **Biannual Legislative report.** No later than ~~August 1, 2017, and biannually July 1, 2020, and annually~~ thereafter, the commissioner must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over Minnesota Management and Budget on ~~the status of the program required by this section. The report must detail:~~

(1) the specific program guidelines established by the commissioner as required by subdivision 1, if the guidelines have not been described in a previous report;

(2) any proposed modifications to the established guidelines under consideration by the commissioner, including the reason for the proposed modifications; and

~~(3) the methods used by the commissioner to promote the program to state employees, if the methods have not been described in a previous report;~~

~~(4) a summary of the results of the program that includes the following, categorized by agency:~~

~~(i) the number of state employees whose suggestions or involvement in a project were considered for possible bonus compensation, and a description of each suggestion or project that was considered;~~

~~(ii) the total amount of bonus compensation actually awarded, itemized by each suggestion or project that resulted in an award and the amount awarded for that suggestion or project; and~~

~~(iii) the total amount of documented cost savings that accrued to the agency as a result of each suggestion or project for which bonus compensation was granted; and~~

~~(5) (3) any recommendations for legislation that, in the judgment of the commissioner, would improve the effectiveness of the bonus compensation program established by this section or which would otherwise increase opportunities for state employees to actively participate in the development and implementation of strategies for reducing the costs of operating state government or for providing better or more efficient state services.~~

Subd. 3. **Pilot program.** To the extent that appropriations are not available to fully implement the program required by subdivision 1, the commissioner must use available resources to implement a pilot program that meets the requirements of subdivision 1 within a single agency designated by the commissioner. If established, details on the pilot program must be included in the legislative report required under subdivision 2.

Sec. 9. **[16B.276] CAPITOL FLAG PROGRAM.**

Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given them.

(b) "Active service" has the meaning given in section 190.05, subdivision 5.

(c) "Eligible family member" means a surviving spouse, parent or legal guardian, child, or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has died while serving honorably in active service in the United States armed forces. For purposes of this section, an eligibility relationship may be established by birth or adoption.

(d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision 3.

(e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the program is to make a Minnesota state flag and an American flag that was flown over the Minnesota State Capitol available to the family members of a public safety officer killed in the line of duty or a member of the United States armed forces who died while in active service. In addition to appropriations provided by law, the commissioner of management and budget may receive gifts to support the program as authorized in sections 16A.013 to 16A.016. The program established by this section is required only to the extent that sufficient funds are available through appropriations or gifts to support its operations.

Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made by a legislator or state constitutional officer on behalf of an eligible family member, after verification of the family member's eligibility under the procedures adopted under subdivision 4. The request must be made to the commissioner of administration, and must indicate the type of flag requested, a certification that the family member's eligibility has been verified, special requests for the date the flag is flown over the Capitol, and the method of presentment. The commissioner may adopt a form to be used for this purpose. With at least 30 days' notice, the commissioner must honor a request that a flag be flown on a specific commemorative date.

(b) Upon receipt of a request, the commissioner must present a flag to the eligible family member, or to the requesting legislator or constitutional officer for coordination of a later presentment ceremony. If relevant information is made available, the commissioner shall provide a certificate memorializing the details of the occasion and the date the flag was flown with each flag presented.

Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each constitutional officer must adopt procedures for the administration of flag requests received from eligible family members, including a procedure for verification of a family member's eligibility to receive a flag.

Subd. 5. **No fee for first flag.** The family of a public safety officer killed in the line of duty or service member of the United States armed forces who died in active service is entitled to receive one United States flag and one Minnesota state flag free of charge under this section. If multiple flags of the same type are requested to be flown in honor of the same decedent, the commissioner may charge a reasonable fee that does not exceed the actual cost of flying each flag and preparing a certificate memorializing the occasion.

**EFFECTIVE DATE.** This section is effective July 1, 2020.

Sec. 10. Minnesota Statutes 2018, section 16B.32, subdivision 1a, is amended to read:

Subd. 1a. **Onsite Energy generation from renewable sources.** A state agency that prepares a predesign for a new building must consider meeting at least two percent of the energy needs of the building from renewable sources ~~located on the building site~~. For purposes of this subdivision, "renewable sources" are limited to wind and the sun. The predesign must include an explicit cost and price analysis of complying with the two-percent requirement compared with the present and future costs of energy supplied by a public utility from a location away from the building site and the present and future costs of controlling carbon emissions. If the analysis concludes that the building should not meet at least two percent of its energy needs from renewable sources ~~located on the building site~~, the analysis must provide explicit reasons why not. The building may not receive further state appropriations for design or construction unless at least two percent of its energy needs are designed to be met from renewable sources, unless the commissioner finds that the reasons given by the agency for not meeting the two-percent requirement were supported by evidence in the record.

Sec. 11. Minnesota Statutes 2018, section 16B.323, subdivision 2, is amended to read:

Subd. 2. **Solar energy system.** (a) As provided in paragraphs (b) and (c), a project for the construction or major renovation of a state building, after the completion of a cost-benefit analysis, may include installation of solar energy systems ~~of up to 300 kilowatts capacity on, adjacent, or in proximity to the state building on state-owned buildings and land.~~

(b) The capacity of a solar energy system ~~must be less than 300 kilowatts to the extent necessary to match the electrical load of the building, or the capacity~~ must be no more than necessary to keep the costs for the installation below the five percent maximum set by paragraph (c).

(c) The cost of the solar energy system must not exceed five percent of the appropriations from the bond proceeds fund for the construction or renovation of the state building. Purchase and installation of a solar thermal system may account for no more than 25 percent of the cost of a solar energy system installation.

(d) A project subject to this section is ineligible to receive a rebate for the installation of a solar energy system under section 116C.7791 or from any utility.

Sec. 12. **[16B.372] OFFICE OF ENTERPRISE SUSTAINABILITY.**

Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is established under the jurisdiction of the commissioner to assist all state agencies in making measurable progress toward improving the sustainability of government operations by reducing the impact on the environment, controlling unnecessary waste of natural resources and public funds, and spurring innovation. The office shall create new tools and share best practices, assist state agencies to plan for and implement improvements, and monitor progress toward achieving intended outcomes. Specific duties include but are not limited to:

(1) managing a sustainability metrics and reporting system, including a public dashboard that allows Minnesotans to track progress;

(2) assisting agencies in developing and executing sustainability plans; and

(3) publishing an annual report.

Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make reasonable attempts to share tools and best practices with local governments.

Sec. 13. **[16B.90] WEBSITE ACCESSIBILITY GRANTS; ADVISORY COUNCIL.**

Subdivision 1. **Grant program established.** A website accessibility grant program is established. Within available appropriations, grants must be awarded by the commissioner to local governments to improve the accessibility of local government websites for persons with disabilities.

Subd. 2. **Website Accessibility Grant Advisory Council.** (a) A Website Accessibility Grant Advisory Council is established. The purpose of the advisory council is to assist the commissioner in awarding grants under subdivision 1. The advisory council consists of the following members:

- (1) one representative of the League of Minnesota Cities, appointed by the league;
- (2) one representative of the Association of Minnesota Counties, appointed by the association;
- (3) one representative of the Minnesota Council on Disability, appointed by the council;
- (4) one member of the public who is a self-advocate, appointed by the governor; and
- (5) the state chief information officer, or a designee.

(b) The terms, compensation, and removal of members is governed by section 15.059. The council must elect a chair from among its members.

(c) The advisory council is subject to chapter 13D. The council must meet at the request of the commissioner or the chair, but no fewer than two times per year to fulfill its duties. The commissioner must provide meeting space and other administrative assistance to support the work of the council.

(d) The council must review applications from local governments for grant funding to support website accessibility projects and to make recommendations to the commissioner for the award of grants. The commissioner may not award a grant unless it has been reviewed by the advisory council. Consistent with the policies and procedures established by the commissioner under sections 16B.97 and 16B.98, the council must establish uniform, objective criteria to be used in evaluating grant applications. The criteria must include standards to ensure grant funding is distributed equitably across the state, and that grant funds are available without regard to a local government's population size.

Subd. 3. **Report to legislature.** No later than January 15, 2020, and annually thereafter, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance and local government detailing the grants awarded under this section, including the number of grant applications received, the number of grants awarded, the geographic distribution of grant applications and awards, and the amount of each grant awarded and how it was used.

Sec. 14. **[16C.0531] PROHIBITING STATE CONTRACTS WITH STATE SPONSORS OF TERRORISM AND FOREIGN TERRORIST ORGANIZATIONS.**

(a) A state contract for goods or services must require the vendor to certify that the vendor is not currently engaged in, and agrees for the duration of the contract not to engage in, business with countries designated as state sponsors of terrorism by the State Department and groups designated by the United States Secretary of State as foreign terrorist organizations. This section applies to all state agencies, including the Minnesota State Colleges and Universities and to contracts entered into by entities in the legislative branch.



(b) The commissioners of the Department of Administration and Minnesota Management and Budget shall exercise appropriate due diligence in selecting vendors for goods or services to avert contracting with countries designated as state sponsors of terrorism and groups designated as foreign terrorist organizations or with vendors who do business with countries designated as state sponsors of terrorism and groups designated as foreign terrorist organizations. The commissioners shall implement measures designed to meet the objective of this section and take the steps necessary to confirm that vendors have satisfied the requirement of this section.

Sec. 15. Minnesota Statutes 2018, section 16C.055, subdivision 2, is amended to read:

Subd. 2. **Restriction.** An agency may not enter into a contract or otherwise agree with a nongovernmental entity to receive total nonmonetary consideration valued at more than \$100,000 annually in exchange for the agency providing nonmonetary consideration, unless such an agreement is specifically authorized by law. This subdivision does not apply to the State Lottery, state-owned optical fiber, or private aquaculture businesses involved in state stocking contracts.

Sec. 16. **[16C.067] CONFLICT-FREE MINERALS.**

Subdivision 1. **Definitions.** (a) The following terms have the meanings given them.

(b) "Conflict mineral" means a mineral or mineral derivative determined under federal law to be financing human conflict. Conflict mineral includes columbite-tantalite (coltan), cassiterite, gold, wolframite, or derivatives of those minerals.

(c) "Noncompliant person" means a person:

(1) who is required to disclose under federal law information relating to conflict minerals that originated in the Democratic Republic of the Congo or its neighboring countries; and

(2) for whom the disclosure is not filed, is considered under federal law to be an unreliable determination, or contains false information.

Subd. 2. **Compliance.** By execution of a state contract to provide goods or services, a vendor attests that it is not a noncompliant person and is in compliance with the required disclosures under federal law related to conflict minerals.

Subd. 3. **Exemption; commissioner may waive.** (a) This section does not apply to contracts with a value of less than \$100,000.

(b) The commissioner may waive application of this section in a contract if the commissioner determines that compliance is not practicable or in the best interest of the state.

Subd. 4. **Notice.** In any solicitation for supplies or services, a commissioner shall provide notice of the requirements of this section.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to solicitations issued on or after that date.

Sec. 17. Minnesota Statutes 2018, 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 purchases of goods, services, or utility services directly for immediate use.

Sec. 18. Minnesota Statutes 2018, section 16C.19, is amended to read:

**16C.19 ELIGIBILITY; RULES.**

(a) A small business wishing to participate in the programs under section 16C.16, subdivisions 4 to 7, must be certified by the commissioner or, if authorized by the commissioner, by a nationally recognized certifying organization. The commissioner may choose to authorize a nationally recognized certifying organization if the certification requirements are substantially the same as those adopted under the rules authorized in this section and the business meets the requirements in section 16C.16, subdivision 2.

(b) The commissioner shall adopt by rule standards and procedures for certifying that small targeted group businesses, small businesses located in economically disadvantaged areas, and veteran-owned small businesses are eligible to participate under the requirements of sections 16C.16 to 16C.21. The commissioner shall adopt by rule standards and procedures for hearing appeals and grievances and other rules necessary to carry out the duties set forth in sections 16C.16 to 16C.21.

~~(b)~~ (c) The commissioner may make rules which exclude or limit the participation of nonmanufacturing business, including third-party lessors, brokers, franchises, jobbers, manufacturers' representatives, and others from eligibility under sections 16C.16 to 16C.21.

~~(c)~~ (d) The commissioner may make rules that set time limits and other eligibility limits on business participation in programs under sections 16C.16 to 16C.21.

~~(d)~~ (e) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a veteran-owned small business, the principal place of business of which is in Minnesota, is certified if:

(1) it has been verified by the United States Department of Veterans Affairs as being either a veteran-owned small business or a service-disabled veteran-owned small business, in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74; or

(2) the veteran-owned small business supplies the commissioner with proof that the small business is majority-owned and operated by:

(i) a veteran as defined in section 197.447; or

(ii) a veteran with a service-connected disability, as determined at any time by the United States Department of Veterans Affairs.

~~(e)~~ (f) Until rules are adopted pursuant to paragraph (a) for the purpose of certifying veteran-owned small businesses, the provisions of Minnesota Rules, part 1230.1700, may be read to include veteran-owned small businesses. In addition to the documentation required in Minnesota Rules, part 1230.1700, the veteran owner must have been discharged under honorable conditions from active service, as indicated by the veteran owner's most current United States Department of Defense form DD-214.

~~(f)~~ (g) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a minority- or woman-owned small business, the principal place of business of which is in Minnesota, is certified if it has been certified by the Minnesota unified certification program under the provisions of Code of Federal Regulations, title 49, part 26.

~~(g)~~ (h) The commissioner may adopt rules to implement the programs under section 16C.16, subdivisions 4 to 7, using the expedited rulemaking process in section 14.389.

Sec. 19. Minnesota Statutes 2018, section 16C.251, is amended to read:

**16C.251 BEST AND FINAL OFFER.**

A "best and final offer" solicitation process may not be used for building and construction contracts awarded based on competitive bids.

Sec. 20. Minnesota Statutes 2018, section 16E.03, subdivision 1, is amended to read:

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

(b) "Information and telecommunications technology systems and services" means all computing and telecommunications hardware and software, the activities undertaken to secure that hardware and software, and the activities undertaken to acquire, transport, process, analyze, store, and disseminate information electronically. "Information and telecommunications technology systems and services" includes all proposed expenditures for computing and telecommunications hardware and software, security for that hardware and software, and related consulting or other professional services.

(c) "Information and telecommunications technology project" means an effort to acquire or produce information and telecommunications technology systems and services.

(d) "Telecommunications" means voice, video, and data electronic transmissions transported by wire, wireless, fiber-optic, radio, or other available transport technology.

(e) "Cyber security" means the protection of data and systems in networks connected to the Internet.

(f) "State agency" means an agency in the executive branch of state government and includes the Minnesota Office of Higher Education, but does not include the Minnesota State Colleges and Universities unless specifically provided elsewhere in this chapter.

(g) "Total expected project cost" includes direct staff costs, all supplemental contract staff and vendor costs, and costs of hardware and software development or purchase. Breaking a project into several phases does not affect the cost threshold, which must be computed based on the full cost of all phases.

(h) "Cloud computing" has the meaning described by the National Institute of Standards and Technology of the United States Department of Commerce in special publication 800-145, September 2011.

Sec. 21. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to read:

Subd. 4a. **Cloud computing services.** The project evaluation procedure required by subdivision 4 must include a review of cloud computing service options, including any security benefits and cost savings associated with purchasing those service options from a cloud computing service provider.

Sec. 22. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to read:

Subd. 11. **Technical support to the legislature.** The chief information officer, or a designee, must provide technical support to assist the legislature to comply with accessibility standards under section 3.199, subdivision 2. Support under this subdivision must include:

(1) clarifying the requirements of the accessibility standards;

(2) providing templates for common software applications used in developing documents used by the legislature;

(3) assisting the development of training for staff to comply with the accessibility standards and assisting in providing the training; and

(4) assisting the development of technical applications that enable legislative documents to be fully accessible.

The chief information officer must provide these services at no cost to the legislature.

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

Sec. 23. **[16E.031] USER ACCEPTANCE TESTING.**

Subdivision 1. **Applicability.** As used in this section:

(1) "primary user" means an employee or agent of a state agency or local unit of government who uses an information technology business software application to perform an official function; and

(2) "local unit of government" does not include a school district.

Subd. 2. **User acceptance testing.** (a) A state agency implementing a new information technology business software application or new business software application functionality that significantly impacts the operations of a primary user must provide opportunities for user acceptance testing, unless the testing is deemed not feasible or necessary by the relevant agency commissioner, in consultation with the chief information officer and representatives of the primary user.

(b) The requirements in paragraph (a) do not apply to routine software upgrades or application changes that are primarily intended to comply with federal law, rules, or regulations.

Sec. 24. Minnesota Statutes 2018, section 138.081, is amended to read:

**138.081 FEDERAL FUNDS, ACTS.**

Subdivision 1. **Department of Administration as agency to accept federal funds.** The Department of Administration is hereby designated the state agency with power to accept any and all money provided for or made available to this state by the United States of America or any department or agency thereof for surveys, restoration, construction, equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal money.

Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic preservation officer shall be responsible for the preparation, implementation and administration of the State Historic Preservation Plan and shall administer the State Historic Preservation Program authorized by the National Historic Preservation Act (United States Code, title ~~46~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review and approve in writing all grants-in-aid for architectural, archaeological and historic preservation made by state agencies and funded by the state or a combination of state and federal funds in accordance with the State Historic Preservation Program.

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. 25. Minnesota Statutes 2018, section 138.31, is amended by adding a subdivision to read:

Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office" means the State Historic Preservation Office at the Department of Administration.

Sec. 26. Minnesota Statutes 2018, section 138.34, is amended to read:

**138.34 ADMINISTRATION OF THE ACT.**

The state archaeologist shall act as the agent of the state to administer and enforce the provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the society and the State Historic Preservation Office.

Sec. 27. Minnesota Statutes 2018, section 138.40, is amended to read:

**138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of Transportation, and all other state agencies whose activities may be affected, shall cooperate with the historical society, the State Historic Preservation Office, and the state archaeologist to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but sections 138.31 to 138.42 are not meant to burden persons who wish to use state property for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42. Conservation officers and other enforcement officers of the Department of Natural Resources shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director of the society~~ state archaeologist. When archaeological or historic sites are known or, based on scientific investigations are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall use the professional services of archaeologists from the University of Minnesota, Minnesota Historical Society, or other qualified professional archaeologists, to preserve these sites. In the event that archaeological excavation is required to protect or preserve these sites, state and other governmental agencies may use their funds for such activities.

Subd. 3. **Review of plans.** When significant archaeological or historic sites are known or, based on scientific investigations, are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall submit construction or development plans to the state archaeologist and the ~~director of the society~~ State Historic Preservation Office for review prior to the time bids are advertised. The state archaeologist and the ~~society~~ State Historic Preservation Office shall promptly review such plans and within 30 days of receiving the plans shall make recommendations for the preservation of archaeological or historic sites which may be endangered by construction or development activities. When archaeological or historic sites are related to Indian history or religion, the state archaeologist shall submit the plans to the Indian Affairs Council for the council's review and recommend action.

Sec. 28. Minnesota Statutes 2018, section 138.665, subdivision 2, is amended to read:

Subd. 2. **Mediation Review process.** 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~~ the 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. 29. Minnesota Statutes 2018, section 138.666, is amended to read:

**138.666 COOPERATION.**

The state, state departments and agencies, political subdivisions, and the Board of Regents of the University of Minnesota shall cooperate with the Minnesota Historical Society and the State Historic Preservation Office in safeguarding state historic sites and in the preservation of historic and archaeological properties.

Sec. 30. Minnesota Statutes 2018, section 138.667, is amended to read:

**138.667 HISTORIC PROPERTIES; CHANGES.**

Properties designated as historic properties by sections 138.661 to 138.664 may be changed from time to time, and the Minnesota Historical Society and the State Historic Preservation Office shall notify the legislature of the need for changes, and shall make recommendations to keep the state historic sites network and the state register of historic places current and complete. The significance of properties proposed for designation under section 138.663, subdivision 2, shall be documented under the documentation standards established by the ~~Minnesota Historical Society~~ State Historic Preservation Office. ~~This~~ Documentation shall include the opinion of the Minnesota Historical Society for the historic sites network under section 138.661, subdivision 3, or the State Historic Preservation Office for the state register of historic places under section 138.663, subdivision 2, as to whether the property meets the selection criteria.

Sec. 31. Minnesota Statutes 2018, section 138.763, subdivision 1, is amended to read:

Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of 22 members with the director of the Minnesota Historical Society as chair. The members include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's designee; the president of the Minneapolis Park and Recreation Board or the president's designee; the superintendent of the park board; two members each from the house of representatives appointed by the speaker, the senate appointed by the Rules Committee, the city council, the Hennepin County Board, and the park board; one member each from the preservation commission, the State Historic Preservation Office, Hennepin County Historical Society, and the society; one person appointed by the park board; and two persons appointed by the chair of the board.

Sec. 32. Minnesota Statutes 2018, 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) registration of hair braiders, \$20 per year;~~
  - ~~(7) (6)~~ \$100 for each temporary military license for a cosmetologist, nail technician, esthetician, or advanced practice esthetician one-year fee;
  - ~~(8) (7)~~ expedited initial individual license, \$150;
  - ~~(9) (8)~~ expedited initial salon license, \$300;
  - ~~(10) (9)~~ instructor continuing education provider approval, \$150 each year; and
  - ~~(11) (10)~~ practitioner continuing education provider approval, \$150 each year.

Sec. 33. Minnesota Statutes 2018, section 155A.28, is amended by adding a subdivision to read:

Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the requirements of this chapter.



Sec. 34. Minnesota Statutes 2018, section 240.01, is amended by adding a subdivision to read:

Subd. 18a. **Racing or gaming-related vendor.** "Racing or gaming-related vendor" means any person or entity that manufactures, sells, provides, distributes, repairs or maintains equipment or supplies used at a Class A facility, or provides services to a Class A facility or Class B license holder that are directly related to the running of a horse race, simulcasting, pari-mutuel betting, or card playing.

Sec. 35. Minnesota Statutes 2018, section 240.02, subdivision 2, is amended to read:

Subd. 2. **Qualifications.** A member of the commission must have been a resident of Minnesota for at least five years before appointment, and must have a background and experience as would qualify for membership on the commission. ~~A member must, before taking a place on the commission, file a bond in the principal sum of \$100,000 payable to the state, conditioned upon the faithful performance of duties.~~ No commissioner, nor any member of the commissioner's immediate family residing in the same household, may hold a license issued by the commission or have a direct or indirect financial interest in a corporation, partnership, or association which holds a license issued by the commission.

Sec. 36. Minnesota Statutes 2018, section 240.02, subdivision 6, is amended to read:

Subd. 6. **Annual Biennial report.** The commission shall on February 15 of each odd-numbered year submit a report to the governor and legislature on its activities, organizational structure, receipts and disbursements, including specific detail on the use of amounts statutorily appropriated to the commission under this chapter, and recommendations for changes in the laws relating to racing and pari-mutuel betting.

Sec. 37. Minnesota Statutes 2018, section 240.08, subdivision 5, is amended to read:

Subd. 5. **Revocation and suspension.** (a) After providing a licensee with notice and an opportunity to be heard, the commission may:

(1) revoke a class C license for a violation of law or rule which in the commission's opinion adversely affects the integrity of horse racing in Minnesota, the public health, welfare, or safety, or for an intentional false statement made in a license application; or

~~The commission may~~ (2) suspend a class C license for up to ~~one year~~ five years for a violation of law, order or rule. If the license expires during the term of suspension, the licensee shall be ineligible to apply for another license from the commission until the expiration of the term of suspension.

(b) The commission may delegate to its designated agents the authority to impose suspensions of class C licenses, ~~and,~~

(c) Except as provided in paragraph (d), the ~~revocation or~~ suspension of a class C license may be appealed to the commission according to its rules.

~~(b) A license revocation or suspension for more than 90 days is a contested case under sections 14.57 to 14.69 of the Administrative Procedure Act and is in addition to criminal penalties imposed for a violation of law or rule.~~

(d) If the commission revokes or suspends a class C license for more than one year, the licensee has the right to appeal by requesting a contested case hearing under chapter 14. The request must be made in writing and sent to the commission by certified mail or personal service. A request sent by certified mail must be postmarked within ten days after the licensee receives the order of revocation or suspension from the commission. A request sent by personal service must be received by the commission within ten days after the licensee receives the order of revocation or suspension from the commission.

~~(e) The commission may summarily suspend a license for more than up to 90 days prior to a contested case hearing where it is necessary to ensure the integrity of racing or to protect the public health, welfare, or safety. A contested case hearing must be held within 30 days of the summary suspension and the administrative law judge's report must be issued within 30 days from the close of the hearing record. In all cases involving summary suspension the commission must issue its final decision within 30 days from receipt of the report of the administrative law judge and subsequent exceptions and argument under section 14.61. The licensee has the right to appeal a summary suspension to the commission according to its rules.~~

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

Sec. 38. Minnesota Statutes 2018, section 240.10, is amended to read:

**240.10 LICENSE FEES.**

(a) The fee for a class A license is \$253,000 per year and must be remitted on July 1. The fee for a class B license is \$500 for each assigned racing day and \$100 for each day on which simulcasting is authorized and must be remitted on July 1. The fee for a class D license is \$50 for each assigned racing day on which racing is actually conducted. Fees imposed on class D licenses must be paid to the commission at a time and in a manner as provided by rule of the commission.

(b) The commission shall by rule establish an annual license fee for each occupation it licenses under section 240.08.

(c) The initial annual license application fee for a class C license to provide advance deposit wagering on horse racing under this chapter is \$10,000 and an annual license fee of \$2,500 applies thereafter.

(d) Notwithstanding section 16A.1283, the commission shall by rule establish an annual license fee for each type of racing or gaming-related vendor it licenses, not to exceed \$2,500.

Sec. 39. Minnesota Statutes 2018, section 240.12, is amended to read:

**240.12 LICENSE AGREEMENTS.**

The commission may enter into agreements or compacts with comparable bodies in other racing jurisdictions for the mutual recognition of occupational licenses issued by each body. The commission may by rule provide for and may charge a fee for the registration of each license issued in another jurisdiction.

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

Sec. 40. Minnesota Statutes 2018, section 240.13, subdivision 5, is amended to read:

Subd. 5. **Purses.** (a) From the amounts deducted from all pari-mutuel pools by a licensee, including breakage, an amount equal to not less than the following percentages of all money in all pools must be set aside by the licensee and used for purses for races conducted by the licensee, provided that a licensee may agree by contract with an organization representing a majority of the horsepersons racing the breed involved to set aside amounts in addition to the following percentages, if the contract is in writing and ~~filed with~~ reviewed by the commission for compliance with this subdivision:

(1) for live races conducted at a class A facility, 8.4 percent of handle;

(2) for simulcasts conducted any day a class A facility is licensed, not less than 37 percent of the ~~takeout amount~~ remaining after deduction for the state pari-mutuel tax, payment to the breeders fund, and payment to the sending out-of-state racetrack for receipt of the signal.

The commission may by rule provide for the administration and enforcement of this subdivision. The deductions for payment to the sending out-of-state racetrack must be actual, except that when there exists any overlap of ownership, control, or interest between the sending out-of-state racetrack and the receiving licensee, the deduction must not be greater than three percent unless agreed to between the licensee and the horsepersons' organization representing the majority of horsepersons racing the breed racing the majority of races during the existing racing meeting or, if outside of the racing season, during the most recent racing meeting.

The licensee shall pay to the commission for deposit in the Minnesota breeders fund 5-1/2 percent of the takeout from all pari-mutuel pools generated by wagering at the licensee's facility on simulcasts of races not conducted in this state.

(b) ~~From the money set aside for purses,~~ The licensee shall pay to the horseperson's organization representing the majority of the horsepersons racing the breed involved and contracting with the licensee with respect to purses and the conduct of the racing meetings and providing representation to its members, an amount as may be determined by agreement by the licensee and the horsepersons' organization sufficient to provide benevolent programs, benefits, and services for horsepersons and their on-track employees. The amount paid may be deducted ~~only~~ from the money set aside for purses to be paid in races for the breed represented by the horseperson's organization or may be paid from breakage retained by the licensee from live or simulcast wagering as agreed between the licensee and horsepersons' organization. With respect to racing meetings where more than one breed is racing, the licensee may contract independently with the horseperson's organization representing each breed racing. The contract must be in writing and reviewed by the commission for compliance with this subdivision.

(c) Notwithstanding sections 325D.49 to 325D.66, a horseperson's organization representing the majority of the horsepersons racing a breed at a meeting, and the members thereof, may agree to withhold horses during a meeting.

(d) Money set aside for purses from wagering on simulcasts must be used for purses for live races involving the same breed involved in the simulcast except that money set aside for purses and payments to the breeders fund from wagering on simulcasts of races not conducted in this state, occurring during a live mixed meet, must be allotted to the purses and breeders fund for each breed participating in the mixed meet as agreed upon by the breed organizations participating in the live mixed meet. The agreement shall be in writing and ~~filed with~~ reviewed by the commission for compliance with this subdivision prior to the first day of the live mixed meet. In the absence of a written agreement ~~filed with~~ reviewed by the commission, the money set aside for purses and payments to the breeders fund from wagering on simulcasts, occurring during a live mixed meet, shall be allotted to each breed participating in the live mixed meet in the same proportion that the number of live races run by each breed bears to the total number of live races conducted during the period of the mixed meet.

(e) The allocation of money set aside for purses to particular racing meets may be adjusted, relative to overpayments and underpayments, by contract between the licensee and the horsepersons' organization representing the majority of horsepersons racing the breed involved at the licensee's facility. The contract must be in writing and reviewed by the commission for compliance with this subdivision.

(f) Subject to the provisions of this chapter, money set aside from pari-mutuel pools for purses must be for the breed involved in the race that generated the pool, except that if the breed involved in the race generating the pari-mutuel pool is not racing in the current racing meeting, or has not raced within the preceding 12 months at the licensee's class A facility, money set aside for purses may be distributed proportionately to those breeds that have run during the preceding 12 months or paid to the commission and used for purses or to promote racing for the breed involved in the race generating the pari-mutuel pool, or both, in a manner prescribed by the commission.

(g) This subdivision does not apply to a class D licensee.

Sec. 41. Minnesota Statutes 2018, section 240.131, subdivision 7, is amended to read:

Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent of all amounts wagered by Minnesota residents with an authorized advance deposit wagering provider. The fee shall be declared on a form prescribed by the commission. The ADW provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of the month in which the wager was made. Fees collected under this paragraph must be deposited in the state treasury and credited to a racing and card-playing regulation account in the special revenue fund and are appropriated to the commission to offset the costs associated with regulating horse racing and pari-mutuel wagering in Minnesota.

(b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all amounts wagered by Minnesota residents with an authorized advance deposit wagering provider. The fee shall be declared on a form prescribed by the commission. The ADW provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of the month in which the wager was made. Fees collected under this paragraph must be deposited in the state treasury and credited to a racing and card-playing regulation account in the special revenue fund and are appropriated to the commission to offset the cost of administering the breeders fund and promote horse breeding in Minnesota.

Sec. 42. Minnesota Statutes 2018, section 240.135, is amended to read:

#### **240.135 CARD CLUB REVENUE.**

(a) From the amounts received from charges authorized under section 240.30, subdivision 4, the licensee shall set aside the amounts specified in this section to be used for purse payments. These amounts are in addition to the breeders fund and purse requirements set forth elsewhere in this chapter.

(1) For amounts between zero and \$6,000,000, the licensee shall set aside not less than ten percent to be used as purses.

(2) For amounts in excess of \$6,000,000, the licensee shall set aside not less than 14 percent to be used as purses.

(b) From all amounts set aside under paragraph (a), the licensee shall set aside ten percent to be deposited in the breeders fund.

(c) It is the intent of the legislature that the proceeds of the card playing activities authorized by this chapter be used to improve the horse racing industry by improving purses. The licensee and the horseperson's organization representing the majority of horsepersons who have raced at the racetrack during the preceding 12 months may negotiate percentages that exceed those stated in this section if the agreement is in writing and ~~filed with~~ reviewed by the commission for compliance with this section. The commission shall annually review the financial details of card playing activities and determine if the present use of card playing proceeds is consistent with the policy established by this paragraph. If the commission determines that the use of the proceeds does not comply with the policy set forth herein, then the commission shall direct the parties to make the changes necessary to ensure compliance. If these changes require legislation, the commission shall make the appropriate recommendations to the legislature.

Sec. 43. Minnesota Statutes 2018, section 240.15, subdivision 6, is amended to read:

Subd. 6. **Disposition of proceeds; account.** The commission shall distribute all money received under this section, and, except as provided otherwise by section 240.131, all money received from license fees, regulatory fees, and fines it collects, according to this subdivision. All money designated for deposit in the Minnesota breeders fund

must be paid into that fund for distribution under section 240.18 except that all money generated by simulcasts must be distributed as provided in section 240.18, subdivisions 2, paragraph (d), clauses (1), (2), and (3); and 3. Revenue from an admissions tax imposed under subdivision 1 must be paid to the local unit of government at whose request it was imposed, at times and in a manner the commission determines. Taxes received under this section must be paid to the commissioner of management and budget for deposit in the general fund. All revenues from licenses and other fees imposed by the commission must be deposited in the state treasury and credited to a racing and card playing regulation account in the special revenue fund. Receipts in this account are available for the operations of the commission up to the amount authorized in biennial appropriations from the legislature. If a fiscal biennium ends without the enactment of an appropriation to the commission for the following biennium, receipts in this account are annually appropriated to the commission for the operations of the commission up to the amount authorized in the second year of the most recently enacted biennial appropriation, until a biennial appropriation is enacted.

Sec. 44. Minnesota Statutes 2018, section 240.155, subdivision 1, is amended to read:

Subdivision 1. **Reimbursement account credit.** Money received by the commission as reimbursement for the costs of services provided by veterinarians, stewards, ~~and~~ medical testing of horses, and fees received by the commission in the form of fees for regulatory services must be deposited in the state treasury and credited to a racing reimbursement account in the special revenue fund, except as provided under subdivision 2. Receipts are appropriated, within the meaning of Article XI, section 1, of the Minnesota Constitution, to the commission to pay the costs of providing the services and all other costs necessary to allow the commission to fulfill its regulatory oversight duties required by chapter 240 and commission rule. If the major appropriation bills needed to finance state government are not enacted by the beginning of a fiscal biennium, the commission shall continue operations as required by chapter 240 and commission rule.

Sec. 45. **[240.1561] APPROPRIATION FOR FUNCTIONS SUPPORTING ONGOING OPERATION OF THE RACING COMMISSION.**

If, by July 1 of an odd-numbered year, legislation has not been enacted to appropriate money for the next biennium to the commissioner of management and budget for central accounting, procurement, payroll, and human resources functions, amounts necessary to operate those functions associated with operation of the Racing Commission under chapter 240 are appropriated for the next biennium from the general fund to the commissioner of management and budget. As necessary, the commissioner may transfer a portion of this appropriation to other state agencies to support carrying out these functions. Any subsequent appropriation to the commissioner of management and budget for a biennium in which this section has been applied shall supersede and replace the funding authorized in this section.

Sec. 46. Minnesota Statutes 2018, section 240.16, subdivision 1, is amended to read:

Subdivision 1. **Powers and duties.** All horse races run at a licensed racetrack must be presided over by a board of three stewards, who must be appointees of the commission or persons approved by it. The commission shall designate one steward as chair. At least two stewards for all races either shall be employees of the commission who shall serve in the unclassified service, or shall be under contract with the commission to serve as stewards. The commission may delegate the following duties and powers to a board of stewards:

- (1) to ensure that races are run in accordance with the commission's rules;
- (2) to supervise the conduct of racing to ensure the integrity of the sport;
- (3) to settle disputes arising from the running of horse races, and to certify official results;

(4) to impose on licensees, for violation of law or commission rules, fines ~~not exceeding \$5,000 and license suspensions not exceeding 90 days~~ of up to \$10,000, suspensions of up to one year, and other sanctions as delegated by the commission or permitted under its rules;

(5) to recommend to the commission where warranted penalties in excess of those in clause (4);

(6) to otherwise enforce the laws and rules of racing; and

(7) to perform other duties and have other powers assigned by the commission.

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

Sec. 47. Minnesota Statutes 2018, section 240.16, subdivision 2, is amended to read:

Subd. 2. **Appeals; hearings.** Except as provided by section 240.08, subdivision 5, a ruling of a board of stewards may be appealed to the commission or be reviewed by it. The commission may review any ruling by the board of stewards on its own initiative. The commission may provide for appeals to be heard by less than a quorum of the commission. A hearing on a penalty imposed by a board of stewards must be granted on request.

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

Sec. 48. Minnesota Statutes 2018, section 240.18, subdivision 2, is amended to read:

Subd. 2. **Thoroughbred and quarterhorse categories.** (a) With respect to available money apportioned in the thoroughbred and quarterhorse categories, 20 percent must be expended as follows:

(1) at least one-half in the form of grants, contracts, or expenditures for equine research and related education at ~~the University of Minnesota School of Veterinary Medicine~~ public institutions of postsecondary learning in the state; and

(2) the balance in the form of grants, contracts, or expenditures for one or more of the following:

(i) additional equine research and related education;

(ii) substance abuse programs for licensed personnel at racetracks in this state; and

(iii) promotion and public information regarding industry and commission activities; racehorse breeding, ownership, and management; and development and expansion of economic benefits from racing.

(b) As a condition of a grant, contract, or expenditure under paragraph (a), the commission shall require an annual report from the recipient on the use of the funds ~~to the commission, the chair of the house of representatives Committee on General Legislation, Veterans Affairs, and Gaming, and the chair of the senate committee on Gaming Regulation.~~

(c) The commission shall include in its ~~annual~~ biennial report a summary of each grant, contract, or expenditure under paragraph (a), clause (2), and a description of how the commission has coordinated activities among recipients to ensure the most efficient and effective use of funds.

(d) After deducting the amount for paragraph (a), the balance of the available proceeds in each category may be expended by the commission to:

(1) supplement purses for races held exclusively for Minnesota-bred or Minnesota-foaled horses, and supplement purses for Minnesota-bred or Minnesota-foaled horses racing in nonrestricted races in that category;

(2) pay breeders' or owners' awards to the breeders or owners of Minnesota-bred horses in that category which win money at ~~licensed pari-mutuel racetracks in the state~~ licensed by any state or province; and

(3) provide other financial incentives to encourage the horse breeding industry in Minnesota.

Sec. 49. Minnesota Statutes 2018, section 240.18, subdivision 3, is amended to read:

Subd. 3. **Standardbred category.** (a) With respect to the available money apportioned in the standardbred category, 20 percent must be expended as follows:

(1) one-half of that amount to supplement purses for standardbreds at non-pari-mutuel racetracks in the state; and

~~(2) one-fourth of that amount for the development of non-pari-mutuel standardbred tracks in the state; and~~

~~(3) one-fourth~~ (2) one-half of that amount as grants for equine research and related education at public institutions of postsecondary learning in the state.

(b) After deducting the amount for paragraph (a), the balance of the available proceeds in the standardbred category must be expended by the commission to:

(1) supplement purses for races held exclusively for Minnesota-bred and Minnesota-foaled standardbreds;

(2) pay breeders or owners awards to the breeders or owners of Minnesota-bred standardbreds which win money at licensed racetracks in the state; and

(3) provide other financial incentives to encourage the horse breeding industry in Minnesota.

Sec. 50. Minnesota Statutes 2018, section 240.22, is amended to read:

#### **240.22 FINES.**

(a) The commission shall by rule establish a schedule of civil fines of up to \$50,000 for a class C licensee and up to \$200,000 for a class A, B, or D licensee for violations of laws related to horse racing or of the commission's rules. The schedule must be based on and reflect the culpability, frequency and severity of the violator's actions. The commission may impose a fine from this schedule on a licensee for a violation of those rules or laws relating to horse racing. The fine is in addition to any criminal penalty imposed for the same violation. Except as provided in paragraph (b), fines may be appealed to the commission according to its rules. Fines imposed by the commission must be paid to the commission and except as provided in paragraph (c), forwarded to the commissioner of management and budget for deposit in the state treasury and credited to a racing and card-playing regulation account in the special revenue fund and appropriated to the commission to distribute in the form of grants, contracts, or expenditures to support racehorse adoption, retirement, and repurposing.

(b) If the commission issues a fine in excess of ~~\$5,000~~ \$10,000, the license holder has the right to request a contested case hearing under chapter 14, to be held as set forth in Minnesota Rules, chapter 1400. The appeal of a fine must be made in writing to the commission by certified mail or personal service. An appeal sent by certified mail must be postmarked within ten days after the license holder receives the fine order from the commission. An appeal sent by personal service must be received by the commission within ten days after the license holder receives the fine order from the commission.

(c) If the commission is the prevailing party in a contested case proceeding, the commission may recover, from amounts to be forwarded under paragraph (a), reasonable attorney fees and costs associated with the contested case.

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

Sec. 51. Minnesota Statutes 2018, section 240.27, is amended to read:

**240.27 EXCLUSION OF CERTAIN PERSONS.**

Subdivision 1. **Persons excluded.** The commission may exclude from any and all licensed racetracks in the state a person who:

(1) has been convicted of a felony under the laws of any state or the United States;

(2) has had a license suspended, revoked, or denied by the commission or by the racing authority of any other jurisdiction; or

(3) is determined by the commission, on the basis of evidence presented to it, to be a threat to the public safety or the integrity of racing or card playing in Minnesota.

Subd. 2. **Hearing; appeal.** An order to exclude ~~a~~ an unlicensed person from any or all licensed racetracks in the state must be made by the commission ~~at~~ following a public hearing of which the person to be excluded must have had at least five days' notice. If present at the hearing, the person must be permitted to show cause why the exclusion should not be ordered. An appeal of the order may be made in the same manner as other appeals under section 240.20.

Subd. 3. **Notice to racetracks.** Upon issuing an order excluding a person from any or all licensed racetracks, the commission shall send a copy of the order to the excluded person and to all racetracks or telereading facilities named in it, along with other information as it deems necessary to permit compliance with the order.

Subd. 4. **Prohibitions.** It is a gross misdemeanor for a person named in an exclusion order to enter, attempt to enter, or be on the premises of a racetrack named in the order while it is in effect, and for a person licensed to conduct racing or operate a racetrack knowingly to permit an excluded person to enter or be on the premises.

Subd. 5. **Exclusions by racetrack.** ~~The holder of a license to conduct racing may eject and exclude from its premises any licensee or any other person who is in violation of any state law or commission rule or order or who is a threat to racing integrity or the public safety. A person so excluded from racetrack premises may appeal the exclusion to the commission and must be given a public hearing on the appeal upon request. At the hearing the person must be given the opportunity to show cause why the exclusion should not have been ordered. If the commission after the hearing finds that the integrity of racing and the public safety do not justify the exclusion, it shall order the racetrack making the exclusion to reinstate or readmit the person. An appeal of a commission order upholding the exclusion is governed by section 240.20. A licensed racetrack may eject and exclude from its premises any person for any lawful reason. If a licensed racetrack excludes a person for a suspected or potential violation of law or rule, or if a licensed racetrack excludes any person for more than five days, the licensed racetrack shall provide the person's name and reason for the exclusion to the commission within 72 hours.~~



Sec. 52. Minnesota Statutes 2018, section 240.30, subdivision 9, is amended to read:

Subd. 9. **Reimbursement to commission.** The commission shall require that the licensee reimburse it for the commission's actual costs, including personnel costs, of regulating the card club. Amounts received under this subdivision must be deposited as provided in section 240.155, subdivision 1, and are appropriated to the commission.

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

Sec. 53. Minnesota Statutes 2018, section 240A.09, is amended to read:

**240A.09 PLAN DEVELOPMENT; CRITERIA.**

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

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

(b) The commission must give priority to grant applications for indoor air quality improvements and projects that eliminate R-22. For purposes of this section:

(1) "indoor air quality improvements" means: (i) renovation or replacement of heating, ventilating, and air conditioning systems in existing indoor ice arenas whose ice resurfacing and ice edging equipment are not powered by electricity in order to reduce concentrations of carbon monoxide and nitrogen dioxide; and (ii) acquisition of zero-emission ice resurfacing and ice edging equipment. The new or renovated systems may include continuous electronic air monitoring devices to automatically activate the ventilation systems when the concentration of carbon monoxide or nitrogen dioxide reaches a predetermined level; and

(2) "projects that eliminate R-22," means replacement of ice-making systems in existing public facilities that use R-22 as a refrigerant, with systems that use alternative non-ozone-depleting refrigerants.

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

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

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

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

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

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

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

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

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

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

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

(j) To the extent possible, technical assistance shall be provided to Minnesota communities by the commission on ice arena planning, design, and operation, including the marketing of ice time and on projects described in paragraph (b).

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

(l) The commission may make grants for rehabilitation and renovation. A rehabilitation or renovation grant for air quality may not exceed \$200,000 and a rehabilitation or renovation grant for R-22 elimination may not exceed ~~\$50,000~~ \$250,000 for indirect cooling systems and may not exceed ~~\$400,000~~ \$500,000 for direct cooling systems. Priority must be given to grant applications for indoor air quality improvements, including zero emission ice resurfacing equipment, and for projects that eliminate R-22.

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

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

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

Sec. 54. Minnesota Statutes 2018, section 307.08, is amended to read:

**307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS; BURIALS; CEMETERIES; PENALTY; AUTHENTICATION ASSESSMENT.**

Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative intent that all human burials, human remains, and ~~human burial grounds~~ cemeteries 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~~ cemeteries found on or in all public or private lands or waters in Minnesota.

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~~ cemetery, or associated grave goods; or

(2) without the consent of the appropriate authority, disturbs ~~human burial grounds~~ a cemetery or removes human remains or associated grave goods.

(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~~ assessed cemetery; 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~~ a cemetery 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 cemeteries or at the discretion of the state archaeologist in the case of ~~non-Indian burials~~ non-American Indian cemeteries. This subdivision does not require posting of a ~~burial ground~~ cemetery. 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 Cemeteries; records and condition assessments.** ~~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 Indian burial grounds are to be disturbed or probable Indian remains analyzed, 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.~~ (a) Cemeteries shall be assessed according to this subdivision.

(b) 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.

(c) The cemetery condition assessment of non-American Indian cemeteries 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.

(d) The cemetery condition assessment of American Indian cemeteries is at the discretion of the Indian Affairs Council based on the needs identified in this section or upon request by an agency, a landowner, or other appropriate authority.

(e) The cemetery condition assessment of cemeteries that include American Indian and non-American Indian remains or include remains whose ancestry cannot be determined shall be assessed at the discretion of the state archaeologist in collaboration with the Indian Affairs Council based on the needs identified in this section or upon request by an agency, a landowner, or other appropriate authority.

(f) The state archaeologist and the Indian Affairs Council shall have 90 days from the date a request is received to conduct a cemetery condition assessment or provide notice to the requester whether or not a condition assessment of a cemetery is needed.

(g) The state archaeologist and the Indian Affairs Council may retain the services of a qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate experts for the purpose of gathering information that the state archaeologist or the Indian Affairs Council can use to assess or identify cemeteries.

Subd. 5. ~~Cost; use of data.~~ The cost of ~~authentication~~ condition assessment, recording, surveying, and marking ~~burial grounds~~ cemeteries 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 Office of MN.IT 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 utmost respect for all human dignity and dealt with according to the provisions of this section.

(b) If deemed necessary for identification purposes by the Indian Affairs Council, removed remains shall be studied in a timely and respectful manner by appropriate experts designated by the Indian Affairs Council.

(c) If ~~such~~ the 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, as specified in subdivision 3a, paragraph (e).

(d) If ~~such~~ the burials ~~are~~ include American Indian remains, as determined by the state archaeologist, ~~efforts shall be made by they~~ must be dealt with as provided by the provisions of subdivision 3a, paragraph (d). The state archaeologist and the Indian Affairs Council ~~to shall~~ ascertain their tribal identity. ~~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.~~ of the remains in consultation with appropriate experts designated by the Indian Affairs Council.

(e) If tribal identity of the remains cannot be determined, the American 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.~~

Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission to develop or disturb nonburial areas within ~~authenticated~~ an assessed or recorded ~~burial grounds~~ cemetery shall be made to the:

(1) ~~to the~~ state archaeologist and other appropriate authority in the case of ~~non-Indian~~ non-American Indian burials; and

(2) ~~to the~~ Indian Affairs Council and other appropriate authority in the case of American Indian burials.

(b) Landowners with ~~authenticated known~~ or suspected human ~~burial grounds~~ cemeteries on their property are obligated to inform prospective buyers of the ~~burial ground~~ cemetery.

Subd. 8. **Burial-ground Cemetery relocation.** No ~~non-Indian burial-ground non-American Indian cemetery~~ may be relocated without the consent of the appropriate authority. No American Indian burial-ground cemetery may be relocated unless the request to relocate is approved by the Indian Affairs Council. When a ~~burial-ground cemetery~~ 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 cemeteries~~ are ~~authenticated~~ assessed 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~~ cemeteries 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 and prior to any disturbance within the ~~burial area~~ cemetery. If ~~the known or suspected burials are~~ the cemetery is thought to be Indian American Indian, or the project is within 300 feet of American Indian cemeteries, American Indian burial features, historic American Indian villages, or historic American Indian cultural features, 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 cemetery~~ 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 data 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 data maintained on the site~~ this data 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.

(b) The Indian Affairs Council or state archaeologist may bring legal action to prosecute any violation of this subdivision. A violation may be prosecuted by the city or county attorney or by the attorney general.

Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for the purpose of ~~authenticating burial sites~~ identifying or assessing cemetery sites. A designated representative of the Indian Affairs Council may enter on property, in collaboration with the state archaeologist, for the purpose of identifying or assessing American Indian cemeteries. Only after obtaining permission from the property owner or lessee, descendants of persons buried in ~~burial grounds~~ cemeteries covered by this section may enter the ~~burial grounds~~ cemetery 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. The right of entry cannot be denied unless an unreasonable burden can be shown by the property owners.

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~~ cemetery sites;
- (2) the Indian Affairs Council in the case of American Indian ~~burial grounds~~ cemetery sites 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 burial grounds~~ non-American Indian cemetery sites 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"~~ "Assess" means to establish the presence of or high potential ~~of human burials~~ for a cemetery or human skeletal remains being located in a discrete area, delimit the boundaries of ~~human burial grounds~~ the cemetery 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)~~ (f) "Cemetery" means a discrete location that is known to contain or intended to be used for the interment of human remains, or has high potential to contain human remains based on physical evidence, historical records, or reliable informant accounts.

~~(h)~~ (g) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting of a ~~human burial or human burial ground~~ cemetery.

~~(i)~~ (h) "Grave goods" means objects or artifacts directly associated with human burials or ~~human burial grounds~~ cemeteries that were placed as part of a mortuary ritual at the time of interment.

~~(j)~~ (i) "Human remains" means ~~the calcified portion of the human body~~ the body of a deceased person in whole or in parts, regardless of the state of decomposition, not including isolated teeth, ~~or cremated remains deposited in a container or discrete feature.~~

~~(k)~~ (j) "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)~~ (k) "American Indian cemetery" means a discrete location that is known to contain or has a high potential to contain American Indian human remains based on physical evidence, historical records, or reliable informant accounts.

(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~~ forensic anthropologist" means a specialist in identifying human remains who holds an advanced degree in forensic 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. 55. Minnesota Statutes 2018, section 326A.01, subdivision 2, is amended to read:

Subd. 2. **Attest.** "Attest" means providing any of the following services:

(1) an audit or other engagement performed in accordance with the Statements on Auditing Standards (SAS);

(2) an audit or other engagement performed in accordance with the Generally Accepted Government Auditing Standards (GAGAS);

(3) a review of a financial statement performed in accordance with the Statements on Standards for Accounting and Review Services (SSARS);

~~(4)~~ (4) an examination of prospective financial information performed in accordance with the Statements on Standards for Attestation Engagements (SSAE);

(4) (5) an engagement performed in accordance with the standards of the Public Company Accounting Oversight Board (PCAOB); and

~~(5)~~ (6) an examination, review, or agreed-upon procedures engagement performed in accordance with SSAE, other than an examination described in clause (3).

Sec. 56. Minnesota Statutes 2018, section 326A.04, subdivision 4, is amended to read:

Subd. 4. **Program of learning.** Each licensee shall participate in a program of learning designed to maintain professional competency. The program of learning must comply with rules adopted by the board. The board may by rule create an exception to this requirement for licensees who do not perform or offer to perform for the public one or more kinds of services involving the use of ~~accounting or~~ auditing skills, including issuance of reports on ~~financial statements or of one or more kinds of:~~ attest or compilation engagements, management advisory services, financial advisory services, or consulting services, ~~or the preparation of tax returns or the furnishing of advice on tax matters.~~ A licensee granted such an exception by the board must place the word "inactive" ~~or "retired," if applicable,~~ adjacent to the CPA title on any business card, letterhead, or any other document or device, with the exception of the licensee's certificate on which the CPA title appears.

Sec. 57. Minnesota Statutes 2018, section 326A.04, subdivision 5, is amended to read:

Subd. 5. **Fee.** (a) The board shall charge a fee for each application for initial issuance or renewal of a certificate or temporary military certificate under this section as provided in paragraph (b). ~~The fee for the temporary military certificate is \$100.~~

(b) The board shall charge the following fees:

- (1) initial issuance of certificate, \$150;
- (2) renewal of certificate with an active status, \$100 per year;
- (3) initial CPA firm permits, except for sole practitioners, \$100;
- (4) renewal of CPA firm permits, except for sole practitioners and those firms specified in clause ~~(47)~~ (16), \$35 per year;
- (5) initial issuance and renewal of CPA firm permits for sole practitioners, except for those firms specified in clause ~~(47)~~ (16), \$35 per year;
- (6) annual late processing delinquency fee for permit, certificate, or registration renewal applications not received prior to expiration date, \$50;
- (7) copies of records, per page, 25 cents;
- (8) registration of noncertificate holders, nonlicensees, and nonregistrants in connection with renewal of firm permits, \$45 per year;
- (9) applications for reinstatement, \$20;
- (10) initial registration of a registered accounting practitioner, \$50;
- (11) initial registered accounting practitioner firm permits, \$100;
- (12) renewal of registered accounting practitioner firm permits, except for sole practitioners, \$100 per year;
- (13) renewal of registered accounting practitioner firm permits for sole practitioners, \$35 per year;
- ~~(14) CPA examination application, \$40;~~
- ~~(45)~~ (14) CPA examination, fee determined by third-party examination administrator;
- ~~(46)~~ (15) renewal of certificates with an inactive status, \$25 per year; ~~and~~
- ~~(47)~~ (16) renewal of CPA firm permits for firms that have one or more offices located in another state, \$68 per year; and
- (17) temporary military certificate, \$100.

Sec. 58. **[326A.045] RETIRED STATUS.**

Subdivision 1. Retired status requirements. The board shall grant retired status to a person who meets the following criteria:

- (1) is age 55 or older;



(2) holds a current active license to practice public accounting under this chapter with a license status of active, inactive, or exempt under Minnesota Rules, part 1105.3700;

(3) declares that he or she is not practicing public accounting in any jurisdiction;

(4) was in good standing with the board at the time the person last held a license under this chapter; and

(5) submits an application for retired status on a form provided by the board.

Subd. 2. **Retired status effect.** Retired status is an honorific status. Retired status is not a license to engage in the practice of public accounting. A person granted retired status shall not perform or offer to perform services for which a license under this chapter is required.

Subd. 3. **Documentation of status.** The board shall provide to a person granted retired status a document stating that retired status has been granted.

Subd. 4. **Representation to the public.** A person granted retired status may represent themselves as "Certified Public Accountant - Retired," "CPA - Retired," "Retired Certified Public Accountant," or "Retired CPA," but shall not represent themselves or allow themselves to be represented to the public as a current licensee of the board.

Subd. 5. **Continuing education not required.** A person is not required to comply with the continuing education requirements in section 326A.04, subdivision 4, to acquire or maintain retired status.

Subd. 6. **Renewal not required.** A person granted retired status is not required to renew the person's registration or pay renewal fees to maintain retired status.

Subd. 7. **Change to active or inactive status.** The board shall change a license status from retired to active or inactive if a person with retired status requests a status change and meets requirements for reactivation prescribed by rule.

Sec. 59. Minnesota Statutes 2018, section 326A.08, subdivision 4, is amended to read:

Subd. 4. **Cease and desist orders.** (a) The board, or the complaint committee if authorized by the board, may issue and have served upon a certificate holder, a permit holder, a registration holder, a person with practice privileges granted under section 326A.14, a person who has previously been subject to a disciplinary order by the board, or an unlicensed firm or person an order requiring the person or firm to cease and desist from the act or practice constituting a violation of the statute, rule, or order. The order must be calculated to give reasonable notice of the rights of the person or firm to request a hearing and must state the reasons for the entry of the order. No order may be issued until an investigation of the facts has been conducted pursuant to section 214.10.

(b) Service of the order is effective when the order is served on the person, firm, or counsel of record personally, or by certified mail to the most recent address provided to the board for the person, firm, or counsel of record. ~~may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service.~~

(c) Unless otherwise agreed by the board, or the complaint committee if authorized by the board, and the person or firm requesting the hearing, the hearing must be held no later than 30 days after the request for the hearing is received by the board.

(d) The administrative law judge shall issue a report within 30 days of the close of the contested case hearing record, notwithstanding Minnesota Rules, part 1400.8100, subpart 3. Within 30 days after receiving the report and any exceptions to it, the board shall issue a further order vacating, modifying, or making permanent the cease and desist orders as the facts require.

(e) If no hearing is requested within 30 days of service of the order, the order becomes final and remains in effect until it is modified or vacated by the board.

(f) If the person or firm to whom a cease and desist order is issued fails to appear at the hearing after being duly notified, the person or firm is in default and the proceeding may be determined against that person or firm upon consideration of the cease and desist order, the allegations of which may be considered to be true.

(g) In lieu of or in addition to the order provided in paragraph (a), the board may require the person or firm to provide to the board a true and complete list of the person's or firm's clientele so that they can, if deemed necessary, be notified of the board's action. Failure to do so, or to provide an incomplete or inaccurate list, is an act discreditable.

Sec. 60. Minnesota Statutes 2018, section 326A.08, subdivision 5, is amended to read:

Subd. 5. **Actions against persons or firms.** (a) The board may, by order, deny, refuse to renew, suspend, temporarily suspend, or revoke the application, or practice privileges, registration or certificate of a person or firm; censure or reprimand the person or firm; prohibit the person or firm from preparing tax returns or reporting on financial statements; limit the scope of practice of any licensee; limit privileges under section 326A.14; refuse to permit a person to sit for examination; or refuse to release the person's examination grades if the board finds that the order is in the public interest and that, based on a preponderance of the evidence presented, the person or firm:

(1) has violated a statute, rule, or order that the board has issued or is empowered to enforce;

(2) has engaged in conduct or acts that are fraudulent, deceptive, or dishonest whether or not the conduct or acts relate to performing or offering to perform professional services, providing that the fraudulent, deceptive, or dishonest conduct or acts reflect adversely on the person's or firm's ability or fitness to provide professional services;

(3) has engaged in conduct or acts that are negligent or otherwise in violation of the standards established by board rule, where the conduct or acts relate to providing professional services, including in the filing or failure to file the licensee's income tax returns;

(4) has been convicted of, has pled guilty or nolo contendere to, or has been sentenced as a result of the commission of a felony or crime, an element of which is dishonesty or fraud; has been shown to have or admitted to having engaged in acts or practices tending to show that the person or firm is incompetent; or has engaged in conduct reflecting adversely on the person's or firm's ability or fitness to provide professional services, whether or not a conviction was obtained or a plea was entered or withheld and whether or not dishonesty or fraud was an element of the conduct;

(5) employed fraud or deception in obtaining a certificate, permit, registration, practice privileges, renewal, or reinstatement or in passing all or a portion of the examination;

(6) has had the person's or firm's permit, registration, practice privileges, certificate, right to examine, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause, or has committed unprofessional acts for which the person or firm was otherwise disciplined or sanctioned, including, but not limited to, being ordered to or agreeing to cease and desist from prescribed conduct, in any state or any foreign country;

(7) has had the person's or firm's right to practice before any federal, state, other government agency, or Public Company Accounting Oversight Board revoked, suspended, canceled, limited, or not renewed for cause, or has committed unprofessional acts for which the person or firm was otherwise disciplined or sanctioned, including, but not limited to, being ordered to or agreeing to cease and desist from prescribed conduct;

(8) failed to meet any requirement for the issuance or renewal of the person's or firm's certificate, registration or permit, or for practice privileges;

(9) with respect to temporary suspension orders, has committed an act, engaged in conduct, or committed practices that may result or may have resulted, in the opinion of the board or the complaint committee if authorized by the board, in an immediate threat to the public;

(10) has engaged in any conduct reflecting adversely upon the person's or firm's fitness to perform services while a licensee, individual granted privileges under section 326A.14, or a person registered under section 326A.06, paragraph (b); or

(11) has, prior to a voluntary surrender of a certificate or permit to the board, engaged in conduct which at any time resulted in the discipline or sanction described in clause (6) or (7).

(b) In lieu of or in addition to any remedy provided in paragraph (a), the board, or the complaint committee if authorized by the board, may require, as a condition of continued possession of a certificate, a registration, or practice privileges, termination of suspension, reinstatement of permit, registration of a person or firm or of practice privileges under section 326A.14, a certificate, an examination, or release of examination grades, that the person or firm:

(1) submit to a peer review of the person's or firm's ability, skills, or quality of work, conducted in a fashion and by persons, entity, or entities as required by the board; and

(2) complete to the satisfaction of the board continuing professional education courses specified by the board.

(c) ~~Service of the order is effective if the order is served on the person, firm, or counsel of record personally or by certified mail to the most recent address provided to the board for the person, firm, or counsel of record.~~ may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service. The order shall state the reasons for the entry of the order.

(d) All hearings required by this subdivision must be conducted in accordance with chapter 14 except with respect to temporary suspension orders as provided for in subdivision 6.

(e) In addition to the remedies authorized by this subdivision, the board, or the complaint committee if authorized by the board, may enter into an agreement with the person or firm for corrective action and may unilaterally issue a warning to a person or firm.

(f) The board shall not use agreements for corrective action or warnings in any situation where the person or firm has been convicted of or pled guilty or nolo contendere to a felony or crime and the felony or crime is the basis of the board's action against the person or firm, where the conduct of the person or firm indicates a pattern of related violations of paragraph (a) or the rules of the board, or where the board concludes that the conduct of the person or firm will not be deterred other than by disciplinary action under this subdivision or subdivision 4 or 6.

(g) Agreements for corrective action may be used by the board, or the complaint committee if authorized by the board, where the violation committed by the person or firm does not warrant disciplinary action pursuant to this subdivision or subdivision 4 or 6, but where the board, or the complaint committee if authorized by the board, determines that corrective action is required to prevent further such violations and to otherwise protect the public. Warnings may be used by the board, or the complaint committee if authorized by the board, where the violation of the person or firm is de minimus, does not warrant disciplinary action under this subdivision or subdivision 4 or 6, and does not require corrective action to protect the public.

(h) Agreements for corrective action must not be considered disciplinary action against the person's or firm's application, permit, registration or certificate, or practice privileges under section 326A.14. However, agreements for corrective action are public data. Warnings must not be considered disciplinary action against the person's or firm's application, permit, registration, or certificate or person's practice privileges and are private data.

Sec. 61. Minnesota Statutes 2018, section 326A.08, is amended by adding a subdivision to read:

**Subd. 10. Actions against lapsed license, certificate, or permit.** If a person's or firm's permit, registration, practice privileges, license, certificate, or other similar authority lapses, expires, is surrendered, withdrawn, terminated, canceled, limited, not renewed, or otherwise becomes invalid, the board may institute a proceeding under this subdivision within two years after the date the license, certificate, or permit was last effective and enter a revocation or suspension order as of the last date on which the license, certificate, or permit was in effect, or impose a civil penalty as provided for in subdivision 7.

Sec. 62. Minnesota Statutes 2018, section 326A.10, is amended to read:

### **326A.10 UNLAWFUL ACTS.**

(a) Only a licensee and individuals who have been granted practice privileges under section 326A.14 may issue a report on financial statements of any person, firm, organization, or governmental unit that results from providing attest services, or offer to render or render any attest service. Only a certified public accountant, an individual who has been granted practice privileges under section 326A.14, a CPA firm, or, to the extent permitted by board rule, a person registered under section 326A.06, paragraph (b), may issue a report on financial statements of any person, firm, organization, or governmental unit that results from providing compilation services or offer to render or render any compilation service. These restrictions do not prohibit any act of a public official or public employee in the performance of that person's duties or prohibit the performance by any nonlicensee of other services involving the use of accounting skills, including the preparation of tax returns, management advisory services, and the preparation of financial statements without the issuance of reports on them. Nonlicensees may prepare financial statements and issue nonattest transmittals or information on them which do not purport to be in compliance with the Statements on Standards for Accounting and Review Services (SSARS). Nonlicensees registered under section 326A.06, paragraph (b), may, to the extent permitted by board rule, prepare financial statements and issue nonattest transmittals or information on them.

(b) Licensees and individuals who have been granted practice privileges under section 326A.14 performing attest or compilation services must provide those services in accordance with professional standards. To the extent permitted by board rule, registered accounting practitioners performing compilation services must provide those services in accordance with standards specified in board rule.

(c) A person who does not hold a valid certificate issued under section 326A.04 or a practice privilege granted under section 326A.14 shall not use or assume the title "certified public accountant," the abbreviation "CPA," or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant.

(d) A firm shall not provide attest services or assume or use the title "certified public accountants," the abbreviation "CPA's," or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the firm is a CPA firm unless (1) the firm has complied with section 326A.05, and (2) ownership of the firm is in accordance with this chapter and rules adopted by the board.

(e) A person or firm that does not hold a valid certificate or permit issued under section 326A.04 or 326A.05 or has not otherwise complied with section 326A.04 or 326A.05 as required in this chapter shall not assume or use the title "certified accountant," "chartered accountant," "enrolled accountant," "licensed accountant," "registered accountant," "accredited accountant," "accounting practitioner," "public accountant," "licensed public accountant," or any other title or designation likely to be confused with the title "certified public accountant," or use any of the abbreviations "CA," "LA," "RA," "AA," "PA," "AP," "LPA," or similar abbreviation likely to be confused with the abbreviation "CPA." The title "enrolled agent" or "EA" may only be used by individuals so designated by the Internal Revenue Service.

(f) Persons registered under section 326A.06, paragraph (b), may use the title "registered accounting practitioner" or the abbreviation "RAP." A person who does not hold a valid registration under section 326A.06, paragraph (b), shall not assume or use such title or abbreviation.

(g) Except to the extent permitted in paragraph (a), nonlicensees may not use language in any statement relating to the financial affairs of a person or entity that is conventionally used by licensees in reports on financial statements or on an attest service. In this regard, the board shall issue by rule safe harbor language that nonlicensees may use in connection with such financial information. A person or firm that does not hold a valid certificate or permit, or a registration issued under section 326A.04, 326A.05, or 326A.06, paragraph (b), or has not otherwise complied with section 326A.04 or 326A.05 as required in this chapter shall not assume or use any title or designation that includes the word "accountant" or "accounting" in connection with any other language, including the language of a report, that implies that the person or firm holds such a certificate, permit, or registration or has special competence as an accountant. A person or firm that does not hold a valid certificate or permit issued under section 326A.04 or 326A.05 or has not otherwise complied with section 326A.04 or 326A.05 as required in this chapter shall not assume or use any title or designation that includes the word "auditor" in connection with any other language, including the language of a report, that implies that the person or firm holds such a certificate or permit or has special competence as an auditor. However, this paragraph does not prohibit any officer, partner, member, manager, or employee of any firm or organization from affixing that person's own signature to any statement in reference to the financial affairs of such firm or organization with any wording designating the position, title, or office that the person holds, nor prohibit any act of a public official or employee in the performance of the person's duties as such.

(h)(1) No person holding a certificate or registration or firm holding a permit under this chapter shall use a professional or firm name or designation that is misleading about the legal form of the firm, or about the persons who are partners, officers, members, managers, or shareholders of the firm, or about any other matter. However, names of one or more former partners, members, managers, or shareholders may be included in the name of a firm or its successor.

(2) A common brand name or network name part, including common initials, used by a CPA firm in its name, is not misleading if the firm is a network firm as defined in the American Institute of Certified Public Accountants (AICPA) Code of Professional Conduct ~~in effect July 1, 2011~~ incorporated by reference in Minnesota Rules, part 1105.0250, and when offering or rendering services that require independence under AICPA standards, the firm must comply with the AICPA code's applicable standards on independence.

(i) Paragraphs (a) to (h) do not apply to a person or firm holding a certification, designation, degree, or license granted in a foreign country entitling the holder to engage in the practice of public accountancy or its equivalent in that country, if:

(1) the activities of the person or firm in this state are limited to the provision of professional services to persons or firms who are residents of, governments of, or business entities of the country in which the person holds the entitlement;

(2) the person or firm performs no attest or compilation services and issues no reports with respect to the information of any other persons, firms, or governmental units in this state; and

(3) the person or firm does not use in this state any title or designation other than the one under which the person practices in the foreign country, followed by a translation of the title or designation into English, if it is in a different language, and by the name of the country.

(j) No holder of a certificate issued under section 326A.04 may perform attest services through any business form that does not hold a valid permit issued under section 326A.05.

(k) No individual licensee may issue a report ~~in standard form~~ upon a compilation of financial information through any form of business that does not hold a valid permit issued under section 326A.05, unless the report discloses the name of the business through which the individual is issuing the report, and the individual:

(1) signs the compilation report identifying the individual as a certified public accountant;

(2) meets the competency requirement provided in applicable standards; and

(3) undergoes no less frequently than once every three years, a peer review conducted in a manner specified by the board in rule, and the review includes verification that the individual has met the competency requirements set out in professional standards for such services.

(l) No person registered under section 326A.06, paragraph (b), may issue a report ~~in standard form~~ upon a compilation of financial information unless the board by rule permits the report and the person:

(1) signs the compilation report identifying the individual as a registered accounting practitioner;

(2) meets the competency requirements in board rule; and

(3) undergoes no less frequently than once every three years a peer review conducted in a manner specified by the board in rule, and the review includes verification that the individual has met the competency requirements in board rule.

(m) Nothing in this section prohibits a practicing attorney or firm of attorneys from preparing or presenting records or documents customarily prepared by an attorney or firm of attorneys in connection with the attorney's professional work in the practice of law.

(n) The board shall adopt rules that place limitations on receipt by a licensee or a person who holds a registration under section 326A.06, paragraph (b), of:

(1) contingent fees for professional services performed; and

(2) commissions or referral fees for recommending or referring to a client any product or service.

(o) Anything in this section to the contrary notwithstanding, it shall not be a violation of this section for a firm not holding a valid permit under section 326A.05 and not having an office in this state to provide its professional services in this state so long as it complies with the applicable requirements of section 326A.05, subdivision 1.

Sec. 63. Minnesota Statutes 2018, section 353.27, subdivision 3c, is amended to read:

Subd. 3c. **Former MERF members; member and employer contributions.** (a) For the period July 1, ~~2015~~ 2019, through December 31, 2031, the member contributions for former members of the Minneapolis Employees Retirement Fund and by the former Minneapolis Employees Retirement Fund-covered employing units are governed by this subdivision.

(b) The member contribution for a public employee who was a member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of the employee.

(c) The employer regular contribution with respect to a public employee who was a member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of the employee.

(d) The annual employer supplemental contribution is the employing unit's share of ~~\$31,000,000. For calendar years 2017 and 2018, the employer supplemental contribution is the employing unit's share of \$21,000,000.~~

(e) Each employing unit's share under paragraph (d) is the amount determined from an allocation between each employing unit in the portion equal to the unit's employer supplemental contribution paid or payable under Minnesota Statutes 2012, section 353.50, during calendar year 2014.

(f) The employer supplemental contribution amount under paragraph (d) for calendar year ~~2015~~ 2019 must be invoiced by the executive director of the Public Employees Retirement Association by July 1, ~~2015.~~ The calendar year 2015 payment is payable in a single amount on or before September 30, 2015. For subsequent calendar years, the employer supplemental contribution under paragraph (d) must be invoiced on January 31 of each year ~~and.~~ The employer supplemental contribution is payable in two parts, with the first half payable on or before July 31 and with the second half payable on or before December 15. Late payments are payable with interest, compounded annually, at the applicable rate or rates specified in section 356.59, subdivision 3, per month for each month or portion of a month that has elapsed after the due date.

(g) The employer supplemental contribution under paragraph (d) terminates on December 31, 2031.

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

Sec. 64. Minnesota Statutes 2018, section 353.505, is amended to read:

**353.505 STATE CONTRIBUTIONS; FORMER MERF DIVISION.**

(a) On September 15, 2019, and annually thereafter, the state shall pay to the general employees retirement plan of the Public Employees Retirement Association, with respect to the former MERF division, ~~\$6,000,000~~ \$16,000,000.

~~(b) On September 15, 2017, and September 15, 2018, the state shall pay to the general employees retirement plan of the Public Employees Retirement Association, with respect to the former MERF division, \$16,000,000.~~

~~(c)~~ (b) State contributions under this section end on September 15, 2031.

(c) The commissioner of management and budget shall pay the contribution specified in this section. The amount required is appropriated annually from the general fund to the commissioner of management and budget.

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

Sec. 65. Minnesota Statutes 2018, section 375.08, is amended to read:

**375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

When a vacancy occurs in the office of an elected county auditor, county treasurer, county recorder, sheriff, county attorney, county surveyor, or coroner, the county board shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon one day's notice from the chair or clerk, which shall be served personally upon each member in the same manner as a district court summons. The person appointed shall give the bond and take the oath required by law, and serve the remainder of the term, and until a successor qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the chief deputy or first assistant may perform all the duties and functions of the office until it is filled by appointment by the county board.

Sec. 66. Minnesota Statutes 2018, section 375A.10, subdivision 5, is amended to read:

Subd. 5. **Auditor-treasurer.** In any county exercising the option provided in subdivision 2, clause (c), the office shall be known thereafter as the office of auditor-treasurer, if the office is to remain elective. If the board chooses to make the office of auditor-treasurer elective, and not require a referendum, it must act with the concurrence of at least 80 percent of its members.

In the exercise of this option, the county board shall direct which of the offices of auditor or treasurer shall be terminated for the purpose of providing for the election to the single office of auditor-treasurer. The duties, functions and responsibilities which have been heretofore and which shall hereafter be required by statute to be performed by the county auditor and the county treasurer shall be vested in and performed by the auditor-treasurer without diminishing, prohibiting or avoiding those specific duties required by statute to be performed by the county auditor and the county treasurer.

Nothing in this subdivision shall preclude the county from exercising the option to make the combined office of auditor-treasurer appointive as if it had been specifically enumerated in subdivision 2. If the combined office is to be appointive, a referendum under section 375A.12 shall be necessary, except as provided by section 375A.1205.

If the combined office is to be elective, a referendum under section 375A.12 shall be necessary if:

(a) the county board requires a referendum; or

(b) a referendum is required by a petition of a number of voters equal to ten percent of those voting in the county at the last general election that is received by the county auditor within 30 days after the second publication of the board resolution that orders the combination.

The persons last elected to the positions of auditor and treasurer before adoption of the resolution shall serve in those offices and perform the duties of those offices until the completion of the terms to which they were elected.

Sec. 67. Minnesota Statutes 2018, section 375A.12, subdivision 2, is amended to read:

Subd. 2. **Form of government options.** Except as provided in section 375A.1205 or by special law, the options provided in sections 375A.01 to 375A.10 shall be adopted in any county only after an affirmative vote of the voters in the county on the question of the adoption of the option. Except as provided in section 375A.01, only one such plan may be submitted at any one election.



Sec. 68. **[375A.1205] APPOINTING COUNTY OFFICERS.**

Subdivision 1. Authority to appoint certain officers. A county board may appoint the county auditor, county treasurer, or county recorder under section 375A.10, subdivision 2, or the auditor-treasurer under section 375A.10, subdivision 5, by following the process outlined in this section. Notwithstanding section 375A.12, a referendum is not required if the appointment is made pursuant to this section. A county board shall only use the authority to appoint under the following circumstances:

(1) there is a vacancy in the office as provided in section 351.02;

(2) the current office holder has notified the county board that the officer will not file for the office, as provided in subdivision 2; or

(3) there is a signed contract with the county board and the incumbent auditor, treasurer, auditor-treasurer, or recorder that provides that the incumbent officer will be appointed to the position and retain tenure, pay, and benefits equal to or greater than length of service.

Subd. 2. Responsibility of county officer. At least 104 days before the filing date for office under section 204B.09, an elected county officer must notify the county board in writing whether the officer will be filing for another term. If the officer indicates in writing that the officer will not file for the office and the county board has passed a resolution under subdivision 6, affidavits of candidacy will not be accepted for that office, and the office will not be placed on the ballot.

Subd. 3. Board controls; may change as long as duties done. Upon adoption of a resolution by the county board of commissioners and subject to subdivisions 5 and 6, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the county board of commissioners acting through a department head appointed by the board for that purpose. Reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 4. Discharge or demotion. (a) A county auditor, county treasurer, county auditor-treasurer, or county recorder who was elected at the most recent election for that office prior to a county board resolution to make the office an appointed position, and the elected official is subsequently appointed by the county board to the office, may not be involuntarily demoted or discharged except for incompetency or misconduct.

(b) Prior to demoting or discharging an office holder under this subdivision, the board must notify the office holder in writing and state its grounds for the proposed demotion or discharge in reasonable detail. Within ten days after receipt of this notification, the office holder may make a written request for a hearing before an arbitrator and the request must be granted before final action is taken. Failure to request a hearing before an arbitrator during this period is considered acquiescence to the board's action. The board may suspend an office holder with pay pending the conclusion of the hearing and determination of the issues raised in the hearing after charges have been filed which constitute grounds for demotion or discharge. If an office holder has been charged with a felony and the underlying conduct that is the subject of the felony charge is grounds for a proposed discharge, the suspension pending the conclusion of the hearing and determination of the issues may be without pay. If a hearing under this subdivision is held, the board must reimburse the office holder for any salary or compensation withheld if the final decision of the arbitrator does not result in a penalty or discharge of the office holder.

(c) If the office holder and the board are unable to mutually agree on an arbitrator, the board must request from the Bureau of Mediation Services a list of seven persons qualified to serve as an arbitrator. If the office holder and the board are unable to mutually agree on an arbitrator from the list provided, the parties shall alternately strike names from the list until the name of one arbitrator remains. The person remaining after the striking procedure must

be the arbitrator. If the parties are unable to agree on who shall strike the first name, the question must be decided by a flip of a coin. The office holder and the board must share equally the costs and fees of the arbitrator except as set forth in paragraph (g).

(d) The arbitrator shall determine, by a preponderance of the evidence, whether the grounds for discharge or demotion exist to support the proposed discharge or demotion. A lesser penalty than demotion or discharge may be imposed by the arbitrator only to the extent that either party proposes such lesser penalty in the proceeding. In making the determination, the arbitration proceeding is governed by sections 572B.15 to 572B.28.

(e) An arbitration hearing conducted under this subdivision is a meeting for preliminary consideration of allegations or charges within the meaning of section 13D.05, subdivision 3, paragraph (a), and must be closed, unless the office holder requests it to be open.

(f) The arbitrator's award is final and binding on the parties, subject to sections 572B.18 to 572B.28.

(g) In the event the arbitrator rules not to demote or discharge the office holder, the board shall pay all of the costs and fees of the arbitrator and the attorney fees of the office holder.

Subd. 5. **Incumbents to complete term.** The person elected at the last general election to an office made appointive under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected, or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 6. **Publishing resolution; petition; referendum.** (a) Before the adoption of the resolution to provide for the appointment of an office as described in subdivision 1, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week, for two consecutive weeks, in the official publication of the county. Following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt a resolution that provides for the appointment of the office or offices as permitted in this section. The resolution must be approved by at least 80 percent of the members of the county board. The resolution may take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b).

(b) Except when an office is made appointive under subdivision 1, clause (3), within 30 days after the county board adopts the resolution, a petition requesting a referendum may be filed with the county auditor. The petition must be signed by at least ten percent of the registered voters of the county. The petition must meet the requirements of the secretary of state, as provided in section 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the county board resolution is rescinded.

Subd. 7. **Reverting to elected offices.** (a) The county board may adopt a resolution to provide for the election of an office that was made an appointed position under this section, but not until at least three years after the office was made an appointed position. The county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week, for two consecutive weeks, in the official publication of the county. Following publication and before formally adopting the resolution, the county board must provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt the resolution. The resolution must be approved by at least 60 percent of the members of the county board and is effective August 1 following adoption of the resolution.

(b) The question of whether an office that was made an appointed position under this section must be made an elected office must be placed on the ballot at the next general election if (1) the position has been an appointed position for at least three years; (2) a petition signed by at least ten percent of the registered voters of the county is

filed with the office of the county auditor by August 1 of the year in which the general election is held; and (3) the petition meets the requirements of the secretary of state, as provided in section 204B.071, and any rules adopted to implement that section. If a majority of the voters of the county voting on the question vote in favor of making the office an elected position, the election for that office must be held at the next regular or special election.

Sec. 69. Minnesota Statutes 2018, section 382.01, is amended to read:

**382.01 OFFICERS ELECTED; TERMS.**

In every county in this state there shall be elected at the general election in 1918 a county auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

The terms of office of these officers shall be four years and shall begin on the first Monday in January next succeeding their election. They shall hold office until their successors are elected and qualified. Each of these offices shall must be filled by election every four years thereafter, unless an office is consolidated with another county office or made appointive under chapter 375A or other general or special law.

Sec. 70. Minnesota Statutes 2018, section 382.02, is amended to read:

**382.02 VACANCIES, HOW FILLED.**

Any appointment made to fill a vacancy in any of the offices named in section 382.01 that has not been made appointive under chapter 375A or other general or special law shall be for the balance of such entire term, and be made by the county board.

Sec. 71. Minnesota Statutes 2018, section 469.074, is amended by adding a subdivision to read:

Subd. 3. **Meetings by telephone or other electronic means.** The port authority may conduct meetings as provided by section 13D.015.

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

Sec. 72. Minnesota Statutes 2018, section 473.606, subdivision 5, is amended to read:

Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation shall have the power to appoint engineers and other consultants, attorneys, and such other officers, agents, and employees as it may see fit, who shall perform such duties and receive such compensation as the corporation may determine ~~notwithstanding the provisions of section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The corporation must adopt an affirmative action plan, which shall be submitted to the appropriate agency or office of the state for review and approval. The plan must include a yearly progress report to the agency or office. Whenever the corporation performs any work within the limits of a city of the first class, or establishes a minimum wage for skilled or unskilled labor in the specifications or any contract for work within one of the cities, the rate of pay to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that city.

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

Sec. 73. **[504B.279] ACCESS TO MULTIUNIT FACILITIES BY UNITED STATES CENSUS EMPLOYEES.**

Subdivision 1. **Access required.** It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways, to an employee of the

United States Census who displays a current, valid census credential and who is engaged in official census business. An employee granted access under this section must be permitted to leave census materials for residents at their doors, except that the manager of a nursing home may direct that the materials be left at a central location within the facility. The materials must be left in an orderly manner.

Subd. 2. **Limitations.** This section does not prohibit:

(1) denial of admittance into a particular apartment, room, manufactured home, or personal residential unit;

(2) in the case of a nursing home or a registered housing with services establishment providing assisted living services meeting the requirements of Minnesota Statutes, section 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

(3) limiting visits to a reasonable number of census employees or reasonable hours;

(4) requiring a prior appointment to gain access to the facility; or

(5) denial of admittance to or expulsion of an individual employee from a multiple unit dwelling for good cause.

Subd. 3. **Compliance with federal law.** A person in compliance with United States Code, title 13, section 223, and any guidance or rules adopted by the United States Department of Commerce, Bureau of the Census, governing access to a facility described in subdivision 1 is considered to be in compliance with the requirements of this section.

Subd. 4. **Applicability.** This section is effective from January 1 to December 31 in any year during which a decennial census is conducted under the authority of the United States Constitution, article I, section 2.

Sec. 74. **MINNESOTA CENSUS 2020 MOBILIZATION.**

Subdivision 1. **Duty of commissioner of administration; grants and contracts.** (a) The commissioner of administration must, in collaboration with the Minnesota Census 2020 Mobilization Partnership, facilitate the administration of a census mobilization program. The purpose of the program must be to increase the participation of Minnesotans in the 2020 United States Census by implementing the outreach and mobilization activities described in subdivisions 2 to 5.

(b) At least 45 percent of any appropriation provided to the commissioner for the program required by this section must be allocated for a grant to the Minnesota Council on Foundations. The Minnesota Council on Foundations must use the grant to issue subgrants of up to \$5,000 to the identified fiscal hosts of any Minnesota-based complete count committees. To be eligible for a subgrant, a complete count committee must be registered with the United States Census Bureau and be a tribal nation, political subdivision, nonpartisan nonprofit community organization, or public or private college or university engaged in census mobilization work in Minnesota. The commissioner must advance up to 50 percent of the grant and the Minnesota Council on Foundations may advance all or a portion of a subgrant awarded under this section. Any appropriations not allocated for grants may be used by the commissioner to further implement the outreach and mobilization activities described in subdivisions 2 to 5 by contract or by directing the work of the office of the state demographer.

(c) The commissioner of administration may waive application of all or any portion of Minnesota Statutes, sections 16B.97 to 16B.991, in awarding grants; Minnesota Statutes, chapter 16C, in entering contracts; and Minnesota Statutes, chapter 16E, in purchasing technology systems and software under this section to facilitate the timely distribution of funds and to maximize the impact of the outreach and mobilization activities.

Notwithstanding the waivers authorized by this paragraph, the commissioner may not waive application of policies or procedures designed to ensure diversity and the inclusion of traditionally underrepresented groups among grant recipients and contract vendors.

(d) The commissioner must contract with Community Connection Labs to purchase communication and technical tools designed to support census outreach efforts. If the commissioner is unable to enter this contract, the commissioner may contract with another vendor or vendors offering comparable products and tools, or may award grants to support the purchase of comparable communication and technology tools.

**Subd. 2. Engaging hard to reach households.** The census mobilization partnership program must support:

(1) initiatives to increase census response rates among households outside of the 11-county metropolitan area who receive mail through a post office box; and

(2) initiatives to increase awareness among census employees, multiunit apartment managers and owners, and renters on the laws governing access to multiunit apartment buildings by census employees.

**Subd. 3. Adapting to the electronic census.** The census mobilization partnership program must support:

(1) opportunities for Minnesotans to submit their census response electronically through online portals provided in common gathering spaces within a community; and

(2) commit-to-the-census initiatives that organize Minnesotans to commit to participate in the census and include electronic reminders to facilitate their participation.

**Subd. 4. Reaching historically undercounted communities.** The census mobilization partnership program must support:

(1) job sourcing initiatives that encourage a sufficient pool of qualified candidates to apply for positions with the Census Bureau, and efforts to ensure that the pool of candidates reflects the diversity of Minnesota's communities, including those communities historically undercounted in census reports; and

(2) initiatives that engage historically undercounted communities and reduce census participation gaps in these communities compared to Minnesota's historically high overall census response rate.

**Subd. 5. Shared services.** The census mobilization partnership program must support efficiency in census mobilization efforts by providing shared services to support local and community census outreach, including development of multilingual educational and promotional materials and tools to reach respondents through a variety of communication platforms and services.

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

**Sec. 75. LEGISLATIVE EMPLOYEE WORKING GROUP ON THE LEGISLATURE'S ACCESSIBILITY MEASURES.**

**Subdivision 1. Membership.** The legislative employee working group on the legislature's accessibility measures consists of 12 members. The senate majority leader and the speaker of the house must each appoint four employees from among the following offices that serve the respective bodies: media offices, information technology offices, legal and fiscal analysis offices, the secretary of the senate, the chief clerk of the house of representatives, and other offices considered appropriate. The chair of the Legislative Coordinating Commission must appoint four members from among the employees who serve in the Office of the Revisor of Statutes, the

Legislative Reference Library, the Legislative Coordinating Commission, and the Office of the Legislative Auditor. In conducting its work, the working group may consult with the MN.IT Office of Accessibility; the Commission of Deaf, Deafblind and Hard of Hearing; the Minnesota Council on Disability; State Services for the Blind; and other groups that may be of assistance. Appointments to the working group must be made by June 1, 2019.

Subd. 2. **Duties; report.** (a) The employee working group must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over rules and to the chair and vice-chair of the Legislative Coordinating Commission by January 15, 2020. The report must:

(1) identify ways the legislature's accessibility measures do not meet accessibility standards applicable to state agencies under Minnesota Statutes, section 16E.03, subdivision 9;

(2) identify issues and technologies that may present barriers to compliance;

(3) suggest a compliance exception process;

(4) describe a plan to update the legislature's accessibility measures to be comparable to those required of state agencies under Minnesota Statutes, section 16E.03, subdivision 9; and

(5) estimate the costs for updates to the legislature's accessibility measures.

(b) For purposes of this report, the employee working group does not need to consider making archived documents, recordings, or publications accessible.

Subd. 3. **First meeting; chair.** The executive director of the Legislative Coordinating Commission must convene the first meeting of the working group by July 15, 2019. At the first meeting, the members must elect a chair.

Subd. 4. **Compensation; reimbursement.** Members serve without compensation but may be reimbursed for expenses.

Subd. 5. **Administrative support.** The Legislative Coordinating Commission must provide administrative support to the working group.

Subd. 6. **Expiration.** The working group expires January 15, 2020, or a later date selected by agreement of the appointing authorities in subdivision 1, but not later than January 15, 2025.

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

**Sec. 76. LEGISLATIVE BUDGET OFFICE ELIMINATED.**

All operations of the Legislative Budget Office established in Minnesota Statutes, section 3.8853, and the Legislative Budget Office Oversight Commission established in Minnesota Statutes, section 3.8854, must be ended no later than July 1, 2019. Notwithstanding any laws in effect at the time of their appointment, the term of employment of all Legislative Budget Office employees is terminated effective July 1, 2019. The house of representatives, senate, and Legislative Coordinating Commission must offer reasonable opportunities for comparable employment in other offices of the legislature to employees whose positions are terminated by this section, to the extent that is practical.

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

Sec. 77. **WORLD WAR I PLAQUE.**

Subdivision 1. Purpose. The state wishes to honor all Minnesota veterans who have honorably and bravely served in the United States armed forces, both at home and abroad, during World War I.

Subd. 2. Replacement plaque authorized. The commissioner of administration shall place a memorial plaque in the court of honor on the Capitol grounds to recognize the valiant service of Minnesota veterans who have honorably and bravely served in the United States armed forces, both at home and abroad, during World War I. This plaque will replace the current plaque honoring veterans who served abroad during World War I. The Capitol Area Architectural and Planning Board shall solicit design submissions from the public. Each design submission must include a commitment to furnish the plaque at no cost to the state. The Capitol Area Architectural and Planning Board shall select a design from those submitted to use as a basis for final production. The selected design must be approved by the commissioner of veterans affairs and must be furnished by the person or group who submitted the design at no cost to the state.

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

Sec. 78. **CAPITOL FLAG PROGRAM STUDY.**

(a) The commissioner of administration, in consultation with the Legislative Coordinating Commission and the commissioners of veterans affairs, military affairs, and public safety, must study and develop recommendations to implement a Capitol flag program consistent with the program enacted in Minnesota Statutes, section 16B.276. The study must include recommendations to address any expected challenges in implementing the program, including the uncertainty of sufficient funding to serve all families that may be eligible for a flag, and challenges in verifying a family member's eligibility.

(b) The commissioner must report the results of the study, including any recommendations, to the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance and veterans affairs no later than January 15, 2020.

Sec. 79. **MAINTENANCE AND UPKEEP OF STATE OFFICE BUILDING.**

No later than January 1, 2020, the commissioner of administration must enter a contract with the house of representatives for the regular maintenance and upkeep of space occupied by the house of representatives in the State Office Building.

Sec. 80. **MINNESOTA LAW ENFORCEMENT ASSOCIATION LABOR AGREEMENT.**

The labor agreement between the state of Minnesota and the Minnesota Law Enforcement Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on April 5, 2019, is ratified.

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

Sec. 81. **REPEALER.**

Subdivision 1. Hair braiding. Minnesota Statutes 2018, section 155A.28, subdivisions 1, 3, and 4, are repealed.

Subd. 2. **Legislative Budget Office.** Minnesota Statutes 2018, sections 3.8853; and 3.8854, and Laws 2017, First Special Session chapter 4, article 2, sections 1, as amended by Laws 2018, chapter 214, article 5, section 10; 3, as amended by Laws 2018, chapter 214, article 5, section 11; 7; 8; 9, as amended by Laws 2018, chapter 214, article 5, section 12; and 58, as amended by Laws 2018, chapter 214, article 5, section 13; and Laws 2018, chapter 214, article 5, sections 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; and 15, are repealed.

Subd. 3. **Local government compensation limits.** Minnesota Statutes 2018, section 43A.17, subdivision 9, is repealed, effective the day following final enactment.

### ARTICLE 3 STATE PAYMENTS TERMINOLOGY

Section 1. Minnesota Statutes 2018, section 15.191, subdivision 1, is amended to read:

Subdivision 1. **Emergency disbursements.** Imprest cash funds for the purpose of making minor disbursements, providing for change, and providing employees with travel advances or a portion or all of their payroll ~~warrant~~ where the ~~warrant payment~~ has not been received through the payroll system, may be established by state departments or agencies from existing appropriations in the manner prescribed by this section.

Sec. 2. Minnesota Statutes 2018, section 15.191, subdivision 3, is amended to read:

Subd. 3. ~~**Warrant Payment against designated appropriation.**~~ Imprest cash funds established under this section shall be created by ~~warrant drawn~~ payment issued against the appropriation designated by the commissioner of management and budget.

Sec. 3. Minnesota Statutes 2018, section 16A.065, is amended to read:

#### **16A.065 PREPAY SOFTWARE, SUBSCRIPTIONS, UNITED STATES DOCUMENTS.**

Notwithstanding section 16A.41, subdivision 1, the commissioner may allow an agency to make advance deposits or payments for software or software maintenance services for state-owned or leased electronic data processing equipment, for information technology hosting services, for sole source maintenance agreements where it is not cost-effective to pay in arrears, for exhibit booth space or boat slip rental when required by the renter to guarantee the availability of space, for registration fees where advance payment is required or advance payment discount is provided, ~~and~~ for newspaper, magazine, and other subscription fees, ~~and other costs where advance payment discount is provided or are~~ customarily paid for in advance. The commissioner may also allow advance deposits by any department with the Library of Congress and federal Supervisor of Documents for items to be purchased from those federal agencies.

Sec. 4. Minnesota Statutes 2018, section 16A.13, subdivision 2a, is amended to read:

Subd. 2a. **Procedure.** The commissioner shall see that the deduction for the withheld tax is made from an employee's pay on the payroll abstract. The commissioner shall approve one ~~warrant payable~~ payment to the commissioner for the total amount deducted on the abstract. Deductions from the pay of an employee paid direct by an agency shall be made by the employee's payroll authority. A later deduction must correct an error made on an earlier deduction. The paying authority shall see that a ~~warrant or check~~ payment for the deductions is promptly sent to the commissioner. The commissioner shall deposit the amount of the ~~warrant or check~~ payment to the credit of the proper federal authority or other person authorized by federal law to receive it.



Sec. 5. Minnesota Statutes 2018, 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 ~~draw a warrant to~~ 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 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 contractors to expeditiously proceed with a construction sequence. While the contractor is proceeding, the agency shall immediately act to encumber the required funds.

Sec. 6. Minnesota Statutes 2018, section 16A.272, subdivision 3, is amended to read:

Subd. 3. **Section 7.19 16A.271 to apply.** The provisions of Minnesota Statutes ~~1944~~, section ~~7.19~~ 16A.271, shall apply to deposits of securities made pursuant to this section.

Sec. 7. Minnesota Statutes 2018, section 16A.40, is amended to read:

#### **16A.40 WARRANTS AND ELECTRONIC FUND TRANSFERS.**

Money must not be paid out of the state treasury except upon the warrant of the commissioner or an electronic fund transfer approved by the commissioner. Warrants must be drawn on printed blanks that are in numerical order. The commissioner shall enter, in numerical order in a ~~warrant~~ warrant payment register, the number, amount, date, and payee for every ~~warrant~~ warrant payment issued.

The commissioner may require payees to supply their bank routing information to enable the payments to be made through an electronic fund transfer.

Sec. 8. Minnesota Statutes 2018, section 16A.42, subdivision 2, is amended to read:

Subd. 2. **Approval.** If the claim is approved, the commissioner shall ~~complete and sign a warrant~~ issue a payment in the amount of the claim.

Sec. 9. Minnesota Statutes 2018, section 16A.42, is amended by adding a subdivision to read:

Subd. 5. **Invalid claims.** If the commissioner determines that a claim is invalid after issuing a warrant, the commissioner may void an unpaid warrant. The commissioner is not liable to any holder who took the void warrant for value.

Sec. 10. Minnesota Statutes 2018, section 16A.671, subdivision 1, is amended to read:

Subdivision 1. **Authority; advisory recommendation.** To ensure that cash is available when needed to ~~pay warrants~~ make payments drawn on the general fund under appropriations and allotments, the commissioner may (1) issue certificates of indebtedness in anticipation of the collection of taxes levied for and other revenues appropriated to the general fund for expenditure during each biennium; and (2) issue additional certificates to refund outstanding certificates and interest on them, under the constitution, article XI, section 6.

Sec. 11. Minnesota Statutes 2018, section 16B.37, subdivision 4, is amended to read:

Subd. 4. **Work of department for another.** To avoid duplication and improve efficiency, the commissioner may direct an agency to do work for another agency or may direct a division or section of an agency to do work for another division or section within the same agency and shall require reimbursement for the work. Reimbursements received by an agency are reappropriated to the account making the original expenditure in accordance with the transfer ~~warrant~~ procedure established by the commissioner of management and budget.

Sec. 12. Minnesota Statutes 2018, section 16D.03, subdivision 2, is amended to read:

Subd. 2. **State agency reports.** State agencies shall report quarterly to the commissioner of management and budget the debts owed to them. The commissioner of management and budget, ~~in consultation with the commissioners of revenue and human services, and the attorney general,~~ shall establish internal guidelines for the recognition, tracking, and reporting, ~~and collection~~ of debts owed the state. The internal guidelines must include accounting standards, performance measurements, and uniform reporting requirements applicable to all state agencies. The commissioner of management and budget shall require a state agency to recognize, track, report, and attempt to collect debts according to the internal guidelines. The commissioner, in consultation with the commissioner of management and budget and the attorney general, shall establish internal guidelines for the collection of debt owed to the state.

Sec. 13. Minnesota Statutes 2018, section 16D.09, subdivision 1, is amended to read:

Subdivision 1. **Generally.** (a) When a debt is determined by a state agency to be uncollectible, the debt may be written off by the state agency from the state agency's financial accounting records and no longer recognized as an account receivable for financial reporting purposes. A debt is considered to be uncollectible when (1) all reasonable collection efforts have been exhausted, (2) the cost of further collection action will exceed the amount recoverable, (3) the debt is legally without merit or cannot be substantiated by evidence, (4) the debtor cannot be located, (5) the available assets or income, current or anticipated, that may be available for payment of the debt are insufficient, (6) the debt has been discharged in bankruptcy, (7) the applicable statute of limitations for collection of the debt has expired, or (8) it is not in the public interest to pursue collection of the debt. ~~The determination of the uncollectibility of a~~

(b) Uncollectible debt must be reported by the state agency along with the basis for that decision as part of its quarterly reports to the commissioner of management and budget. The basis for the determination of the uncollectibility of the debt must be maintained by the state agency. If an uncollectible debt equals or exceeds \$100,000, the agency shall notify the chairs and ranking minority members of the legislative committees with jurisdiction over the state agency's budget at the time the debt is determined to be uncollectible. The information

reported shall contain the entity associated with the uncollected debt, the amount of the debt, the revenue type, the reason the debt is considered uncollectible, and the duration the debt has been outstanding. The commissioner of management and budget shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over Minnesota Management and Budget an annual summary of the number and dollar amount of debts determined to be uncollectible during the previous fiscal year by October 31 of each year. Determining that the debt is uncollectible does not cancel the legal obligation of the debtor to pay the debt.

Sec. 14. Minnesota Statutes 2018, section 21.116, is amended to read:

#### **21.116 EXPENSES.**

All necessary expenses incurred in carrying out the provisions of sections 21.111 to 21.122 and the compensation of officers, inspectors, and employees appointed, designated, or employed by the commissioner, as provided in such sections, together with their necessary traveling expenses, together with the traveling expenses of the members of the advisory seed potato certification committee, and other expenses necessary in attending committee meetings, shall be paid from, and only from, the seed potato inspection account, on order of the commissioner and commissioner of management and budget's voucher warrant budget.

Sec. 15. Minnesota Statutes 2018, section 80A.65, subdivision 9, is amended to read:

Subd. 9. **Generally.** No filing for which a fee is required shall be deemed to be filed or given any effect until the proper fee is paid. All fees and charges collected by the administrator shall be covered into the state treasury. When any person is entitled to a refund under this section, the administrator shall certify to the commissioner of management and budget the amount of the fee to be refunded to the applicant, and the commissioner of management and budget shall issue a ~~warrant in~~ payment thereof out of the fund to which such fee was credited in the manner provided by law. There is hereby appropriated to the person entitled to such refunds from the fund in the state treasury to which such fees were credited an amount to make such refunds and payments.

Sec. 16. Minnesota Statutes 2018, section 84A.23, subdivision 4, is amended to read:

Subd. 4. **Drainage ditch bonds; reports.** (a) Immediately after a project is approved and accepted and then after each distribution of the tax collections on the June and November tax settlements, the county auditor shall certify to the commissioner of management and budget the following information relating to bonds issued to finance or refinance public drainage ditches wholly or partly within the projects, and the collection of assessments levied on account of the ditches:

(1) the amount of principal and interest to become due on the bonds before the next tax settlement and distribution;

(2) the amount of money collected from the drainage assessments and credited to the funds of the ditches; and

(3) the amount of the deficit in the ditch fund of the county chargeable to the ditches.

(b) On approving the certificate, the commissioner of management and budget shall ~~draw a warrant~~ issue a payment, payable out of the fund pertaining to the project, for the amount of the deficit in favor of the county.

(c) As to public drainage ditches wholly within a project, the amount of money paid to or for the benefit of the county under paragraph (b) must never exceed the principal and interest of the bonds issued to finance or refinance the ditches outstanding at the time of the passage and approval of sections 84A.20 to 84A.30, less money on hand in

the county ditch fund to the credit of the ditches. The liabilities must be reduced from time to time by the amount of all payments of assessments after April 25, 1931, made by the owners of lands assessed before that date for benefits on account of the ditches.

(d) As to public drainage ditches partly within and partly outside a project, the amount paid from the fund pertaining to the project to or for the benefit of the county must never exceed a certain percentage of bonds issued to finance and refinance the ditches so outstanding, less money on hand in the county ditch fund to the credit of the ditches on April 25, 1931. The percentage must bear the same proportion to the whole amount of these bonds as the original benefits assessed against lands within the project bear to the original total benefits assessed to the entire system of the ditches. This liability shall be reduced from time to time by the payments of all assessments extended after April 25, 1931, made by the owners of lands within the project of assessments for benefits assessed before that date on account of a ditch.

(e) The commissioner of management and budget may provide and prescribe forms for reports required by sections 84A.20 to 84A.30 and require any additional information from county officials that the commissioner of management and budget considers necessary for the proper administration of sections 84A.20 to 84A.30.

Sec. 17. Minnesota Statutes 2018, section 84A.33, subdivision 4, is amended to read:

Subd. 4. **Ditch bonds; funds; payments to counties.** (a) Upon the approval and acceptance of a project and after each distribution of the tax collections for the June and November tax settlements, the county auditor shall certify to the commissioner of management and budget the following information about bonds issued to finance or refinance public drainage ditches wholly or partly within the projects, and the collection of assessments levied for the ditches:

(1) the amount of principal and interest to become due on the bonds before the next tax settlement and distribution;

(2) the amount of money collected from the drainage assessments and credited to the funds of the ditches, not already sent to the commissioner of management and budget as provided in sections 84A.31 to 84A.42; and

(3) the amount of the deficit in the ditch fund of the county chargeable to the ditches.

(b) On approving this certificate of the county auditor, the commissioner of management and budget shall ~~draw a warrant~~ issue a payment, payable out of the fund provided for in sections 84A.31 to 84A.42, and send it to the county treasurer of the county. These funds must be credited to the proper ditch of the county and placed in the ditch bond fund of the county, which is created, and used only to pay the ditch bonded indebtedness of the county assumed by the state under sections 84A.31 to 84A.42. The total amount of ~~warrants drawn~~ payments issued must not exceed in any one year the total amount of the deficit provided for under this section.

(c) The state is subrogated to all title, right, interest, or lien of the county in or on the lands so certified within these projects.

(d) As to public drainage ditches wholly within a project, the amount paid to, or for the benefit of, the county under this subdivision must never exceed the principal and interest of the bonds issued to finance or refinance a ditch outstanding on April 22, 1933, less money on hand in the county ditch fund to the credit of a ditch. These liabilities must be reduced from time to time by the amount of any payments of assessments extended after April 22, 1933, made by the owners of lands assessed before that date for benefits on account of the ditches.

As to public drainage ditches partly within and partly outside a project the amount paid from the fund pertaining to the project to or for the benefit of the county must never exceed a certain percentage of bonds issued to finance and refinance a ditch so outstanding, less money on hand in the county ditch fund to the credit of a ditch on April 22,

1932. The percentage must bear the same proportion to the whole amount of the bonds as the original benefits assessed against these lands within the project bear to the original total benefits assessed to the entire system for a ditch. This liability must be reduced from time to time by the payments of all assessments extended after April 22, 1933, made by the owners of lands within the project of assessments for benefits assessed before that date on account of a ditch.

Sec. 18. Minnesota Statutes 2018, section 84A.52, is amended to read:

**84A.52 ACCOUNTS; EXAMINATION, APPROPRIATION, PAYMENT.**

(a) As a part of the examination provided for by section 6.481, of the accounts of the several counties within a game preserve, area, or project established under section 84A.01, 84A.20, or 84A.31, the state auditor shall segregate the audit of the accounts reflecting the receipt and disbursement of money collected or disbursed under this chapter or from the sale of tax-forfeited lands held by the state under section 84A.07, 84A.26, or 84A.36. The auditor shall also include in the reports required by section 6.481 summary statements as of December 31 before the examination that set forth the proportionate amount of principal and interest due from the state to the individual county and any money due the state from the county remaining unpaid under this chapter, or from the sale of any tax-forfeited lands referred to in this section, and other information required by the commissioner of management and budget. On receiving a report, the commissioner of management and budget shall determine the net amount due to the county for the period covered by the report and shall ~~draw a warrant~~ issue a payment upon the state treasury payable out of the consolidated fund for that amount. It must be paid to and received by the county as payment in full of all amounts due for the period stated on the ~~warrants~~ payments from the state under any provision of this chapter.

(b) Money to ~~pay the warrants~~ make the payments is appropriated to the counties entitled to payment from the consolidated fund in the state treasury.

Sec. 19. Minnesota Statutes 2018, section 88.12, subdivision 1, is amended to read:

Subdivision 1. **Limitation.** The compensation and expenses of persons temporarily employed in emergencies in suppression or control of wildfires shall be fixed by the commissioner of natural resources or an authorized agent and paid as provided by law. Such compensation shall not exceed the maximum rate for comparable labor established as provided by law or rules, but shall not be subject to any minimum rate so established. The commissioner is authorized to draw and expend from money appropriated for the purposes of sections 88.03 to 88.22 a reasonable sum and through forest officers or other authorized agent be used in paying emergency expenses, including just compensation for services rendered by persons summoned and for private property used, damaged, or appropriated under sections 88.03 to 88.22. The commissioner of management and budget is authorized to ~~draw a warrant~~ issue a payment for this sum when duly approved by the commissioner. The commissioner or agent in charge shall take proper subvouchers or receipts from all persons to whom these moneys are paid, and after these subvouchers have been approved they shall be filed with the commissioner of management and budget. Authorized funds as herein provided at any time shall be deposited, subject to withdrawal or disbursement by check or otherwise for the purposes herein prescribed, in a bank authorized and bonded to receive state deposits; and the bond of this bank to the state shall cover and include this deposit.

Sec. 20. Minnesota Statutes 2018, section 94.522, is amended to read:

**94.522 ~~WARRANTS~~ PAYMENTS TO COUNTY TREASURERS; USE OF PROCEEDS.**

It shall be the duty of the commissioner of management and budget to transmit ~~warrants on~~ payments from the state treasury to the county treasurer of the respective counties for the sums that may be due in accordance with section 94.521, which sums are hereby appropriated out of the state treasury from the amounts received from the United States government pursuant to the aforesaid acts of Congress, and such money shall be used by the counties receiving the same for the purposes and in the proportions herein provided.

Sec. 21. Minnesota Statutes 2018, section 94.53, is amended to read:

**94.53 WARRANTS PAYMENTS TO COUNTY TREASURERS; FEDERAL LOANS TO COUNTIES.**

It shall be the duty of the commissioner of management and budget to transmit ~~warrants on payments from~~ the state treasury to the county treasurers of the respective counties for the sum that may be due in accordance with sections 94.52 to 94.54, which sum or sums are hereby appropriated out of the state treasury from the amounts received from the United States government pursuant to the aforesaid act of Congress. The commissioner of management and budget, upon being notified by the federal government or any agencies thereof that a loan has been made to any such county the repayment of which is to be made from such fund, is authorized to transmit a ~~warrant or warrants payment~~ to the federal government or any agency thereof sufficient to repay such loan out of any money apportioned or due to such county under the provisions of such act of Congress, approved May 23, 1908 (Statutes at Large, volume 35, page 260).

Sec. 22. Minnesota Statutes 2018, section 116J.64, subdivision 7, is amended to read:

Subd. 7. **Processing.** (a) An Indian desiring a loan for the purpose of starting a business enterprise or expanding an existing business shall make application to the appropriate tribal government. The application shall be forwarded to the appropriate eligible organization, if it is participating in the program, for consideration in conformity with the plans submitted by said tribal governments. The tribal government may approve the application if it determines that the loan would advance the goals of the Indian business loan program. If the tribal government is not participating in the program, the agency may directly approve or deny the loan application.

(b) If the application is approved, the tribal government shall forward the application, together with all relevant documents pertinent thereto, to the commissioner of the agency, who shall ~~cause a warrant~~ request a payment to be drawn in favor of issued to the applicant or the applicable tribal government, ~~or the agency,~~ if it is administering the loan, with appropriate notations identifying the borrower.

(c) The tribal government, eligible organization, or the agency, if it is administering the loan, shall maintain records of transactions for each borrower in a manner consistent with good accounting practice. The interest rate on a loan shall be established by the tribal government or the agency, but may be no less than two percent per annum nor more than ten percent per annum. When any portion of a debt is repaid, the tribal government, eligible organization, or the agency, if it is administering the loan, shall remit the amount so received plus interest paid thereon to the commissioner of management and budget through the agency. The amount so received shall be credited to the Indian business loan account.

(d) On the placing of a loan, additional money equal to ten percent of the total amount made available to any tribal government, eligible organization, or the agency, if it is administering the loan, for loans during the fiscal year shall be paid to the tribal government, eligible organization, or the agency, prior to December 31 for the purpose of financing administrative costs.

Sec. 23. Minnesota Statutes 2018, section 127A.34, subdivision 1, is amended to read:

Subdivision 1. **Copy to commissioner of management and budget; appropriation.** The commissioner shall furnish a copy of the apportionment of the school endowment fund to the commissioner of management and budget, who thereupon shall ~~draw warrants on~~ issue payments from the state treasury, payable to the several districts, for the amount due each district. There is hereby annually appropriated from the school endowment fund the amount of such apportionments.

Sec. 24. Minnesota Statutes 2018, section 127A.40, is amended to read:

**127A.40 MANNER OF PAYMENT OF STATE AIDS.**

It shall be the duty of the commissioner to deliver to the commissioner of management and budget a certificate for each district entitled to receive state aid under the provisions of this chapter. Upon the receipt of such certificate, it shall be the duty of the commissioner of management and budget to ~~draw a warrant in favor of~~ issue a payment to the district for the amount shown by each certificate to be due to the district. The commissioner of management and budget shall transmit such ~~warrants~~ payments to the district together with a copy of the certificate prepared by the commissioner.

Sec. 25. Minnesota Statutes 2018, section 136F.70, subdivision 3, is amended to read:

Subd. 3. **Refunds.** The board may make refunds to students for tuition, activity fees, union fees, and any other fees from imprest cash funds. The imprest cash fund shall be reimbursed periodically by ~~checks or warrants drawn on~~ payments issued from the funds and accounts to which the refund should ultimately be charged. The amounts necessary to pay the refunds are appropriated from the funds and accounts to which they are charged.

Sec. 26. Minnesota Statutes 2018, section 176.181, subdivision 2, is amended to read:

Subd. 2. **Compulsory insurance; self-insurers.** (a) Every employer, except the state and its municipal subdivisions, liable under this chapter to pay compensation shall insure payment of compensation with some insurance carrier authorized to insure workers' compensation liability in this state, or obtain a written order from the commissioner of commerce exempting the employer from insuring liability for compensation and permitting self-insurance of the liability. The terms, conditions and requirements governing self-insurance shall be established by the commissioner pursuant to chapter 14. The commissioner of commerce shall also adopt, pursuant to paragraph (d), rules permitting two or more employers, whether or not they are in the same industry, to enter into agreements to pool their liabilities under this chapter for the purpose of qualifying as group self-insurers. With the approval of the commissioner of commerce, any employer may exclude medical, chiropractic and hospital benefits as required by this chapter. An employer conducting distinct operations at different locations may either insure or self-insure the other portion of operations as a distinct and separate risk. An employer desiring to be exempted from insuring liability for compensation shall make application to the commissioner of commerce, showing financial ability to pay the compensation, whereupon by written order the commissioner of commerce, on deeming it proper, may make an exemption. An employer may establish financial ability to pay compensation by providing financial statements of the employer to the commissioner of commerce. Upon ten days' written notice the commissioner of commerce may revoke the order granting an exemption, in which event the employer shall immediately insure the liability. As a condition for the granting of an exemption the commissioner of commerce may require the employer to furnish security the commissioner of commerce considers sufficient to insure payment of all claims under this chapter, consistent with subdivision 2b. If the required security is in the form of currency or negotiable bonds, the commissioner of commerce shall deposit it with the commissioner of management and budget. In the event of any default upon the part of a self-insurer to abide by any final order or decision of the commissioner of labor and industry directing and awarding payment of compensation and benefits to any employee or the dependents of any deceased employee, then upon at least ten days' notice to the self-insurer, the commissioner of commerce may by written order to the commissioner of management and budget require the commissioner of management and budget to sell the pledged and assigned securities or a part thereof necessary to pay the full amount of any such claim or award with interest thereon. This authority to sell may be exercised from time to time to satisfy any order or award of the commissioner of labor and industry or any judgment obtained thereon. When securities are sold the money obtained shall be deposited in the state treasury to the credit of the commissioner of commerce and awards made against any such self-insurer by the commissioner of commerce shall be paid to the persons entitled thereto by the commissioner of management and budget upon ~~warrants prepared~~ payments requested by the commissioner of commerce out of the proceeds of the sale of securities. Where the security is in the form of a surety bond or

personal guaranty the commissioner of commerce, at any time, upon at least ten days' notice and opportunity to be heard, may require the surety to pay the amount of the award, the payments to be enforced in like manner as the award may be enforced.

(b) No association, corporation, partnership, sole proprietorship, trust or other business entity shall provide services in the design, establishment or administration of a group self-insurance plan under rules adopted pursuant to this subdivision unless it is licensed, or exempt from licensure, pursuant to section 60A.23, subdivision 8, to do so by the commissioner of commerce. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to provide. The license shall be granted only when the commissioner of commerce is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner of commerce may issue a license subject to restrictions or limitations, including restrictions or limitations on the type of services which may be supplied or the activities which may be engaged in. The license is for a two-year period.

(c) To assure that group self-insurance plans are financially solvent, administered in a fair and capable fashion, and able to process claims and pay benefits in a prompt, fair and equitable manner, entities licensed to engage in such business are subject to supervision and examination by the commissioner of commerce.

(d) To carry out the purposes of this subdivision, the commissioner of commerce may promulgate administrative rules pursuant to sections 14.001 to 14.69. These rules may:

- (1) establish reporting requirements for administrators of group self-insurance plans;
- (2) establish standards and guidelines consistent with subdivision 2b to assure the adequacy of the financing and administration of group self-insurance plans;
- (3) establish bonding requirements or other provisions assuring the financial integrity of entities administering group self-insurance plans;
- (4) establish standards, including but not limited to minimum terms of membership in self-insurance plans, as necessary to provide stability for those plans;
- (5) establish standards or guidelines governing the formation, operation, administration, and dissolution of self-insurance plans; and
- (6) establish other reasonable requirements to further the purposes of this subdivision.

Sec. 27. Minnesota Statutes 2018, section 176.581, is amended to read:

**176.581 PAYMENT TO STATE EMPLOYEES.**

Upon a ~~warrant request~~ prepared by the commissioner of administration, and in accordance with the terms of the order awarding compensation, the commissioner of management and budget shall pay compensation to the employee or the employee's dependent. These payments shall be made from money appropriated for this purpose.

Sec. 28. Minnesota Statutes 2018, section 176.591, subdivision 3, is amended to read:

Subd. 3. **Compensation payments upon ~~warrants request~~.** The commissioner of management and budget shall make compensation payments from the fund only as authorized by this chapter upon ~~warrants request~~ of the commissioner of administration.



Sec. 29. Minnesota Statutes 2018, section 192.55, is amended to read:

**192.55 PAYMENTS TO BE MADE THROUGH ADJUTANT GENERAL.**

All pay and allowances and necessary expenses for any of the military forces shall, when approved by the adjutant general, be paid by commissioner of management and ~~budget's warrants issued~~ budget to the several officers and enlisted members entitled thereto; provided, that upon the request of the adjutant general, approved by the governor, the sum required for any such pay or allowances and necessary expenses shall be paid by commissioner of management and ~~budget's warrant~~ budget to the adjutant general, who shall immediately pay and distribute the same to the several officers or enlisted members entitled thereto or to their commanding officers or to a finance officer designated by the adjutant general. The receipt of any such commanding officer or finance officer for any such payment shall discharge the adjutant general from liability therefor. Every commanding officer or finance officer receiving any such payment shall, as soon as practicable, pay and distribute the same to the several officers or enlisted members entitled thereto. The officer making final payment shall, as evidence thereof, secure the signature of the person receiving the same upon a payroll or other proper voucher.

Sec. 30. Minnesota Statutes 2018, section 237.30, is amended to read:

**237.30 TELEPHONE INVESTIGATION FUND; APPROPRIATION.**

A Minnesota Telephone Investigation Fund shall exist for the use of the Department of Commerce and of the attorney general in investigations, valuations, and revaluations under section 237.295. All sums paid by the telephone companies to reimburse the department for its expenses pursuant to section 237.295 shall be credited to the revolving fund and shall be deposited in a separate bank account and not commingled with any other state funds or moneys, but any balance in excess of \$25,000 in the revolving fund at the end of each fiscal year shall be paid into the state treasury and credited to the general fund. All subsequent credits to said revolving fund shall be paid ~~upon the warrant of~~ by the commissioner of management and budget upon application of the department or of the attorney general to an aggregate amount of not more than one-half of such sums to each of them, which proportion shall be constantly maintained in all credits and withdrawals from the revolving fund.

Sec. 31. Minnesota Statutes 2018, section 244.19, subdivision 7, is amended to read:

Subd. 7. **Certificate of counties entitled to state aid.** On or before January 1 of each year, until 1970 and on or before April 1 thereafter, the commissioner of corrections shall deliver to the commissioner of management and budget a certificate in duplicate for each county of the state entitled to receive state aid under the provisions of this section. Upon the receipt of such certificate, the commissioner of management and budget shall ~~draw a warrant in favor of~~ issue a payment to the county treasurer for the amount shown by each certificate to be due to the county specified. The commissioner of management and budget shall transmit such ~~warrant~~ payment to the county treasurer together with a copy of the certificate prepared by the commissioner of corrections.

Sec. 32. Minnesota Statutes 2018, section 256B.20, is amended to read:

**256B.20 COUNTY APPROPRIATIONS.**

The providing of funds necessary to carry out the provisions hereof on the part of the counties and the manner of administering the funds of the counties and the state shall be as follows:

(1) The board of county commissioners of each county shall annually set up in its budget an item designated as the county medical assistance fund and levy taxes and fix a rate therefor sufficient to produce the full amount of such item, in addition to all other tax levies and tax rate, however fixed or determined, sufficient to carry out the provisions hereof and sufficient to pay in full the county share of assistance and administrative expense for the

ensuing year; and annually on or before October 10 shall certify the same to the county auditor to be entered by the auditor on the tax rolls. Such tax levy and tax rate shall make proper allowance and provision for shortage in tax collections.

(2) Any county may transfer surplus funds from any county fund, except the sinking or ditch fund, to the general fund or to the county medical assistance fund in order to provide money necessary to pay medical assistance awarded hereunder. The money so transferred shall be used for no other purpose, but any portion thereof no longer needed for such purpose shall be transferred back to the fund from which taken.

(3) Upon the order of the county agency the county auditor shall draw a warrant on the proper fund in accordance with the order, and the county treasurer shall pay out the amounts ordered to be paid out as medical assistance hereunder. When necessary by reason of failure to levy sufficient taxes for the payment of the medical assistance in the county, the county auditor shall carry any such payments as an overdraft on the medical assistance funds of the county until sufficient tax funds shall be provided for such assistance payments. The board of county commissioners shall include in the tax levy and tax rate in the year following the year in which such overdraft occurred, an amount sufficient to liquidate such overdraft in full.

(4) Claims for reimbursement and reports shall be presented to the state agency by the respective counties as required under section 256.01, subdivision 2, paragraph (p). The state agency shall audit such claims and certify to the commissioner of management and budget the amounts due the respective counties without delay. The amounts so certified shall be paid within ten days after such certification, from the state treasury upon ~~warrant~~ payment of the commissioner of management and budget from any money available therefor. The money available to the state agency to carry out the provisions hereof, including all federal funds available to the state, shall be kept and deposited by the commissioner of management and budget in the revenue fund and disbursed ~~upon warrants~~ in the same manner as other state funds.

Sec. 33. Minnesota Statutes 2018, section 299C.21, is amended to read:

**299C.21 PENALTY ON LOCAL OFFICER REFUSING INFORMATION.**

If any public official charged with the duty of furnishing to the bureau fingerprint records, biological specimens, reports, or other information required by sections 299C.06, 299C.10, 299C.105, 299C.11, 299C.17, shall neglect or refuse to comply with such requirement, the bureau, in writing, shall notify the state, county, or city officer charged with the issuance of ~~a warrant for~~ the payment of the salary of such official. Upon the receipt of the notice the state, county, or city official shall withhold the issuance of ~~a warrant for~~ the payment of the salary or other compensation accruing to such officer for the period of 30 days thereafter until notified by the bureau that such suspension has been released by the performance of the required duty.

Sec. 34. Minnesota Statutes 2018, section 352.04, subdivision 9, is amended to read:

Subd. 9. **Erroneous deductions, canceled ~~warrants~~ payments.** (a) Deductions taken from the salary of an employee for the retirement fund in excess of required amounts must, upon discovery and verification by the department making the deduction, be refunded to the employee.

(b) If a deduction for the retirement fund is taken from a salary ~~warrant or check~~ payment, and the ~~check~~ payment is canceled or the amount of the ~~warrant or check~~ payment returned to the funds of the department making the payment, the sum deducted, or the part of it required to adjust the deductions, must be refunded to the department or institution if the department applies for the refund on a form furnished by the director. The department's payments must likewise be refunded to the department.

(c) If erroneous employee deductions and employer contributions are caused by an error in plan coverage involving the plan and any other plans specified in section 356.99, that section applies. If the employee should have been covered by the plan governed by chapter 352D, 353D, 354B, or 354D, the employee deductions and employer contributions taken in error must be directly transferred to the applicable employee's account in the correct retirement plan, with interest at the applicable monthly rate or rates specified in section 356.59, subdivision 2, compounded annually, from the first day of the month following the month in which coverage should have commenced in the correct defined contribution plan until the end of the month in which the transfer occurs.

Sec. 35. Minnesota Statutes 2018, section 353.05, is amended to read:

### **353.05 CUSTODIAN OF FUNDS.**

The commissioner of management and budget shall be ex officio treasurer of the retirement funds of the association and the general bond of the commissioner of management and budget to the state must be so conditioned as to cover all liability for acts as treasurer of these funds. All money of the association received by the commissioner of management and budget must be set aside in the state treasury to the credit of the proper fund or account. The commissioner of management and budget shall transmit monthly to the executive director a detailed statement of all amounts so received and credited to the funds. Payments out of the funds may only be made ~~on warrants~~ as payments issued by the commissioner of management and budget, upon abstracts signed by the executive director; provided that abstracts for investment may be signed by the executive director of the State Board of Investment.

Sec. 36. Minnesota Statutes 2018, section 354.42, subdivision 7, is amended to read:

Subd. 7. **Erroneous salary deductions or direct payments.** (a) Any deductions taken from the salary of an employee for the retirement fund in excess of amounts required must be refunded to the employee upon the discovery of the error and after the verification of the error by the employing unit making the deduction. The corresponding excess employer contribution and excess additional employer contribution amounts attributable to the erroneous salary deduction must be refunded to the employing unit.

(b) If salary deductions and employer contributions were erroneously transmitted to the retirement fund and should have been transmitted to the plan covered by chapter 352D, 353D, 354B, or 354D, the executive director must transfer these salary deductions and employer contributions to the account of the appropriate person under the applicable plan. The transfer to the applicable defined contribution plan account must include interest at the rate of 0.71 percent per month, compounded annually, from the first day of the month following the month in which coverage should have commenced in the defined contribution plan until the end of the month in which the transfer occurs.

(c) A potential transfer under paragraph (b) that would cause the plan to fail to be a qualified plan under section 401(a) of the Internal Revenue Code, as amended, must not be made by the executive director. Within 30 days after being notified by the Teachers Retirement Association of an unmade potential transfer under this paragraph, the employer of the affected person must transmit an amount representing the applicable salary deductions and employer contributions, without interest, to the account of the applicable person under the appropriate plan. The retirement association must provide a credit for the amount of the erroneous salary deductions and employer contributions against future contributions from the employer.

(d) If a salary ~~warrant or check payment~~ from which a deduction for the retirement fund was taken has been canceled or the amount of the ~~warrant or if a check payment~~ has been returned to the funds of the employing unit making the payment, a refund of the amount deducted, or any portion of it that is required to adjust the salary deductions, must be made to the employing unit.

(e) Erroneous direct payments of member-paid contributions or erroneous salary deductions that were not refunded during the regular payroll cycle processing must be refunded to the member, plus interest computed using the rate and method specified in section 354.49, subdivision 2.

(f) Any refund under this subdivision that would cause the plan to fail to be a qualified plan under section 401(a) of the Internal Revenue Code, as amended, may not be refunded and instead must be credited against future contributions payable by the employer. The employer is responsible for refunding to the applicable employee any amount that was erroneously deducted from the salary of the employee, with interest as specified in paragraph (e).

(g) If erroneous employee deductions and employer contributions are caused by an error in plan coverage involving the plan and any other plan specified in section 356.99, that section applies.

Sec. 37. Minnesota Statutes 2018, section 401.15, subdivision 1, is amended to read:

Subdivision 1. **Certified statements; determinations; adjustments.** Within 60 days of the end of each calendar quarter, participating counties which have received the payments authorized by section 401.14 shall submit to the commissioner certified statements detailing the amounts expended and costs incurred in furnishing the correctional services provided in sections 401.01 to 401.16. Upon receipt of certified statements, the commissioner shall, in the manner provided in sections 401.10 and 401.12, determine the amount each participating county is entitled to receive, making any adjustments necessary to rectify any disparity between the amounts received pursuant to the estimate provided in section 401.14 and the amounts actually expended. If the amount received pursuant to the estimate is greater than the amount actually expended during the quarter, the commissioner may withhold the difference from any subsequent monthly payments made pursuant to section 401.14. Upon certification by the commissioner of the amount a participating county is entitled to receive under the provisions of section 401.14 or of this subdivision the commissioner of management and budget shall thereupon issue a ~~state warrant payment~~ to the chief fiscal officer of each participating county for the amount due together with a copy of the certificate prepared by the commissioner.

Sec. 38. Minnesota Statutes 2018, section 446A.16, subdivision 1, is amended to read:

Subdivision 1. **Functions of commissioner of management and budget.** Except as otherwise provided in this section, money of the authority must be paid to the commissioner of management and budget as agent of the authority and the commissioner shall not commingle the money with other money. The money in the accounts of the authority must be paid out only ~~on warrants drawn~~ by the commissioner of management and budget on requisition of the chair of the authority or of another officer or employee as the authority authorizes. Deposits of the authority's money must, if required by the commissioner or the authority, be secured by obligations of the United States or of the state of a market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give security for the deposits.

Sec. 39. Minnesota Statutes 2018, section 462A.18, subdivision 1, is amended to read:

Subdivision 1. **Functions of commissioner of management and budget.** All moneys of the agency, except as otherwise authorized or provided in this section, shall be paid to the commissioner of management and budget as agent of the agency, who shall not commingle such moneys with any other moneys. The moneys in such accounts shall be paid out ~~on warrants drawn~~ by the commissioner on requisition of the chair of the agency or of such other officer or employee as the agency shall authorize to make such requisition. All deposits of such moneys shall, if required by the commissioner or the agency, be secured by obligations of the United States or of the state of a market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give such security for such deposits.

Sec. 40. Minnesota Statutes 2018, section 525.841, is amended to read:

**525.841 ESCHEAT RETURNED.**

In all such cases the commissioner of management and budget shall be furnished with a certified copy of the court's order assigning the escheated property to the persons entitled thereto, and upon notification of payment of the estate tax, the commissioner of management and budget shall ~~draw a warrant~~ issue a payment or execute a proper conveyance to the persons designated in such order. In the event any escheated property has been sold pursuant to sections 11A.04, clause (9), and 11A.10, subdivision 2, or 16B.281 to 16B.287, then the ~~warrant~~ payment shall be for the appraised value as established during the administration of the decedent's estate. There is hereby annually appropriated from any moneys in the state treasury not otherwise appropriated an amount sufficient to make payment to all such designated persons. No interest shall be allowed on any amount paid to such persons.

Sec. 41. **REVISOR INSTRUCTION.**

The revisor of statutes shall replace, as the context requires, "warrant," "warrants," or "warrant or check" with "payment" or "payments" in the following sections and subdivisions of Minnesota Statutes: 15.0596; 16A.134; 16A.17, subdivision 5; 16A.42, subdivision 4; 16A.56; 43A.30, subdivision 2; 43A.49; 49.24, subdivisions 13 and 16; 69.031, subdivision 1; 84A.40; 126C.55, subdivisions 2 and 9; 126C.68, subdivision 3; 126C.69, subdivision 14; 136F.46, subdivision 1; 162.08, subdivisions 10 and 11; 162.14, subdivisions 4 and 5; 162.18, subdivision 4; 162.181, subdivision 4; 163.051, subdivision 3; 196.052; 198.16; 241.13, subdivision 1; 260B.331, subdivision 2; 260C.331, subdivision 2; 273.121, subdivision 1; 287.08; 297I.10, subdivision 1; 348.05; 352.05; 352.115, subdivision 12; 352.12, subdivision 13; 353.27, subdivision 7; 354.52, subdivisions 4 and 4b; 446A.086, subdivision 4; and 475A.04, subdivision 1.

ARTICLE 4  
ELECTIONS AND VOTING RIGHTS

Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision to read:

Subd. 9. **Data derived from driver's license applications.** Data on an application for a driver's license, a Minnesota identification card, or a learner's permit transferred to the secretary of state that are provided by a person whom the secretary of state determines is not eligible to vote are governed by section 201.161.

Sec. 2. Minnesota Statutes 2018, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph (b). If the appointment becomes effective, it shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required. If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office the appointee shall serve for the remainder of the unexpired term.

(b) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies created on or after that date.

Sec. 3. Minnesota Statutes 2018, section 174.24, is amended by adding a subdivision to read:

**Subd. 7a. Transit service on election day.** An eligible recipient of operating assistance under this section who contracts or has contracted to provide fixed route public transit shall provide fixed route public transit service free of charge on a day a state general election is held.

**EFFECTIVE DATE.** This section is effective July 1, 2020.

Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to read:

**Subd. 2a. Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 5. Minnesota Statutes 2018, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; ~~and~~

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16; and

(15) provide reports necessary for early voting.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 6. Minnesota Statutes 2018, 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 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~~ am not currently incarcerated for a felony offense; 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. 7. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:

Subd. 4. **Public information lists.** The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. The list must not include the party choice of any voter who voted in ~~the most recent~~ a presidential nomination primary. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The county auditor may adopt reasonable rules governing access to the list. No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement. The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

Upon receipt of a statement signed by the voter that withholding the voter's name from the public information list is required for the safety of the voter or the voter's family, the secretary of state and county auditor must withhold from the public information list the name of a registered voter.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential nomination primaries conducted on or after that date.



Sec. 8. Minnesota Statutes 2018, section 201.091, is amended by adding a subdivision to read:

Subd. 4a. **Presidential primary political party list.** For each major political party that participated in the presidential nomination primary, the secretary of state must maintain a list of the voters who voted in the presidential nomination primary and selected that political party. Information maintained on the lists is private data on individuals as defined under section 13.02, subdivision 12, except that the secretary of state must provide to the chair of each major political party a list of voters who selected the chair's party for the most recent presidential nomination primary.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential nomination primaries conducted on or after that date.

Sec. 9. Minnesota Statutes 2018, section 201.161, is amended to read:

**201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE, INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS APPLICANTS.**

Subdivision 1. **Automatic registration.** An individual who properly completes an application for a new or renewed Minnesota driver's license, instruction permit, or identification card, and who is eligible to vote under section 201.014, must be registered to vote as provided in this section, unless the applicant declines to be registered.

Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or change of address driver's license, instruction permit, or identification card so that the forms may also serve as voter registration applications. The forms must contain spaces for all information collected by voter registration applications prescribed by the secretary of state. ~~Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that~~ and a box for the applicant to decline to be registered to vote. The form must clearly state that it is a felony for a person who is not eligible to vote to register to vote or cast a ballot. Unless the applicant has declined to be registered to vote or has provided an address other than the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the commissioner shall transmit the information ~~must be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, citizenship, driver's license number or state identification number, county, ~~town,~~ and city ~~or town~~ must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant is currently registered in the statewide voter registration system. For each currently registered voter whose registration is not changed, the secretary of state shall update the voter's registration date in the statewide voter registration system. For each currently registered voter whose registration is changed, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system, the secretary of state shall determine whether the applicant is 18 years of age or older and a citizen of the United States and compare the voter registration information received under section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years of age to determine whether the applicant is eligible to vote. For each applicant the secretary of state determines is an eligible voter, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(c) Any data on applicants who the secretary determines are not eligible to vote are private data on individuals as defined in section 13.02, subdivision 12.

Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the voter the notice of registration required by section 201.121, subdivision 2.

Subd. 5. **Registering 20 days before election.** An application for registration that is dated during the 20 days before an election in any jurisdiction within which the voter resides is not effective until the day after the election.

Subd. 6. **System certification.** An applicant for a Minnesota driver's license, instruction permit, or identification card must not be registered to vote until the commissioner of public safety has certified that the department's systems have been tested and can accurately provide the necessary data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote.

Subd. 7. **Implementation costs.** The secretary of state and commissioner of public safety must absorb any costs associated with implementation of this section using existing appropriations provided to the secretary or commissioner by law.

Sec. 10. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.**

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 11. Minnesota Statutes 2018, section 203B.001, is amended to read:

**203B.001 ELECTION LAW APPLICABILITY.**

The Minnesota Election Law is applicable to voting by absentee ballot and early voting unless otherwise provided in this chapter.

Sec. 12. Minnesota Statutes 2018, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the office of the county auditor or designated municipal clerk within the time period provided in section 203B.31.

Sec. 13. Minnesota Statutes 2018, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. **Violation.** (a) No individual shall intentionally:

- (1) make or sign any false certificate required by this chapter;
- (2) make any false or untrue statement in any application for absentee ballots;
- (3) apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;
- (4) exhibit a ballot marked by that individual to any other individual;
- (5) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

(6) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;

(7) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;

(8) solicit the vote of an absentee or early voter while in the immediate presence of the voter during the time the individual knows the absentee or early voter is voting; or

(9) alter an absentee ballot application after it has been signed by the voter, except by an election official for administrative purposes.

(b) Before inspecting information from absentee ballot or early voting materials or records, an individual shall provide identification to the public official having custody of the material or information.

Sec. 14. Minnesota Statutes 2018, section 203B.04, subdivision 5, is amended to read:

Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before each election, other than an election by mail conducted under section 204B.45, and to have the status as a permanent absentee voter indicated on the voter's registration record. The secretary of state must prescribe a form for this purpose. An eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in effect on that date, shall be treated as if the voter applied for status as a permanent absentee voter pursuant to this subdivision.

(b) A voter who applies under paragraph (a) must automatically be provided an absentee ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and automatic ballot ~~application~~ delivery must be terminated on:

- (1) the voter's written request;
  - (2) the voter's death;
  - (3) return of an absentee ballot as undeliverable; or
  - (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter registration system.
- (c) The secretary of state shall adopt rules governing procedures under this subdivision.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 15. **[203B.045] VOTERS WITH A DISABILITY.**

Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** (a) A voter with a temporary or permanent disability may include in an application for absentee ballots a request that the ballots, instructions, and a certificate of voter eligibility meeting the requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically in an accessible format, including ballots with the ability to be marked by accessible software or devices. Upon receipt of a properly completed application requesting accessible electronic transmission, the county auditor shall electronically transmit the requested materials to the voter.

(b) Electronic materials provided by a county auditor to a voter under this subdivision must comply with the accessibility standards developed under section 16E.03, subdivision 9.

(c) The county auditor or municipal clerk must provide a return envelope containing first class postage to a voter requesting a ballot and ballot materials under this subdivision.

Subd. 2. **Marking ballots.** The voter may electronically mark the ballot using accessible software or devices.

Subd. 3. **Returning voted ballots.** The voter must return the voted ballots and the certificate of voter eligibility to the county auditor in a sealed envelope.

Sec. 16. Minnesota Statutes 2018, section 203B.05, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 if:

- (1) the county auditor of that county has designated the clerk to administer them; or
- (2) the clerk has given the county auditor of that county notice of intention to administer them.

The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in section 203B.121.

A clerk of a city that is located in more than one county may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. A clerk may only administer the provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. A clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering this section. A clerk may not use the statewide voter registration system until the clerk has received the required training. The county auditor must notify the secretary of state of any municipal clerk who will be administering the provisions of this section and the duties that the clerk will administer.

Sec. 17. Minnesota Statutes 2018, section 203B.06, subdivision 1, is amended to read:

Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal clerk shall prepare and print a sufficient number of blank application forms for absentee ballots. The county auditor or municipal clerk shall deliver a blank application form to any voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed to eligible voters who have requested an application pursuant to section 203B.04, subdivision 5, at least 60 days before:~~

- ~~(1) each regularly scheduled primary for federal, state, county, city, or school board office;~~
- ~~(2) each regularly scheduled general election for city or school board office for which a primary is not held; and~~
- ~~(3) a special primary to fill a federal or county office vacancy or special election to fill a federal or county office vacancy, if a primary is not required to be held pursuant to section 204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~

~~or at least 45 days before any other primary or other election for which a primary is not held.~~

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 18. Minnesota Statutes 2018, section 203B.06, subdivision 3, is amended to read:

Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time clerk of any city or town administering an election pursuant to section 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04, subdivision 5, at least 45 days before:

(1) each regularly scheduled primary or general election for federal, state, county, city, or school board office;

(2) each special primary or special election to fill a federal, state, county, city, or school board vacancy; except

(3) town clerks administering absentee ballots for a town general election held in March shall deliver absentee ballots at least 30 days before the election.

(b) The commissioner of corrections must provide the secretary of state with a list of the names and mailing addresses of state adult correctional facilities. An application for an absentee ballot that provides an address included on the list provided by the commissioner of corrections must not be accepted and an absentee ballot must not be provided to the applicant. The county auditor or municipal clerk must promptly transmit a copy of the application to the county attorney. The Department of Corrections must implement procedures to ensure that absentee ballots issued under this chapter are not received or mailed by offenders incarcerated at state adult correctional facilities.

~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots are not yet available for distribution, the county auditor, or municipal clerk accepting the application shall file it and as soon as absentee ballots are available for distribution shall mail them to the address specified in the application. If an application for absentee ballots is accepted when absentee ballots are available for distribution, the county auditor or municipal clerk accepting the application shall promptly:

(1) mail the ballots to the voter whose signature appears on the application if the application is submitted by mail and does not request commercial shipping under clause (2);

(2) ship the ballots to the voter using a commercial shipper requested by the voter at the voter's expense;

(3) deliver the absentee ballots directly to the voter if the application is submitted in person; or

(4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter who would have difficulty getting to the polls because of incapacitating health reasons, or who is disabled, or who is a patient in a health care facility, a resident of a facility providing assisted living services governed by chapter 144G, a participant in a residential program for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for battered women as defined in section 611A.37, subdivision 4.

(e) (d) If an application does not indicate the election for which absentee ballots are sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the next election occurring after receipt of the application. Only one set of ballots may be mailed, shipped, or delivered to an applicant for any election, except as provided in section 203B.121, subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that has been spoiled or lost in transit.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 19. Minnesota Statutes 2018, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing.** (a) 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 or by a municipal clerk authorized to conduct absentee balloting under section 203B.05 during the 46 days before the election, except as provided in this section.

(b) A polling place location, other than the office of the county auditor, may be opened for fewer than 46 days. If a polling place is open fewer than 46 days before the election, the county auditor or municipal clerk must post the polling place location and hours of operation on the jurisdiction's website and must inform the secretary of state of the polling place's location and hours.

Sec. 20. Minnesota Statutes 2018, section 203B.085, is amended to read:

**203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

The county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer absentee balloting must be open for acceptance of absentee ballot applications and casting of absentee ballots from 8:00 a.m. to 12:00 noon on the day immediately preceding an election subject to early voting under section 203B.30 unless that day falls on a Sunday. When performing the duties of the county auditor in an election not subject to early voting under section 203B.30, the clerk's office must be open from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or general election unless that day falls on a Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. The school district clerk, when performing the county auditor's election duties, need not comply with this section.

Sec. 21. Minnesota Statutes 2018, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots or to administer early voting must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges trained in the handling of absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

Sec. 22. Minnesota Statutes 2018, 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 return 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 return 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 return envelope "Accepted" and initial or sign the return 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 return envelope are the same as the information provided on the absentee ballot application or voter record;

(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 return 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 day before the election, by absentee ballot.

The return 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 return envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return 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 security 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 return 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 return envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 23. Minnesota Statutes 2018, section 203B.121, is amended by adding a subdivision to read:

**Subd. 2a. Duties of ballot board; early voting.** The members of the ballot board shall administer the process of early voting as prescribed in section 203B.35, and shall make a record of voters who cast ballots early and count those ballots as provided in subdivisions 4 and 5.

Sec. 24. Minnesota Statutes 2018, 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 or that the voter has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter whose record indicates that the voter has cast an early ballot must not be permitted to cast another ballot in that election. After the close of business on the ~~seventh day before the election day~~ seventh day before the election day prior to the beginning of the early voting period as provided in section 203B.31, 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, or county 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 and early 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 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. 25. Minnesota Statutes 2018, section 203B.121, subdivision 4, is amended to read:

Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before the election, the ballots from return 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 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. 26. Minnesota Statutes 2018, section 203B.121, subdivision 5, is amended to read:

Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on which absentee or early voting ballots are inserted into a ballot box, two members of the ballot board must:

- (1) remove the ballots from the ballot box at the end of the day;
- (2) without inspecting the ballots, ensure that the number of ballots removed from the ballot box is equal to the number of voters who cast early votes and whose absentee ballots were accepted that day; and
- (3) seal and secure all voted and unvoted ballots present in that location at the end of the day.

(b) After the polls have closed on election day, two members of the ballot board must count the ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count must be recorded on a summary statement in substantially the same format as provided in section 204C.26. The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements to comply with the provisions of section 204C.27, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements designated in section 204C.27.

In state primary and state general elections, these vote totals shall be added to the vote totals on the summary statements of the returns for the appropriate precinct. In other elections, these vote totals may be added to the vote totals on the summary statement of returns for the appropriate precinct or may be reported as a separate total.

The count shall be public. No vote totals from ballots may be made public before the close of voting on election day.

(c) In addition to the requirements of paragraphs (a) and (b), if the task has not been completed previously, the members of the ballot board must verify as soon as possible, but no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots arrived after the rosters were marked or supplemental reports were generated and whose ballots were accepted did not vote in person on election day. An absentee ballot submitted by a voter who has voted in person on election day must be rejected. All other accepted absentee ballots must be opened, duplicated if necessary, and counted by members of the ballot board. The vote totals from these ballots must be incorporated into the totals with the other absentee ballots and handled according to paragraph (b).

Sec. 27. **[203B.30] EARLY VOTING; APPLICABILITY.**

(a) Any eligible voter may vote in person in a federal, state, or county election prior to the date of the election, in the manner provided in sections 203B.31 to 203B.35.

(b)(1) Subject to clause (2), for city elections not held in conjunction with a federal, state, or county election, the city may authorize eligible voters to vote in the manner provided in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted prior to the first day for filing affidavits of candidacy for the election. In the case of a home rule charter city, authorization may alternatively be made by amendment to the city's charter for this purpose.

(2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal clerk has the technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. The clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering voting authorized under this paragraph. The clerk may not use the statewide voter registration system until the clerk has received the required training.

Sec. 28. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

Early voting must be available to any eligible voter as provided in section 203B.32 for every primary, general, and special election subject to early voting under section 203B.30 from 30 days before the election through 5:00 p.m. on the third day before the election. All voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in the same manner as provided in section 204C.05, subdivision 2.

Sec. 29. **[203B.32] HOURS FOR EARLY VOTING.**

Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m. on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the election.

Sec. 30. **[203B.33] LOCATIONS FOR EARLY VOTING.**

(a) Early voting must be made available at polling places designated in the county auditor's offices in county-owned or operated buildings, at the municipal clerk's office in every municipality that has been delegated the responsibility to administer absentee voting as provided in section 203B.05 or which is conducting an election that includes early voting, as authorized in section 203B.30, and at any other county or city-owned or operated buildings designated by the county auditor or municipal clerk. At least one voting station and one ballot marking device for disabled voters must be made available in each polling place.

(b) The county auditor or municipal clerk must make an electronic ballot counter available in each polling place.

Sec. 31. **[203B.34] NOTICE TO VOTERS.**

The county auditor or municipal clerk must prepare a notice to the voters of the days, times, and locations for early voting. This notice must be posted on the county's website, if applicable, and the website for each municipality in the county where an early voting location is designated for the election at least 14 days before the first day for early voting. If a county or municipality does not have a website, the county auditor or municipal clerk must publish the notice at least once in the jurisdiction's official newspaper at least seven days and not more than 14 days before the first day for early voting.

Sec. 32. **[203B.35] PROCEDURES FOR EARLY VOTING.**

Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in section 204C.10. An individual who is not registered to vote must register in the manner provided in section 201.061, subdivision 3.

After the voter has signed the certification, a member of the ballot board must provide a ballot to the voter. Ballots must be prepared and distributed by members of the ballot board in the manner provided in section 204C.09. The voter must mark the ballot and deposit it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling place with the ballot.

Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35 must be processed and counted by a ballot board.

Sec. 33. Minnesota Statutes 2018, section 204B.28, subdivision 2, is amended to read:

Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as otherwise provided for absentee ballots in this section and in section 204B.35, subdivision 4, the county auditor shall complete the preparation of the election materials for which the auditor is responsible at least four days before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than four days before the election each municipal clerk shall secure from the county auditor:

(a) (1) the forms that are required for the conduct of the election;

(b) (2) any printed voter instruction materials furnished by the secretary of state;

(c) (3) any other instructions for election officers; and

(d) (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota Election Law. The county auditor may furnish the election supplies to the municipal clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

(b) The county auditor must prepare and make available election materials for early voting to city clerks designated to administer early voting under section 203B.05 at least one day prior to the beginning of the early voting period as provided in section 203B.31.

Sec. 34. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision to read:

Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and chapter 204D, a jurisdiction may employ an electronic voting system provided by section 206.80, paragraph (b), clause (3), displaying the required ballot information on an electronic device in a format that substantially meets the requirements of law.

Sec. 35. Minnesota Statutes 2018, 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.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 36. Minnesota Statutes 2018, 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 and eligible voters with a temporary or permanent disability 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 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. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 37. Minnesota Statutes 2018, section 204C.03, is amended by adding a subdivision to read:

Subd. 5. **Transit service.** Certain requirements for transit service on the date of a state general election are as provided in sections 174.24, subdivision 7a, and 473.408, subdivision 11.

**EFFECTIVE DATE.** This section is effective July 1, 2020.

Sec. 38. Minnesota Statutes 2018, section 204C.10, is amended to read:

**204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE; VOTER RECEIPT.**

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual;

(1) is at least 18 years of age;

(2) a citizen of the United States;

(3) has resided in Minnesota for 20 days immediately preceding the election;

(4) maintains residence at the address shown;

(5) is not under a guardianship in which the court order revokes the individual's right to vote;

(6) has not been found by a court of law to be legally incompetent to vote;

(7) has the right to vote because, if the individual was convicted of a felony, ~~the felony sentence has expired or been completed~~ or the individual has ~~been discharged from the sentence,~~ completed the term of incarceration, if any, for the felony offense;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote, ~~and I understand that my choice of a party's ballot will be public information.~~" This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

~~(b)~~ (b) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

~~(c)~~ (c) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

~~(d)~~ (d) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 39. Minnesota Statutes 2018, 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. 40. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(1) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered to the precinct;

(2) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes, the number of overvotes, and the number of defective ballots with respect to each office or question;

(3) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(4) the number of voted ballots indicating only a voter's choices as provided by section 206.80, paragraph (b), clause (3);

~~(4) (5)~~ the number of individuals who voted at the election in the precinct which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

~~(5) (6)~~ the number of voters registering on election day in that precinct; and

~~(6) (7)~~ the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 41. Minnesota Statutes 2018, 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.~~

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 42. Minnesota Statutes 2018, section 204D.195, is amended to read:

**204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

Notwithstanding any other provision of law, a special primary and special general election may not be held:

(1) for a period beginning the day following the date of the state primary election and ending the day prior to the date of the state general election; or

(2) on a holiday, or during the four days before or the four days after a holiday, as defined in section 645.44, subdivision 5.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to special elections for vacancies in office occurring on or after that date.

Sec. 43. Minnesota Statutes 2018, 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.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 44. Minnesota Statutes 2018, 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.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 45. **[204D.275] LOCAL REIMBURSEMENT FOR SPECIAL ELECTIONS.**

Subdivision 1. **Reimbursement authorized.** Each county and municipality shall be reimbursed for the cost of conducting a special election as defined in section 200.02, subdivision 4, for a federal or state office.

Subd. 2. **Expenses eligible for reimbursement.** The secretary of state shall reimburse each county and municipality for the cost of:

(1) preparation and printing of ballots and other election materials for the special election;

(2) postage for absentee ballots;

(3) publication of the sample ballot;

- (4) preparation of polling places;
- (5) preparation of electronic voting systems;
- (6) compensation paid to the county canvassing board members;
- (7) election judge salaries; and
- (8) other reasonable costs of administering the election, as approved by the secretary of state.

Reimbursable costs do not include salaries of permanent local officials or the cost of reusable supplies and equipment.

Subd. 3. **Reimbursement requests.** (a) Not more than 90 days after the special election, the county auditor must submit a request for reimbursement of the costs incurred by the county for conducting the special election and the municipal clerk must submit a request for reimbursement of the costs incurred by the municipality for conducting the special election. The request for reimbursement must be submitted to the secretary of state and must be accompanied by an itemized description of actual county or municipal expenditures including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement is based on actual costs incurred by the county or municipality in the special election. The secretary of state shall provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision.

(b) The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities for qualifying claims no later than 120 days after the special election. Amounts necessary to pay qualifying claims are appropriated from the general fund to the secretary of state for that purpose.

Sec. 46. **[204E.01] APPLICABILITY.**

This chapter applies to all elections expressly authorized by law to use ranked-choice voting. All other provisions of the Minnesota Election Law also apply, to the extent they are not inconsistent with this chapter.

Sec. 47. **[204E.02] DEFINITIONS.**

Subdivision 1. **Scope.** The definitions in this section apply to this chapter.

Subd. 2. **Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple continuing candidates that have no mathematical chance of being elected.

Subd. 3. **Chief election official.** "Chief election official" means the principal officer in the jurisdiction charged with duties relating to elections.

Subd. 4. **Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same candidate at multiple rankings for the office being counted.

Subd. 5. **Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be advanced under the procedures in section 204E.06.

Subd. 6. **Highest continuing ranking.** "Highest continuing ranking" means the ranking on a voter's ballot with the lowest numerical value for a continuing candidate.



Subd. 7. **Mathematically impossible to be elected.** "Mathematically impossible to be elected" means either:

(1) the candidate cannot be elected because the candidate's current vote total plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes and surplus votes would not be enough to surpass the candidate with the next higher current vote total; or

(2) the candidate has a lower current vote total than a candidate who is described by clause (1).

Subd. 8. **Overvote.** "Overvote" means a voter has ranked more than one candidate at the same ranking.

Subd. 9. **Partially defective ballot.** "Partially defective ballot" means a ballot that is defective to the extent that the election judges are unable to determine the voter's intent with respect to the office being counted.

Subd. 10. **Ranked-choice voting.** "Ranked-choice voting" means an election method in which voters rank candidates for an office in order of their preference, with each vote counting for the highest-ranked continuing candidate on each ballot until that candidate has been elected or defeated by the method established in this chapter.

Subd. 11. **Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation center" means the place selected for the automatic or manual processing and tabulation of ballots.

Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking. A ranking of lower numerical value indicates a greater preference for a candidate than a ranking of higher numerical value.

Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps established in section 204E.06.

Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected candidate in excess of the threshold.

Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated by dividing the surplus by the total votes cast for the elected candidate, calculated to four decimal places, ignoring any remainder.

Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate to be elected. In any given election, the threshold equals the total votes counted in the first round after removing defective ballots, divided by the sum of one plus the number of offices to be filled and adding one to the quotient, disregarding any fractions.

Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred ballot will contribute to the next ranked continuing candidate on that ballot. The transfer value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction of each vote by its current value, calculated to four decimal places, ignoring any remainder. The transfer value of a vote cast for a defeated candidate is the same as its current value.

Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote for a candidate who has been either elected or defeated.

Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is defective to the extent that election judges are unable to determine the voter's intent for any office on the ballot.

Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an office.

Sec. 48. **[204E.03] AUTHORIZATION TO ADOPT RANKED-CHOICE VOTING; IMPLEMENTATION.**

(a) The following political subdivisions may adopt, in the manner provided in this section, ranked-choice voting as a method of voting for local offices within the political subdivision:

(1) home rule charter or statutory cities;

(2) counties;

(3) townships; and

(4) school districts.

(b) A jurisdiction that adopts ranked-choice voting may do so by adopting an ordinance or resolution or by a ballot question presented to the voters. The ranked-choice voting method may be repealed by one of the same methods provided for adoption.

(c) A home rule charter jurisdiction that adopts a ranked-choice voting system in its charter may adopt this chapter by reference in an ordinance, but is not required to do so. Nothing in this chapter prevents a home rule charter jurisdiction from adopting another voting method in its charter.

(d) Ranked-choice voting shall only be used to elect local offices at a general or special election, or at a primary election which serves as a party-nominating election for a partisan office. A primary election must not be held for any nonpartisan offices that are elected using ranked-choice voting.

(e) A jurisdiction that adopts the use of ranked-choice voting in local elections must do so no later than 30 days before the first day for filing affidavits of candidacy for the office for which ranked-choice voting is to be used as the method of election.

(f) Repeal of ranked-choice voting must be no later than 30 days before the first day for filing affidavits of candidacy for offices for which ranked-choice voting is used as the method of election.

(g) The chief election official shall notify the secretary of state and, if applicable, the county auditor within 30 days following adoption or repeal of ranked-choice voting.

Sec. 49. **[204E.04] BALLOTS.**

Subdivision 1. **Ballot format.** (a) If there are three or more qualified candidates, a ballot must allow a voter to rank at least three candidates for each office in order of preference and must also allow the voter to add write-in candidates.

(b) A ballot must:

(1) include instructions to voters that clearly indicate how to mark the ballot;

(2) include instructions to voters that clearly indicate how to rank candidates in order of the voter's preference; and

(3) indicate the number of seats to be elected for each office.

(c) A jurisdiction may use ballots compatible with alphanumeric character recognition voting equipment.

Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice voting is used in addition to other methods of voting, the ranked-choice voting and non-ranked-choice voting elections must be on the same ballot card if possible, with ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot card. A separate ballot card may be used if necessary. A jurisdiction may deviate from the standard ballot order of offices to allow separation of ranked-choice voting and non-ranked-choice voting elections.

Subd. 3. **Ballot format rules.** The chief election official shall establish administrative rules for ballot format after a voting mechanism has been selected, consistent with this section.

Sec. 50. **[204E.05] RANKED-CHOICE VOTING TABULATION CENTER.**

Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate one location to serve as the ranked-choice voting tabulation center. The center must be accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes must be conducted as described in section 204E.06.

Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has concluded, the election judges in each precinct shall record and publicly declare the number of first choices cast for each candidate in that precinct. The election judges must then securely transfer all electronic voting data and ballots from the precinct to the ranked-choice voting tabulation center designated under this section. Upon receipt at the ranked-choice voting tabulation center, all electronic voting data and ballots shall be secured.

Subd. 3. **Notice of recess in count.** At any time following receipt of materials under subdivision 1, the chief election official may declare a recess. Notice of the recess must include the date, time, and location at which the process of recording and tabulating votes will resume and the reason for the recess. Notice must be posted on the city's official bulletin board and on the door of the ranked-choice voting tabulation center.

Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the election judges shall convene at the ranked-choice voting tabulation center to examine ballots on which voters have indicated a write-in choice, and record the names and number of votes received by each write-in candidate. In the event that votes cast for the write-in category are not eliminated as provided in section 204E.06, the results must be entered into the ranked-choice voting tabulation software.

Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a time set by the chief election official, the process of tabulating votes cast for offices to be elected using the ranked-choice method must begin. The counting must continue until preliminary results for all races are determined, subject to subdivision 3.

Sec. 51. **[204E.06] TABULATION OF VOTES.**

(a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in rounds for each office to be counted. The threshold must be calculated and publicly declared. Each round must proceed sequentially as follows:

(1) the number of votes cast for each candidate for the current round must be counted. If the number of candidates whose vote totals equal or exceed the threshold are equal to the number of seats to be filled, those candidates who are continuing candidates are elected and the tabulation is complete. If the number of candidates whose vote totals are equal to or greater than the threshold is not equal to the number of seats to be filled, a new round begins and the tabulation must continue as provided in the remainder of this paragraph;

(2) surplus votes for any candidates whose vote totals are equal to or greater than the threshold must be calculated;

(3) after any surplus votes are calculated but not yet transferred, all candidates for whom it is mathematically impossible to be elected must be defeated by batch elimination. Votes for the defeated candidates must be transferred to each ballot's next-ranked continuing candidate, and the tabulation process reiterates beginning with clause (2). If no candidate can be defeated mathematically, the tabulation must continue as described in clause (4);

(4) the transfer value of each vote cast for an elected candidate must be transferred to the next continuing candidate on that ballot. Of the candidates whose vote totals reach or exceed the threshold, the candidate with the largest surplus is declared elected and that candidate's surplus is transferred. A tie between two or more candidates must immediately and publicly be resolved by lot by the chief election official at the tabulation center. The surplus of the candidate chosen by lot must be transferred before other transfers are made. The result of the tie resolution must be recorded and reused in the event of a recount. If no candidate has a surplus, the tabulation must continue as described in clause (5); otherwise, the tabulation process must reiterate beginning with clause (2);

(5) if there are no transferable surplus votes, the candidate with the fewest votes is defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked continuing candidate. Ties between candidates with the fewest votes must be decided by lot, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount. The tabulation process must reiterate beginning with clause (2); and

(6) the procedures in clauses (2) to (5) must be repeated until the number of candidates whose vote totals are equal to or exceed the threshold is equal to the number of seats to be filled, or until the number of continuing candidates is equal to the number of offices yet to be elected. If the number of continuing candidates is equal to the number of offices yet to be elected, the remaining continuing candidates must be declared elected. In the case of a tie between two continuing candidates, the tie must be decided by lot as provided in section 204C.34, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(b) When a single skipped ranking is encountered on a ballot, that ballot must count toward the next nonskipped ranking. If any ballot cannot be advanced because no further candidates are ranked on that ballot, because a voter has skipped more than one ranking, or because an undervote, overvote, or duplicate ranking is encountered, the ballot must not count toward any candidate in that round or in subsequent rounds for the office being counted.

Sec. 52. **[204E.07] REPORTING RESULTS.**

(a) Each precinct must print a precinct summary statement, which must include the number of first choices cast for each candidate in that precinct.

(b) The ranked-choice voting tabulation center must print a summary statement with the following information: total votes cast; number of undervotes; number of totally defective and spoiled ballots; threshold calculation; total first choice rankings for all candidates; round-by-round tabulation results, including simultaneous batch eliminations, surplus transfers, and defeated candidate transfers; and exhausted ballots at each round.

(c) The election abstract must include the information required in the ranked-choice voting tabulation center summary statement, with the addition of the number of registered voters by precinct, the number of same-day voter registrations, and the number of absentee voters.

Sec. 53. **[204E.08] RECOUNTS.**

(a) A candidate defeated in the final round of tabulation may request a recount as provided in section 204C.36.

(b) A candidate defeated in the final round of tabulation when the vote difference is greater than that provided in section 204C.36 may request a recount at the candidate's own expense. A candidate defeated in an earlier round of tabulation may request a recount at the candidate's own expense. The candidate is responsible for all expenses associated with the recount, regardless of the vote difference between the candidates in the round in which the requesting candidate was defeated. The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. Expenses must be determined as provided in section 204C.36, subdivision 4.

(c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to recounts conducted under this section.

Sec. 54. **[204E.09] RULES.**

The secretary of state may adopt rules necessary to implement the requirements and procedures established by this chapter.

Sec. 55. Minnesota Statutes 2018, section 205.13, subdivision 2, is amended to read:

Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits of candidacy, the municipal clerk shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the clerk's office and the closing time for filing on the last day for filing. The clerk shall post a similar notice at least ten days before the first day to file affidavits of candidacy. The notice must indicate the method of election to be used for the offices on the ballot. The notice must separately list any office for which affidavits of candidacy may be filed to fill the unexpired portion of a term when a special election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.

Sec. 56. Minnesota Statutes 2018, section 206.58, subdivision 1, is amended to read:

Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular meeting or at a special meeting called for the purpose, may provide for the use of an electronic voting system in one or more precincts and at all elections in the precincts, subject to approval by the county auditor. The governing body shall disseminate information to the public about the use of a new voting system at least 60 days prior to the election and shall provide for instruction of voters with a demonstration voting system in a public place for the six weeks immediately prior to the first election at which the new voting system will be used.

(b) No system may be adopted or used unless it has been approved by the secretary of state pursuant to section 206.57.

(c) The governing body of a municipality may provide for the use of an electronic voting system that has been approved by the secretary of state under section 206.57 but includes an automatic tabulating equipment reallocation feature that has not been approved by the secretary of state if the municipal clerk certifies to the secretary of state, within 30 days from the date of adoption under paragraph (a), that the reallocation feature:

(1) has been certified as required under section 206.57, subdivision 6; and

(2) meets the municipality's ordinance requirements for electronic voting systems.

Sec. 57. Minnesota Statutes 2018, section 206.61, is amended by adding a subdivision to read:

Subd. 1a. **Availability of alternate ballot formats.** In precincts using a ballot format authorized by section 206.80, paragraph (b), clause (3), voters must be provided the option of voting a regularly printed optical scan ballot.

Sec. 58. Minnesota Statutes 2018, section 206.80, is amended to read:

**206.80 ELECTRONIC VOTING SYSTEMS.**

(a) An electronic voting system may not be employed unless it:

(1) permits every voter to vote in secret;

(2) permits every voter to vote for all candidates and questions for whom or upon which the voter is legally entitled to vote;

(3) provides for write-in voting when authorized;

(4) automatically rejects, except as provided in section 206.84 with respect to write-in votes, all votes for an office or question when the number of votes cast on it exceeds the number which the voter is entitled to cast;

(5) permits a voter at a primary election to select secretly the party for which the voter wishes to vote;

(6) automatically rejects all votes cast in a primary election by a voter when the voter votes for candidates of more than one party; and

(7) provides every voter an opportunity to verify votes recorded on the permanent paper ballot, either visually or using assistive voting technology, and to change votes or correct any error before the voter's ballot is cast and counted, produces an individual, discrete, permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record available for use in any recount.

(b) An electronic voting system purchased on or after June 4, 2005, may not be employed unless it:

(1) accepts and tabulates, in the polling place or at a counting center, a marked optical scan ballot; ~~or~~

(2) creates a marked optical scan ballot that can be tabulated in the polling place or at a counting center by automatic tabulating equipment certified for use in this state; ~~or~~

(3) creates a marked paper ballot indicating, at a minimum, the date of the election, the name of the precinct, an electronically readable precinct identifier or ballot style indicator, and the voter's votes for each office or question, generated from the voter's use of a touch screen or other electronic device on which a complete ballot meeting the information requirements of any applicable law was displayed electronically.

(c) Jurisdictions using multiple ballot formats must not record the ballot formats of electronic voting system used by a particular voter.

Sec. 59. **[206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.**

Any new voting equipment purchased for use in Minnesota for the purpose of replacing a voting system must have the ability to:

- (1) capture and store ballot data;
- (2) keep data anonymous;
- (3) accept ranked or cumulative voting data under a variety of tabulation rules;
- (4) be programmable to follow all other specifications of the ranked-choice voting system as provided in chapter 204E;
- (5) provide a minimum of three rankings for ranked-choice voting elections;
- (6) notify voters of the following errors: overvotes, skipped rankings, and duplicate rankings in a ranked-choice voting election; and
- (7) be programmable to print a zero tape indicating all rankings for all candidates in a ranked-choice voting election.

**EFFECTIVE DATE.** This section is effective upon certification by the secretary of state that equipment meeting the standards required by this section is available for purchase and implementation.

Sec. 60. Minnesota Statutes 2018, section 206.82, subdivision 1, is amended to read:

Subdivision 1. **Program.** A program or programs for use in an election conducted by means of an electronic voting system or using an electronic ballot marker shall be prepared at the direction of the county auditor or municipal clerk who is responsible for the conduct of the election and shall be independently verified by a competent person designated by that official. The term "competent person" as used in this section means a person who can demonstrate knowledge as a computer programmer and who is other than and wholly independent of any person operating or employed by the counting center or the corporation or other preparer of the program. A test deck prepared by a competent person shall be used for independent verification of the program; it shall test the maximum digits used in totaling the returns and shall be usable by insertion during the tabulation process as well as prior to tabulation. A test deck must also be prepared using the electronic ballot marker program and must also be used to verify that all valid votes counted by the vote tabulator may be selected using the electronic ballot marker. The computer program for any election and an exact duplicate of the program for use as backup must be completed and delivered to the election jurisdiction or the county auditor in charge of a common central counting center at least 40 days prior to the election. The secretary of state shall adopt rules further specifying test procedures.

Sec. 61. Minnesota Statutes 2018, section 206.83, is amended to read:

#### **206.83 TESTING OF VOTING SYSTEMS.**

(a) Within 44 37 days before election day, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including ranked-choice voting if applicable, and through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck

of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If an election is to be conducted using ranked-choice voting, the equipment must also be tested to ensure that each ranking for each candidate is recorded properly.

(b) If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election.

(c) After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

Sec. 62. Minnesota Statutes 2018, section 206.86, is amended by adding a subdivision to read:

**Subd. 5a. Ballots in precincts with multiple styles of voting system.** (a) This subdivision applies only to precincts using a ballot format as provided by section 206.80, paragraph (b), clause (3), that was used by ten or fewer voters.

(b) In the event the results of a precinct are subject to a recount under section 204C.35 or 204C.36, or are subject to postelection review under section 206.89, the election judges from that precinct are not eligible to participate in conducting a recount or postelection review in that precinct.

Sec. 63. Minnesota Statutes 2018, section 206.89, subdivision 2, is amended to read:

**Subd. 2. Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section. In jurisdictions where ranked-choice voting is used, the date, time, and place for postelection review must be set by the county auditor at least 30 days before the election. The postelection review must not begin before the 11th day after the state general election and must be complete no later than the 18th day after the state general election.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both the ballots counted at the polling place for that precinct and the absentee ballots counted centrally by a ballot board for that precinct. The county canvassing board of a county with fewer than 50,000 registered voters must conduct a postelection review of a total of at least two precincts. The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of a total of at least three precincts. The county canvassing board of a county with over 100,000 registered voters must conduct a review of a total of at least four precincts, or three percent of the total number of precincts in the county, whichever is greater. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the secretary of state may require counties to select by lot additional precincts to meet the congressional district requirement. The secretary of state must post this information on the office website.

Sec. 64. Minnesota Statutes 2018, section 206.89, subdivision 3, is amended to read:

**Subd. 3. Scope and conduct of review.** The county canvassing board shall appoint the postelection review official as defined in subdivision 1. The postelection review must be conducted of the votes cast for president or governor; United States senator; and United States representative. In jurisdictions where ranked-choice voting is



used, the review must also include at least one single-seat ranked-choice voting election and at least one multiple-seat ranked-choice voting election, if such an election occurred. A postelection review of a ranked-choice voting election must be conducted for elections decided most closely in the final round, by percentage. The postelection review official may conduct postelection review of the votes cast for additional offices.

The postelection review must be conducted in public at the location where the voted ballots have been securely stored after the state general election or at another location chosen by the county canvassing board. The postelection review official for each precinct selected must conduct the postelection review and may be assisted by election judges designated by the postelection review official for this purpose. The party balance requirement of section 204B.19 applies to election judges designated for the review. The postelection review must consist of a manual count of the ballots used in the precincts selected and must be performed in the manner provided by section 204C.21. The postelection review must be conducted in the manner provided for recounts under section 204C.361 to the extent practicable, and where ranked-choice voting is used, must include testing of the accumulation software using stored electronic data for those precincts that are not reviewed by manual count. The review must be completed no later than two days before the meeting of the state canvassing board to certify the results of the state general election.

Sec. 65. **[206.97] ELECTION SECURITY AND ADMINISTRATION GRANTS.**

Subdivision 1. **Grants authorized.** The secretary of state must disburse \$1,000,000 in grants from funds governed by section 5.30 to political subdivisions as authorized by this section. In evaluating an application for a grant, the secretary of state shall consider only the information set forth in the application and is not subject to chapter 14.

Subd. 2. **Use of grants.** A grant awarded under this section may be used for the following:

- (1) updated hardware or software used for administering elections;
- (2) additional physical security for election equipment storage;
- (3) increased polling place accessibility; or
- (4) cybersecurity or physical security training for election officials or election judges.

Subd. 3. **Application.** The secretary of state may award a grant to a political subdivision after receiving an application from the political subdivision. The application must identify:

- (1) the date the application is submitted;
- (2) the name of the political subdivision;
- (3) the name and title of the individual who prepared the application;
- (4) the total number of registered voters as of the date of the application in each precinct in the political subdivision;
- (5) the total amount of the grant requested;
- (6) the hardware, software, security improvements, accessibility improvements, or training to be acquired or conducted with the grant money;

(7) the proposed schedule for purchasing and implementing the proposed items and what precincts will be impacted by their implementation;

(8) whether the political subdivision has previously applied for a grant under this subdivision and the disposition of that application;

(9) a certified statement by the political subdivision that the grant will be used only for purposes authorized under subdivision 2; and

(10) any other information required by the secretary of state.

Subd. 4. **Legislative report.** No later than January 15, 2020, and annually thereafter until the appropriations provided for grants under this section have been exhausted, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections policy on grants awarded by this section. The report must detail each grant awarded, including the jurisdiction, the amount of the grant, and how the grant was used.

Sec. 66. Minnesota Statutes 2018, section 207A.11, is amended to read:

**207A.11 PRESIDENTIAL NOMINATION PRIMARY ESTABLISHED.**

(a) A presidential nomination primary must be held each year in which a president and vice president of the United States are to be nominated and elected.

(b) The party chairs must jointly submit to the secretary of state, no later than March 1 in a year prior to a presidential election year, the single date on which the parties have agreed to conduct the presidential nomination primary in the next year. The date selected must not be the date of the town general election provided in section 205.075, subdivision 1. If a date is not jointly submitted by the deadline, the presidential nomination primary must be held on the first Tuesday in March in the year of the presidential election. No other election may be conducted on the date of the presidential nomination primary.

(c) The secretary of state must adopt rules to implement the provisions of this chapter. The secretary of state shall consult with the party chairs throughout the rulemaking process, including seeking advice about possible rules before issuing a notice of intent to adopt rules, consultation before the notice of comment is published, consultation on the statement of need and reasonableness, consultation in drafting and revising the rules, and consultation regarding any modifications to the rule being considered.

(d) This chapter only applies to a major political party that selects delegates at the presidential nomination primary to send to a national convention. A major political party that does not participate in a national convention is not eligible to participate in the presidential nomination primary.

(e) For purposes of this chapter, "political party" or "party" means a major political party as defined in section 200.02, subdivision 7, that is eligible to participate in the presidential nomination primary.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential nomination primaries conducted on or after that date.

Sec. 67. Minnesota Statutes 2018, 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 voter instruction posters, pamphlets, and other informational materials prepared for a presidential primary by the secretary of state pursuant to section 204B.27 must include information about the requirements of this paragraph, including a notice that the voter's choice of a political party's ballot will be recorded and is public information. 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.~~

(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.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential nomination primaries conducted on or after that date.

Sec. 68. Minnesota Statutes 2018, section 207A.14, subdivision 2, is amended to read:

Subd. 2. **Sample Example ballots.** No later than 70 days before the presidential nomination primary, the secretary of state must supply each county auditor with ~~sample~~ example ballots to be used at the presidential nomination primary. The ~~sample~~ example ballots must illustrate the format required for the ballots used in the presidential nomination primary.

Sec. 69. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:

Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the counties and municipalities for expenses incurred in the administration of the presidential nomination primary from money contained in the presidential nomination primary elections account. The following expenses are eligible for reimbursement: preparation and printing of ballots; postage for absentee ballots; publication of the sample ballot; preparation of polling places in an amount not to exceed \$150 per polling place; preparation of electronic voting systems in an amount not to exceed \$100 per precinct; compensation for temporary staff or overtime payments; salaries of election judges; ~~and~~ compensation of county canvassing board members; and other expenses as approved by the secretary of state.

(b) Within 60 days after the results of a presidential nomination primary are certified by the State Canvassing Board, the county auditor must submit a request for payment of the costs incurred by the county for conducting the presidential nomination primary, and the municipal clerk must submit a request for payment of the costs incurred by the municipality for conducting the presidential nomination primary. The request for payment must be submitted to the secretary of state, and must be accompanied by an itemized description of actual county or municipal expenditures, including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement is based on actual costs incurred by the county or municipality in the presidential nomination primary.

(c) The secretary of state shall provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision. The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities no later than 90 days after the results of the presidential nomination primary have been certified by the State Canvassing Board.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential nomination primaries conducted on or after that date.

Sec. 70. **[208.051] AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.**

The Agreement Among the States to Elect the President by National Popular Vote is enacted into law and entered into with all other states legally joining in it in substantially the following form:

Article I - Membership

Any state of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

Article II - Right of the People in Member States to  
Vote for President and Vice President

Each member state shall conduct a statewide popular election for president and vice president of the United States.

Article III - Manner of Appointing Presidential Electors in Member States

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a "national popular vote total" for each presidential slate. The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner." The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner. At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state. The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress. In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state. If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of such nominees. The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained. This article shall govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

Article IV - Other Provisions

This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state. Any member state may withdraw from this agreement, except that a withdrawal occurring six months or less before the end of a president's term shall not become effective until a president or vice president shall have been qualified to serve the next term. The chief executive of each member state shall promptly notify the chief executive

of all other states when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally. This agreement shall terminate if the electoral college is abolished. If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

#### Article V - Definitions

For purposes of this agreement,

"chief executive" means the governor of a state of the United States or the mayor of the District of Columbia;

"elector slate" means a slate of candidates who have been nominated in a state for the position of presidential elector in association with a presidential slate;

"chief election official" means the state official or body that is authorized to certify the total number of popular votes for each presidential slate;

"presidential elector" means an elector for president and vice president of the United States;

"presidential elector certifying official" means the state official or body that is authorized to certify the appointment of the state's presidential electors;

"presidential slate" means a slate of two persons, the first of whom has been nominated as a candidate for president of the United States and the second of whom has been nominated as a candidate for vice president of the United States, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state;

"state" means a state of the United States and the District of Columbia; and

"statewide popular election" means a general election in which votes are cast for presidential slates by individual voters and counted on a statewide basis.

#### Sec. 71. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice and application to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application to all individuals under correctional supervision for a felony-level offense.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

**"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

Your receipt of this notice today means that your right to vote in Minnesota has been restored. Before you can vote on election day, you still need to register to vote. To register, you may complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You may also register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 72. Minnesota Statutes 2018, section 473.408, is amended by adding a subdivision to read:

Subd. 11. **Transit service on election day.** (a) The Metropolitan Council shall provide regular route transit, as defined under section 473.385, subdivision 1, paragraph (b), free of charge on a day a state general election is held.

(b) The requirements under this subdivision apply to operators of regular route transit (1) receiving financial assistance under section 473.388, or (2) operating under section 473.405, subdivision 12.

**EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2020, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 73. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** Except as provided in section 201.014, subdivision 2a, when a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 74. **REPEALER; EARLY VOTING.**

Minnesota Statutes 2018, section 203B.081, subdivision 3, is repealed.

Sec. 75. **EFFECTIVE DATE; EARLY VOTING.**

The provisions of this article related to early voting are effective when the secretary of state has certified that:

(1) the statewide voter registration system has been tested and shown to properly allow for the tracking of the information required to conduct early voting, and can handle the expected volume of use; and

(2) precinct voting equipment that can tabulate at least 30 different ballot styles has been certified for use in this state. Upon certification pursuant to this section, the provisions of this act related to early voting apply to all federal, state, and county elections held on August 1, 2019, and thereafter. A jurisdiction may implement the requirements of this act prior to the date provided in this section, if the secretary of state has made the required certifications at least 90 days prior to the date of the election at which early voting will be used.

ARTICLE 5  
CAMPAIGN FINANCE

Section 1. Minnesota Statutes 2018, section 10A.01, subdivision 4, is amended to read:

Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made on behalf of a candidate or a local candidate by an entity other than the ~~candidate's~~ principal campaign committee ~~of the candidate or the local candidate~~, if the expenditure is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of the candidate or local candidate, the candidate's principal campaign committee, or the candidate's or local candidate's agent. An approved expenditure is a contribution to that candidate or local candidate.

Sec. 2. Minnesota Statutes 2018, section 10A.01, subdivision 7, is amended to read:

Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed on the ballot and that may be voted on by:

(1) all voters of the state;

(2) all voters of Hennepin County;

(3) all voters of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(4) all voters of Special School District No. 1.

"Promoting or defeating a ballot question" includes activities, other than lobbying activities, related to qualifying the question for placement on the ballot.

Sec. 3. Minnesota Statutes 2018, section 10A.01, subdivision 9, is amended to read:

Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or a local candidate or for the purpose of promoting or defeating a ballot question.

An expenditure is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

An expenditure made for the purpose of defeating a candidate or a local candidate is considered made for the purpose of influencing the nomination or election of that candidate or local candidate or any opponent of that candidate or local candidate.

Except as provided in clause (1), "expenditure" includes the dollar value of a donation in kind.

"Expenditure" does not include:

(1) noncampaign disbursements as defined in subdivision 26;

(2) services provided without compensation by an individual volunteering personal time on behalf of a candidate or a local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit;

(3) the publishing or broadcasting of news items or editorial comments by the news media; or

(4) an individual's unreimbursed personal use of an automobile owned by the individual and used by the individual while volunteering personal time.

Sec. 4. Minnesota Statutes 2018, section 10A.01, is amended by adding a subdivision to read:

**Subd. 10d. Local candidate.** "Local candidate" means an individual who seeks nomination or election to:

(1) any county office in Hennepin County;

(2) any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(3) the school board in Special School District No. 1.

Sec. 5. Minnesota Statutes 2018, section 10A.01, subdivision 11, is amended to read:

Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit. An allocation by an association of general treasury money to be used for activities that must be or are reported through the association's political fund is considered to be a contribution for the purposes of disclosure required by this chapter.

(b) "Contribution" includes a loan or advance of credit to a political committee, political fund, principal campaign committee, local candidate, or party unit, if the loan or advance of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the political committee, political fund, principal campaign committee, local candidate, or party unit to which the loan or advance of credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the loan or advance of credit was made.

(c) "Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit; the publishing or broadcasting of news items or editorial comments by the news media; or an individual's unreimbursed personal use of an automobile owned by the individual while volunteering personal time.

Sec. 6. Minnesota Statutes 2018, 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.

**EFFECTIVE DATE.** This section is effective August 1, 2019, except that clause (2) is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.



Sec. 7. Minnesota Statutes 2018, section 10A.01, subdivision 17c, is amended to read:

Subd. 17c. **General treasury money.** "General treasury money" means money that an association other than a principal campaign committee, party unit, or political committee accumulates through membership dues and fees, donations to the association for its general purposes, and income from the operation of a business. General treasury money does not include money collected to influence the nomination or election of candidates or local candidates or to promote or defeat a ballot question.

Sec. 8. Minnesota Statutes 2018, section 10A.01, subdivision 18, is amended to read:

Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate or local candidate, if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent or any local candidate or local candidate's agent. An independent expenditure is not a contribution to that candidate or local candidate. An independent expenditure does not include the act of announcing a formal public endorsement of a candidate or local candidate for public office, unless the act is simultaneously accompanied by an expenditure that would otherwise qualify as an independent expenditure under this subdivision.

Sec. 9. Minnesota Statutes 2018, section 10A.01, subdivision 20, is amended to read:

Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, principal campaign committee, local candidate, or party unit.

Sec. 10. Minnesota Statutes 2018, section 10A.01, subdivision 26, is amended to read:

Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

- (1) payment for accounting and legal services;
- (2) return of a contribution to the source;
- (3) repayment of a loan made to the principal campaign committee by that committee;
- (4) return of a public subsidy;
- (5) payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fund-raising event;
- (6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch as provided in section 10A.173, subdivision 1;
- (7) payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;
- (8) payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;

(9) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;

(10) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;

(11) costs of child care for the candidate's children when campaigning;

(12) fees paid to attend a campaign school;

(13) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;

(14) interest on loans paid by a principal campaign committee on outstanding loans;

(15) filing fees;

(16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;

(17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;

(18) contributions to a party unit;

(19) payments for funeral gifts or memorials;

(20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;

(21) costs associated with a candidate attending a political party state or national convention in this state;

(22) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question;

(23) costs paid to a third party for processing contributions made by a credit card, debit card, or electronic check;

(24) a contribution to a fund established to support a candidate's participation in a recount of ballots affecting that candidate's election;

(25) costs paid by a candidate's principal campaign committee for a single reception given in honor of the candidate's retirement from public office after the filing period for affidavits of candidacy for that office has closed;

(26) a donation from a terminating principal campaign committee to the state general fund; ~~and~~

(27) a donation from a terminating principal campaign committee to a county obligated to incur special election expenses due to that candidate's resignation from state office; and

(28) payment of expenses for home security cameras, an electronic home security system, and identity theft monitoring services for a candidate and any immediate family members of the candidate residing in the candidate's household.

(b) The board must determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

(c) A noncampaign disbursement is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

Sec. 11. Minnesota Statutes 2018, section 10A.01, subdivision 27, is amended to read:

Subd. 27. **Political committee.** "Political committee" means an association whose major purpose is to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question, other than a principal campaign committee, local candidate, or a political party unit.

Sec. 12. Minnesota Statutes 2018, section 10A.01, subdivision 28, is amended to read:

Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question. The term political fund as used in this chapter may also refer to the association acting through its political fund.

Sec. 13. Minnesota Statutes 2018, section 10A.12, subdivision 1, is amended to read:

Subdivision 1. **When required for contributions and approved expenditures.** An association other than a political committee or party unit may not contribute more than \$750 in aggregate in any calendar year to candidates, local candidates, political committees, or party units or make approved expenditures of more than \$750 in aggregate in any calendar year unless the contribution or expenditure is made through a political fund.

Sec. 14. Minnesota Statutes 2018, section 10A.12, subdivision 2, is amended to read:

Subd. 2. **Commingling prohibited.** The contents of an association's political fund may not be commingled with other funds or with the personal funds of an officer or member of the association or the fund. It is not commingling for an association that uses only its own general treasury money to make expenditures and disbursements permitted under section 10A.121, subdivision 1, directly from the depository used for its general treasury money. An association that accepts more than \$1,500 in aggregate in contributions to influence the nomination or election of candidates or local candidates or more than \$5,000 in contributions to promote or defeat a ballot question must establish a separate depository for those contributions.

Sec. 15. Minnesota Statutes 2018, section 10A.121, subdivision 1, is amended to read:

Subdivision 1. **Permitted disbursements.** An independent expenditure political committee or fund, or a ballot question political committee or fund, may:

- (1) pay costs associated with its fund-raising and general operations;
- (2) pay for communications that do not constitute contributions or approved expenditures;
- (3) make contributions to independent expenditure or ballot question political committees or funds;
- (4) make independent expenditures;
- (5) make expenditures to promote or defeat ballot questions;

(6) return a contribution to its source;

(7) for a political fund, record bookkeeping entries transferring the association's general treasury money allocated for political purposes back to the general treasury of the association; ~~and~~

(8) for a political fund, return general treasury money transferred to a separate depository to the general depository of the association; and

(9) make disbursements for electioneering communications.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 16. Minnesota Statutes 2018, section 10A.121, subdivision 2, is amended to read:

Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent expenditure political fund is subject to a civil penalty of up to four times the amount of the contribution or approved expenditure if it does the following:

(1) makes a contribution to a candidate, local candidate, party unit, political committee, or political fund other than an independent expenditure political committee or an independent expenditure political fund; or

(2) makes an approved expenditure.

(b) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

Sec. 17. Minnesota Statutes 2018, section 10A.13, subdivision 1, is amended to read:

Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund, principal campaign committee, or party unit must keep an account of:

(1) the sum of all contributions, except any donation in kind valued at \$20 or less, made to the committee, fund, or party unit;

(2) the name and address of each source of a contribution made to the committee, fund, or party unit in excess of \$20, together with the date and amount of each;

(3) each expenditure made by the committee, fund, or party unit, together with the date and amount;

(4) each approved expenditure made on behalf of the committee, fund, or party unit, together with the date and amount; and

(5) the name and address of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions in excess of \$20 have been made, together with the date and amount.

Any individual who knowingly violates this subdivision is subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 18. Minnesota Statutes 2018, section 10A.17, subdivision 4, is amended to read:

Subd. 4. **Independent expenditures.** An individual, political committee, political fund, principal campaign committee, or party unit that independently solicits or accepts contributions or makes independent expenditures on behalf of a candidate or local candidate must publicly disclose that the expenditure is an independent expenditure. All written and broadcast communications with those from whom contributions are independently solicited or accepted or to whom independent expenditures are made on behalf of a candidate or local candidate must contain a statement in substantially the form provided in section 211B.04, subdivision 2. The statement must be on the front page of all written communications and at the end of all broadcast communications made by that individual, political committee, political fund, principal campaign committee, or party unit on the candidate's or local candidate's behalf.

Sec. 19. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to read:

Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee, political fund, or political party unit that during a nongeneral election year:

(1) spends in aggregate more than \$200 to influence the nomination or election of local candidates;

(2) spends in aggregate more than \$200 to make independent expenditures on behalf of local candidates; or

(3) spends in aggregate more than \$200 to promote or defeat ballot questions defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(b) In addition to the reports required under subdivision 2, the entities listed in paragraph (a) must file the following reports in each nongeneral election year:

(1) a first-quarter report covering the calendar year through March 31, which is due April 14;

(2) a report covering the calendar year through May 31, which is due June 14;

(3) a pre-primary-election report due 15 days before the local primary election date specified in section 205.065;

(4) a pre-general-election report due 42 days before the local general election; and

(5) a pre-general-election report due ten days before a local general election.

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the entity reaches the spending threshold specified in paragraph (a).

Sec. 20. Minnesota Statutes 2018, section 10A.20, subdivision 3, is amended to read:

Subd. 3. **Contents of report.** (a) The report required by this section must include each of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

(b) The report must disclose the amount of liquid assets on hand at the beginning of the reporting period.

(c) The report must disclose the name, address, employer, or occupation if self-employed, and registration number if registered with the board, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or statewide candidates or more than \$500 for ballot questions, together with the amount and

date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

(d) The report must disclose the sum of contributions to the reporting entity during the reporting period.

(e) The report must disclose each loan made or received by the reporting entity within the year in aggregate in excess of \$200, continuously reported until repaid or forgiven, together with the name, address, occupation, principal place of business, if any, and registration number if registered with the board of the lender and any endorser and the date and amount of the loan. If a loan made to the principal campaign committee of a candidate is forgiven or is repaid by an entity other than that principal campaign committee, it must be reported as a contribution for the year in which the loan was made.

(f) The report must disclose each receipt over \$200 during the reporting period not otherwise listed under paragraphs (c) to (e).

(g) The report must disclose the sum of all receipts of the reporting entity during the reporting period.

(h) The report must disclose the following:

(1) the name, address, and registration number if registered with the board of each individual or association to whom aggregate expenditures, approved expenditures, independent expenditures, and ballot question expenditures, and disbursements for electioneering communications have been made by or on behalf of the reporting entity within the year in excess of \$200, ~~together with~~;

(2) the amount, date, and purpose of each expenditure, including an explanation of how the expenditure was used, ~~and~~;

(3) the name and address of, and office sought by, each candidate or local candidate on whose behalf the expenditure was made, or, in the case of electioneering communications, each candidate identified positively in the communication;

(4) identification of the ballot question that the expenditure was intended to promote or defeat and an indication of whether the expenditure was to promote or to defeat the ballot question; and

(5) in the case of independent expenditures made in opposition to a candidate, local candidate, or electioneering communications in which a candidate is identified negatively, the candidate's or local candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate for state or legislative office must allocate the expenditure among the candidates or local candidates on a reasonable cost basis and report the allocation for each candidate or local candidate. The report must list on separate schedules any independent expenditures made on behalf of local candidates and any expenditures made for ballot questions as defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(i) The report must disclose the sum of all expenditures made by or on behalf of the reporting entity during the reporting period.

(j) The report must disclose the amount and nature of an advance of credit incurred by the reporting entity, continuously reported until paid or forgiven. If an advance of credit incurred by the principal campaign committee of a candidate is forgiven by the creditor or paid by an entity other than that principal campaign committee, it must be reported as a donation in kind for the year in which the advance of credit was made.

(k) The report must disclose the name, address, and registration number if registered with the board of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions have been made that aggregate in excess of \$200 within the year and the amount and date of each contribution. The report must list on separate schedules any contributions made to state candidates' principal campaign committees and any contributions made to local candidates.

(l) The report must disclose the sum of all contributions made by the reporting entity during the reporting period and must separately disclose the sum of all contributions made to local candidates by the reporting entity during the reporting period.

(m) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of \$200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement, including an explanation of how the expenditure was used.

(n) The report must disclose the sum of all noncampaign disbursements made within the year by or on behalf of the reporting entity.

(o) The report must disclose the name and address of a nonprofit corporation that provides administrative assistance to a political committee or political fund as authorized by section 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate fair market value of each type of assistance provided to the political committee or political fund during the reporting period.

(p) Legislative, statewide, and judicial candidates, party units, and political committees and funds must itemize contributions that in aggregate within the year exceed \$200 for legislative or statewide candidates or more than \$500 for ballot questions on reports submitted to the board. The itemization must include the date on which the contribution was received, the individual or association that provided the contribution, and the address of the contributor. Additionally, the itemization for a donation in kind must provide a description of the item or service received. Contributions that are less than the itemization amount must be reported as an aggregate total.

(q) Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased, including an explanation of how the expenditure was used. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.

**EFFECTIVE DATE.** The amendments related to electioneering communications are effective January 1, 2020, and apply to expenditures and electioneering communications made on or after that date.

Sec. 21. Minnesota Statutes 2018, section 10A.20, subdivision 6a, is amended to read:

Subd. 6a. **Statement of independence.** An individual, political committee, political fund, or party unit filing a report or statement disclosing an independent expenditure under subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures were not made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of any candidate ~~or~~ any candidate's principal campaign committee or agent; or any local candidate or any local candidate's agent.

Sec. 22. **[10A.201] ELECTIONEERING COMMUNICATIONS.**

Subdivision 1. **Electioneering communication.** (a) "Electioneering communication" means a communication distributed by television, radio, satellite, the Internet, or cable broadcasting system; by means of printed material, signs, or billboards; through the use of telephone communications; or by electronic communication, including electronic mail or electronic text messaging that:

(1) refers to a clearly identified candidate;

(2) is made within:

(i) 30 days before a primary election or special primary election for the office sought by the candidate; or

(ii) 60 days before a general election or special election for the office sought by the candidate;

(3) is targeted to the relevant electorate; and

(4) is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, a candidate or a candidate's principal campaign committee or agent.

(b) Electioneering communication does not include:

(1) the publishing or broadcasting of news items or editorial comments by the news media;

(2) a communication that constitutes an approved expenditure or an independent expenditure;

(3) a voter guide, which is a pamphlet or similar printed material, intended to help voters compare candidates' positions on a set of issues, as long as each of the following is true:

(i) the guide does not focus on a single issue or a narrow range of issues, but includes questions and subjects sufficient to encompass major issues of interest to the entire electorate;

(ii) the questions and any other description of the issues are clear and unbiased in both their structure and content;

(iii) the questions posed and provided to the candidates are identical to those included in the guide;

(iv) each candidate included in the guide is given a reasonable amount of time and the same opportunity as other candidates to respond to the questions;

(v) if the candidate is given limited choices for an answer to a question, for example: "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to reasonable limits, to explain the candidate's position in the candidate's own words; the fact that a candidate provided an explanation is clearly indicated in the guide; and the guide clearly indicates that the explanations will be made available for public inspection, subject to reasonable conditions;

(vi) answers included in the guide are those provided by the candidates in response to questions, the candidates' answers are unedited, and the answers appear in close proximity to the question to which they respond;



(vii) if the guide includes candidates' positions based on information other than responses provided directly by the candidate, the positions are based on recorded votes or public statements of the candidates and are presented in an unedited and unbiased manner; and

(viii) the guide includes all major party candidates for each office listed in the guide;

(4) a candidate forum or debate hosted by one or more nonprofit organizations that does not endorse, support, or oppose candidates, as long as each of the following is true:

(i) the forum or debate includes the participation of at least two candidates for each office featured;

(ii) the forum or debate is structured so that it does not promote one candidate or one candidate's issues of interest over another; and

(iii) candidates are selected for participation in the forum or debate based on preestablished, objective criteria;

(5) any other communication specified in board rules or advisory opinions as being excluded from the definition of electioneering communication; or

(6) a communication that:

(i) refers to a clearly identified candidate who is an incumbent member of the legislature or a constitutional officer;

(ii) refers to a clearly identified issue that is or was before the legislature in the form of an introduced bill; and

(iii) is made when the legislature is in session or within ten days after the last day of a regular session of the legislature.

(c) A communication that meets the requirements of paragraph (a) but is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, a candidate's principal campaign committee, or a candidate's agent is an approved expenditure.

(d) Distributing a voter guide questionnaire, survey, or similar document to candidates and communications with candidates limited to obtaining their responses, without more, do not constitute communications that would result in the voter guide being an approved expenditure on behalf of the candidate.

**Subd. 2. Targeted to relevant electorate.** (a) For purposes of this section, a communication that refers to a clearly identified candidate is targeted to the relevant electorate if the communication is distributed to or can be received by more than 1,500 persons in the district the candidate seeks to represent, in the case of a candidate for the house of representatives, senate, or a district court judicial office or by more than 6,000 persons in the state, in the case of a candidate for constitutional office or appellate court judicial office. When determining the number of persons to whom a communication in the form of printed material, telephone communication, electronic mail, or electronic text messaging is distributed, an association may exclude communications distributed to its own members.

(b) A communication consisting of printed materials, other than signs, billboards, or advertisements published in the print media, is targeted to the relevant electorate if it meets the requirements of paragraph (a) and is distributed to voters by means of United States mail or through direct delivery to a resident's home or business.

Subd. 3. **Disclosure of electioneering communications.** (a) Electioneering communications made by a political committee, a party unit, or a principal campaign committee must be disclosed on the periodic reports of receipts and expenditures filed by the association on the schedule and in accordance with the terms of section 10A.20.

(b) An association other than a political committee, party unit, or principal campaign committee may register a political fund with the board and disclose its electioneering communications on the reports of receipts and expenditures filed by the political fund. If it does so, it must disclose its disbursements for electioneering communications on the schedule and in accordance with the terms of section 10A.20.

(c) An association that does not disclose its disbursements for electioneering communications under paragraph (a) or (b) must disclose its electioneering communications according to the requirements of subdivision 4.

Subd. 4. **Statement required for electioneering communications.** (a) Except for associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every person who makes a disbursement for the costs of producing or distributing electioneering communications that aggregate more than \$1,500 in a calendar year must, within 24 hours of each disclosure date, file with the board a disclosure statement containing the information described in this subdivision.

(b) Each statement required to be filed under this section must contain the following information:

(1) the names of: (i) the association making the disbursement; (ii) any person exercising direction or control over the activities of the association with respect to the disbursement; and (iii) the custodian of the financial records of the association making the disbursement;

(2) the address of the association making the disbursement;

(3) the amount of each disbursement of more than \$200 during the period covered by the statement, a description of the purpose of the disbursement, and the identification of the person to whom the disbursement was made;

(4) the names of the candidates identified or to be identified in the communication;

(5) if the disbursements were paid out of a segregated bank account that consists of funds donated specifically for electioneering communications, the name and address of each person who gave the association more than \$200 in aggregate to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date; and

(6) if the disbursements for electioneering communications were made using general treasury money of the association, an association that has paid more than \$5,000 in aggregate for electioneering communications during the calendar year must file with its disclosure statement a written statement that includes the name, address, and amount attributable to each person that paid the association membership dues or fees, or made donations to the association that, in total, aggregate more than \$5,000 of the money used by the association for electioneering communications. The statement must also include the total amount of the disbursements for electioneering communications attributable to persons not subject to itemization under this clause. The statement must be certified as true by an officer of the association that made the disbursements for the electioneering communications.

(c) To determine the amount of the membership dues or fees, or donations made by a person to an association and attributable to the association's disbursements for electioneering communications, the association must separately prorate the total disbursements made for electioneering communications during the calendar year over all general treasury money received during the calendar year.

(d) If the amount spent for electioneering communications exceeds the amount of general treasury money received by the association during that year:

(1) the electioneering communications must be attributed first to all receipts of general treasury money received during the calendar year in which the electioneering communications were made;

(2) any amount of current year electioneering communications that exceeds the total of all receipts of general treasury money during the current calendar year must be prorated over all general treasury money received in the preceding calendar year; and

(3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject of electioneering communications, no further allocation is required.

(e) After a portion of the general treasury money received by an association from a person has been designated as the source of a disbursement for electioneering communications, that portion of the association's general treasury money received from that person may not be designated as the source of any other disbursement for electioneering communications or as the source for any contribution to an independent expenditure political committee or fund.

**Subd. 5. Disclosure date.** For purposes of this section, the term "disclosure date" means the earlier of:

(1) the first date on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made disbursements for the direct costs of producing or distributing one or more electioneering communication aggregating in excess of \$1,500; or

(2) any other date during the same calendar year on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made disbursements for the direct costs of distributing one or more electioneering communication aggregating in excess of \$1,500 since the most recent disclosure date.

**Subd. 6. Contracts to disburse.** For purposes of this section, a person shall be treated as having made a disbursement if the person has entered into an obligation to make the disbursement.

**Subd. 7. Statement of attribution.** (a) An electioneering communication must include a statement of attribution.

(1) For communications distributed by printed material, signs, and billboards, the statement must say, in conspicuous letters: "Paid for by [association name] [address]."

(2) For communications distributed by television, radio, satellite, or a cable broadcasting system, the statement must be included at the end of the communication and must orally state at a volume and speed that a person of ordinary hearing can comprehend: "The preceding communication was paid for by the [association name]."

(3) For communications distributed by telephone, the statement must precede the communication and must orally state at a volume and speed that a person of ordinary hearing can comprehend: "The following communication is paid for by the [association name]."

(b) If the communication is paid for by an association registered with the board, the statement of attribution must use the association's name as it is registered with the board. If the communication is paid for by an association not registered with the board, the statement of attribution must use the association's name as it is disclosed to the board on the association's disclosure statement associated with the communication.

Subd. 8. **Failure to file; penalty.** (a) If a person fails to file a statement required by this section by the date the statement is due, the board may impose a late filing fee of \$50 per day, not to exceed \$1,000, commencing the day after the statement was due.

(b) The board must send notice by certified mail to a person who fails to file a statement within ten business days after the statement was due that the person may be subject to a civil penalty for failure to file the statement. A person who fails to file the statement within seven days after the certified mail notice was sent by the board is subject to a civil penalty imposed by the board of up to \$1,000.

(c) An association that provides disclosure under section 10A.20 rather than under this section is subject to the late filing fee and civil penalty provisions of section 10A.20 and is not subject to the penalties provided in this subdivision.

(d) An association that makes electioneering communications under this section and willfully fails to provide the statement required by subdivision 4, paragraph (b), clause (6), within the time specified is subject to an additional civil penalty of up to four times the amount of the electioneering communications disbursements that should have been included on the statement.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 23. Minnesota Statutes 2018, section 10A.244, is amended to read:

**10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

Subdivision 1. **Election of voluntary inactive status.** An association that has a political fund registered under this chapter may elect to have the fund placed on voluntary inactive status if the following conditions are met:

- (1) the association makes a written request for inactive status;
- (2) the association has filed all periodic reports required by this chapter and has received no contributions into its political fund and made no expenditures or disbursements, including disbursements for electioneering communications, through its political fund since the last date included on the association's most recent report; and
- (3) the association has satisfied all obligations to the state for late filing fees and civil penalties imposed by the board or the board has waived this requirement.

Subd. 2. **Effect of voluntary inactive status.** After an association has complied with the requirements of subdivision 1:

- (1) the board must notify the association that its political fund has been placed in voluntary inactive status and of the terms of this section;
- (2) the board must stop sending the association reports, forms, and notices of report due dates that are periodically sent to entities registered with the board;
- (3) the association is not required to file periodic disclosure reports for its political fund as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make expenditures, contributions, or disbursements, including disbursements for electioneering communications, through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it may continue to pay bank service charges and receive interest paid on that account while its political fund is in inactive status.

Subd. 3. **Resumption of active status or termination.** (a) An association that has placed its political fund in voluntary inactive status may resume active status upon written notice to the board.

(b) A political fund placed in voluntary inactive status must resume active status within 14 days of the date that it has accepted contributions or made expenditures, contributions, or disbursements, including disbursements for electioneering communications, that aggregate more than \$750 since the political fund was placed on inactive status. If, after meeting this threshold, the association does not notify the board that its fund has resumed active status, the board may place the association's political fund in active status and notify the association of the change in status.

(c) An association that has placed its political fund in voluntary inactive status may terminate the registration of the fund without returning it to active status.

Subd. 4. **Penalty for financial activity while in voluntary inactive status.** If an association fails to notify the board of its political fund's resumption of active status under subdivision 3, the board may impose a civil penalty of \$50 per day, not to exceed \$1,000 commencing on the 15th calendar day after the fund resumed active status.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 24. Minnesota Statutes 2018, section 10A.25, subdivision 3a, is amended to read:

Subd. 3a. **Independent expenditures and electioneering communications.** The principal campaign committee of a candidate must not make independent expenditures or disbursements for electioneering communications. If the principal campaign committee of a candidate makes a contribution to an independent expenditure committee or independent expenditure fund on or after January 1 of the year the candidate's office will appear on the ballot, the independent expenditure committee or independent expenditure fund must not make an independent expenditure for that candidate.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 25. Minnesota Statutes 2018, section 10A.27, subdivision 15, is amended to read:

Subd. 15. **Contributions or use of general treasury money.** (a) An association may, if not prohibited by other law, contribute its general treasury money to an independent expenditure or ballot question political committee or fund, including its own independent expenditure or ballot question political committee or fund, without complying with subdivision 13.

(b) Before the day when the recipient committee or fund's next report must be filed with the board under section 10A.20, subdivision 2 or 5, an association that has contributed more than \$5,000 in aggregate to independent expenditure political committees or funds during the calendar year or has contributed more than \$5,000 in aggregate to ballot question political committees or funds during the calendar year must provide in writing to the recipient's treasurer a statement that includes the name, address, and amount attributable to each person that paid the association dues or fees, or made donations to the association that, in total, aggregate more than \$5,000 of the

contribution from the association to the independent expenditure or ballot question political committee or fund. The statement must also include the total amount of the contribution attributable to persons not subject to itemization under this section. The statement must be certified as true by an officer of the donor association.

(c) To determine the amount of membership dues or fees, or donations made by a person to an association and attributable to the association's contribution to the independent expenditure or ballot question political committee or fund, the donor association must: separately prorate the total independent expenditures and ballot question expenditures made during the calendar year over all general treasury money received during the calendar year.

~~(1) apply a pro-rata calculation to all unrestricted dues, fees, and contributions received by the donor association in the calendar year; or~~

~~(2) as provided in paragraph (d), identify the specific individuals or associations whose dues, fees, or contributions are included in the contribution to the independent expenditure political committee or fund.~~

~~(d) Dues, fees, or contributions from an individual or association must be identified in a contribution to an independent expenditure political committee or fund under paragraph (c), clause (2), if:~~

~~(1) the individual or association has specifically authorized the donor association to use the individual's or association's dues, fees, or contributions for this purpose; or~~

~~(2) the individual's or association's dues, fees, or contributions to the donor association are unrestricted and the donor association designates them as the source of the subject contribution to the independent expenditure political committee or fund.~~

(d) If the amount contributed to independent expenditure and ballot question political committees or funds in a calendar year exceeds the amount of general treasury money received by the association during that year:

(1) the contributions must be attributed first to all receipts of general treasury money received during the calendar year in which the contributions were made;

(2) any amount of current-year contributions that exceeds the total of all receipts of general treasury money during the current calendar year must be prorated over all general treasury money received in the preceding calendar year; and

(3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject independent expenditures and ballot question expenditures, no further allocation is required.

(e) After a portion of the general treasury money received by an association from a person has been designated as the source of a contribution to an independent expenditure or ballot question political committee or fund, that portion of the association's general treasury money received from that person may not be designated as the source of any other contribution to an independent expenditure or ballot question political committee or fund, or as the source of funds for a disbursement for electioneering communications made by that association.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 26. Minnesota Statutes 2018, section 383B.041, is amended to read:

**383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.**

Subdivision 1. **Hennepin County candidates.** Sections 383B.041 to 383B.058 apply to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin County, having a population of 75,000 or more, and for school board elections in the Special School District No. 1, Minneapolis, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin County. These candidates are subject to the provisions of chapter 211A.

Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board, park commissioner, and other political subdivision offices within Hennepin County shall file campaign disclosure forms with the filing officer for the political subdivision for which the candidate is seeking office. These candidates are subject to the provisions of chapter 211A.

Subd. 3. **Political committees, political funds, and independent expenditures.** (a) The provisions of chapter 10A apply to political committees as defined in section 10A.01, subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent expenditures as defined in section 10A.01, subdivision 18, related to:

(1) a campaign for the nomination or election of a candidate for:

(i) a county office in Hennepin County;

(ii) a city office in a home rule charter or statutory city located wholly within Hennepin County with a population of 75,000 or more; or

(iii) the school board in Special School District No. 1; and

(2) a ballot question or proposition that may be voted on by:

(i) all voters in Hennepin County;

(ii) all voters of a home rule charter or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(iii) all voters in Special School District No. 1.

(b) The provisions of chapter 211A apply to a campaign for nomination or election for an office in the following political subdivisions:

(1) a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) a school district located wholly within Hennepin County other than Special School District No. 1.

(c) The provisions of chapter 211A apply to a ballot question or proposition that may be voted on by:

(1) all voters of a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) all voters of a school district located wholly within Hennepin County other than Special School District No. 1.

Subd. 4. **Local ordinances and charters superseded.** This section supersedes the provisions of any ordinance or resolution of a political subdivision within Hennepin County or any existing special law or home rule charter provision of a political subdivision within Hennepin County requiring disclosure of information related to the financing of election campaigns.

Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate for school board in Special School District No. 1, Minneapolis, must file an original statement of economic interest with the school district within 14 days of the filing of an affidavit or petition to appear on the ballot. An elected official in Special School District No. 1, Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with the school district for every year that the individual serves in office. An original and annual statement must contain the information listed in section 10A.09, subdivision 5. The provisions of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this subdivision.

Sec. 27. **REPEALER.**

Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

## ARTICLE 6 REDISTRICTING

Section 1. **[2.032] REDISTRICTING COMMISSION.**

Subdivision 1. **Commission membership; duties.** In each year ending in one, a redistricting commission is created to draw the boundaries of congressional and legislative districts in accordance with the principles established in section 2.035. The commission consists of 12 public members, to be appointed in the manner provided in subdivision 2, and five retired judges of the appellate or district courts of this state who have not served in a party-designated or party-endorsed position, such as legislator, to be appointed in the manner provided in subdivision 3.

Subd. 2. **Public members; appointment.** (a) The secretary of state shall supervise the appointment of public members to the redistricting commission.

(b) By January 15 of each year ending in zero, the secretary of state shall open a widely publicized process that encourages eligible residents of this state to apply for membership on the redistricting commission. The secretary of state shall solicit recommendations for appointment to the redistricting commission from nongovernmental organizations with an interest in the elections process.

(c) The secretary of state shall provide an application form which must be designed to show: (1) that an applicant meets the requirements of this subdivision; (2) that the application must be submitted under oath affirming the truthfulness of its contents under penalty of perjury; and (3) the applicant's demographic information, such as gender, race, ethnicity, and age.



(d) The following persons are not eligible to serve as a commissioner:

(1) a person who is not eligible to vote;

(2) a person under a contract with, or who serves as a consultant or staff to, or who has an immediate family relationship with the governor, a member of the legislature, or a member of congress; and

(3) a person, or member of the person's immediate family, who has done any of the following during the ten years immediately preceding the date of application:

(i) has been appointed to, elected to, or a candidate for federal or state office;

(ii) served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal or state office;

(iii) served as an elected or appointed member of a political party state central committee;

(iv) registered as a federal, state, or local lobbyist or principal;

(v) served as paid congressional or legislative staff; or

(vi) violated the candidate contribution limits in section 10A.27.

(e) For purposes of this subdivision, a member of a person's immediate family means a sibling, spouse, parent or stepparent, child or stepchild, or in-law.

(f) The secretary of state shall process applications as they are received and remove from the applicant pool any person not eligible to serve as a commissioner and notify the person of the reason the person was removed. To be considered, applications must be received by September 15 of the year ending in zero. An applicant must provide with the application two positive references from community leaders or groups that promote civic engagement with whom the applicant has worked and demonstrate that the applicant:

(1) has experience with outreach to community groups to encourage civic participation with an emphasis on historically disenfranchised groups; or

(2) has an interest in or experience with government, elections, or civic life.

(g) The secretary of state shall, based on a review of the applications, prepare a list of 120 applicant finalists who have demonstrated based on their application an ability to be impartial and respect the diversity of this state's many communities. The list must, to the extent practicable, reflect the gender, socioeconomic, age, racial, language, ethnic, and geographic diversity of the state.

(h) The list must include:

(1) 40 applicant finalists identifying with the largest major political party in Minnesota;

(2) 40 applicant finalists identifying with the second largest major political party in Minnesota; and

(3) 40 applicant finalists identifying their political party preference as belonging to a party not described in clause (1) or (2) or to no party.

For purposes of this paragraph, the two largest political parties are the parties whose candidates received the greatest and second greatest number of votes at the most recent two gubernatorial elections.

(i) By December 15 of the year ending in zero, the secretary of state shall give the list of finalists and their applications to the majority and minority leaders of the senate, the speaker of the house, and the minority leader of the house of representatives. At an open meeting, each of the four leaders shall remove 21 applicant finalists from the list: seven applicant finalists identifying their political party preference with the majority party in the house of representatives, seven applicant finalists identifying their political party preference with the minority party in the house of representatives, and seven applicant finalists who identified their political party preference with a party different than the majority party in the house of representatives and the minority party of the house of representatives or with no party. The leaders shall remove applicants one at a time in the order listed above, unless the leaders agree to a different order.

(j) By January 15 of each year ending in one, after the process of removing applicants from the list is completed, each of the four leaders of the house of representatives and senate shall give the list of finalists and their applications to the secretary of state. The secretary of state shall randomly draw four names from the remaining applicants identifying their political party preference as belonging to the majority party of the house of representatives, four identifying their political party preference as belonging to the minority party of the house of representatives, and four identifying their political party preference as belonging to a different party than the majority party in the house of representatives and the minority party of the house of representatives or to no party. These 12 persons shall serve as public member commissioners.

(k) The secretary of state's actions under this subdivision are not subject to chapter 14.

Subd. 3. **Retired judges; appointment.** By January 15 of each year ending in one, the four leaders of the house of representatives and senate shall each appoint one retired judge, after consulting with each other in an effort to attain geographic balance in their appointments. If the legislative leaders do not make the appointment by the deadline, the chief justice of the supreme court shall make the appointment by January 22 of that year. The director of the Legislative Coordinating Commission shall convene a meeting of the four retired judges by January 29 of that year. The four retired judges shall then appoint the fifth retired judge by a vote of at least three judges.

Subd. 4. **Code of conduct.** (a) In performing their duties, the five retired judges serving as commissioners shall abide by the Code of Judicial Conduct and are considered judicial officers as defined in section 609.415.

(b) Public members of the commission exercise the function of a public officer as defined in section 609.415.

Subd. 5. **Removal; filling vacancies.** (a) A commissioner can be removed with two-thirds vote of the commission after notice and a hearing for reasons that would justify recall of a state official under section 211C.02.

(b) The commission must remove a commissioner who participates in a communication that violates subdivision 8.

(c) Except for vacancies filled by the chief justice, vacancies on the commission must be filled by the appointing authority that made the initial appointment within 30 days after the vacancy occurs. The appointing authority for public members is the secretary of state and must be filled by drawing from the same partisan pool as the vacant position. If no applicants in the pool are available for service, the secretary of state shall establish a new pool, as provided in subdivision 2.

Subd. 6. **Open records.** The commission is subject to chapter 13, except that a plan is not public data until it has been submitted to the commission for its consideration.

Subd. 7. **Open meetings.** The commission is subject to chapter 13D.

Subd. 8. **Certain communications prohibited.** (a) Commissioners and commission staff must not communicate with anyone except other commissioners or staff regarding the content of a plan. The prohibition under this paragraph does not apply to open meetings of the commission.

(b) A commissioner may not direct, request, suggest, or recommend an interpretation of a districting principle or a change to a district boundary to commission staff except during open meetings of the commission. Commission staff shall report to the commission attempts made to exert influence over the staff's role in the drafting of plans.

Subd. 9. **Lobbyist registration.** Action of the commission to submit a redistricting plan to the legislature is an administrative action for purposes of section 10A.01, subdivision 21, requiring certain persons to register as a lobbyist.

Subd. 10. **Compensation and expenses.** Commissioners must be compensated for their commission activity as provided in section 15.059, subdivision 3.

Subd. 11. **Plans submitted to commission.** The commission shall adopt a schedule for interested persons to submit proposed plans and to respond to plans proposed by others. The commission shall also adopt standards to govern the format of plans submitted. The schedule and standards adopted by the commission under this subdivision are not rules. Chapter 14 and section 14.386 do not apply to this section.

Subd. 12. **Public hearings.** The commission shall hold at least one public hearing in each congressional district before adopting the first congressional and legislative district plans. The commission must ask for input on defining communities of interest for consideration. The commission must publish on its website preliminary drafts of the congressional and legislative district plans and each preliminary draft's accompanying reports at least one week before a hearing required under this subdivision and allow the public at least 30 days to submit comments after publication.

Subd. 13. **Deadlines.** (a) By April 30 of each year ending in one, the commission shall submit plans to the legislature for congressional and legislative districts. Each plan must be accompanied by a report summarizing information and testimony received by the commission in the course of the hearings and including any comments and conclusions the commissioners deem appropriate on the information and testimony received at the hearings or otherwise presented. Any plan submitted to the legislature must be approved by an affirmative vote of at least 13 members of the commission.

(b) The legislature intends that a bill be introduced to enact each plan and that the bill be brought to a vote in either the senate or the house of representatives under a procedure or rule permitting no amendments except those of a purely corrective nature, not less than one week after the report of the commission was received and made available to the members of the legislature. The legislature further intends that the bill be brought to a vote in the second body within one week after final passage in the first body under a similar procedure or rule. If either the senate or the house of representatives fails to approve a first plan submitted by the commission, within one week after the failure the secretary of the senate or the chief clerk of the house of representatives must notify the commission of the failure, including any information that the senate or house of representatives may direct by resolution regarding reasons why the plan was not approved. If the governor vetoes a plan, the veto message serves as the notice.

(c) The commission shall submit a second plan within two weeks after the commission received the notice, unless by then the legislature has adjourned the regular session in the year ending in one, in which case the second plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The legislature intends that a second plan be considered by the legislature under the same procedure as provided for a first plan under paragraph (b).

(d) If the commission fails to submit a plan by either of these two deadlines, the legislature may proceed to enact a plan in place of the missing plan without waiting for the commission to submit a plan.

(e) If the secretary of the senate or the chief clerk of the house of representatives notifies the commission that a second plan has failed, or the governor vetoes a second plan, the commission shall submit a third plan within two weeks after the commission received the notice, unless by then the legislature has adjourned the regular session in the year ending in one, in which case the third plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The third plan is subject to the same procedure as provided for first and second plans under paragraph (b).

Final approval of all plans, whether enacted by the legislature or as provided by order of the court, must take place no later than the date provided in section 204B.14, subdivision 1a.

Subd. 14. **Data used.** (a) To draw congressional and legislative districts, the commission shall use, at a minimum, census data representing the entire population of Minnesota.

(b) The commission shall use redistricting population data that includes data for persons who are incarcerated reflecting their residence to be their last known residential address before incarceration.

Subd. 15. **Expiration.** (a) The commission expires when both congressional and legislative redistricting plans have been enacted into law or adopted by order of the court and any legal challenges to the plans have been resolved.

(b) If use of a plan is enjoined after the commission expires, the court enjoining the plan may direct that a new commission be appointed under this section to draft a remedial plan for presentation to the legislature in accordance with deadlines established by order of the court.

## Sec. 2. [2.035] DISTRICTING PRINCIPLES.

Subdivision 1. **Application.** The principles in this section apply to congressional and legislative districts.

Subd. 2. **Prohibited information.** (a) No plan shall be drawn to purposefully favor or disfavor a political party or candidate.

(b) Information regarding registered voters, political affiliation, voting history, and demographics shall be sequestered from the Redistricting Commission for the initial phase of the process, but may be used to test for compliance with the goals in subdivision 3 and reports described in section 2.036, subdivision 4.

Subd. 3. **Priority of principles.** Redistricting commissioners appointed under section 2.032 shall adhere to the principles in subdivisions 4 to 12 when drawing congressional and legislative districts. Where it is not possible to fully comply with the principles contained below, a redistricting plan shall give priority to those principles in the order in which they are listed, except to the extent that doing so would violate federal or state law.

Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in population as practicable.

(b) Legislative districts must be substantially equal in population. The population of a legislative district must not deviate from the ideal by more than one percent.

Subd. 5. **Contiguity.** The districts must be contiguous allowing for easy travel throughout the district. Contiguity by water is sufficient if the water is not a serious obstacle to travel within the district. Districts with areas that touch only at a point are not contiguous.

Subd. 6. **Minority representation.** (a) Each district must be drawn in compliance with all state and federal laws. A district must not be drawn with either the purpose or effect of diluting, denying, or abridging the right of any citizen of the United States to vote on account of race, ethnicity, or membership in a language minority group, whether by themselves or when voting in concert with other people.

(b) Racial, ethnic, and language minorities must have an equal opportunity to participate in the political process and elect candidates of their choice. Racial, ethnic, and language minorities who constitute less than a voting-age majority of a district must have an opportunity to substantially influence the outcome of an election.

Subd. 7. **Communities of interest.** District boundaries shall recognize communities of interest. A community of interest is a contiguous population sharing common social and economic interests that should be included within a single district for purposes of the community's effective and fair representation. Communities of interest include but are not limited to geographic areas where there are clearly recognizable similarities of social, cultural, ethnic, economic, or other interests. Examples of shared interests are those common to an urban area, rural area, industrial area, or agricultural area and those common to areas in which the people share similar living standards, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

Subd. 8. **Political subdivisions.** Counties, cities, and municipalities should be preserved to the greatest extent possible and in compliance with the other principles to preserve rather than divide them among multiple districts.

Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration in the development or approval of a proposed plan.

Subd. 10. **Compactness.** Compactness must be measured by using one or more statistical tests and must be compact.

Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that unduly favors or disfavors any political party. The commission shall use judicial standards and the best available scientific and statistical methods to assess whether a plan unduly favors or disfavors a political party.

Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district one in the southeast corner of the state and end with the district with the highest number in the northeast corner of the state.

(b) Legislative districts must be numbered in a regular series, beginning with house district 1A in the northwest corner of the state and proceeding across the state from west to east, north to south. In a county that includes more than one whole senate district, the districts must be numbered consecutively.

### Sec. 3. **[2.036] LEGISLATIVE COORDINATING COMMISSION; REDISTRICTING.**

Subdivision 1. **Administrative support.** The Legislative Coordinating Commission shall provide administrative support to the Redistricting Commission.

Subd. 2. **Database.** The geographic areas and population counts used in maps, tables, and legal descriptions of congressional and legislative districts considered by the legislature must be those used by the Geographic Information Services (GIS) Office of the Legislative Coordinating Commission. The population counts shall be the block population counts provided to the state under Public Law 94-171 after each decennial census, subject to correction of any errors acknowledged by the United States Census Bureau. The GIS Office must make the database available to the public on the GIS Office website.

Subd. 3. **Publication; consideration of plans.** A redistricting plan must not be considered for adoption by the senate or house of representatives until the redistricting plan's block equivalency file has been submitted to the GIS Office in a form prescribed by the GIS Office. The block equivalency file must show the district to which each census block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office website.

Subd. 4. **Reports.** Publication of a plan must include the following reports:

(1) a population equality report, listing each district in the plan, its population as the total number of persons, and deviations from the ideal as both a number of persons and as a percentage of the population. The report must also show the populations of the largest and smallest districts and the overall range of deviations of the districts;

(2) a contiguity report, listing each district that is noncontiguous either because two areas of a district do not touch or because they are linked by a point;

(3) a minority voting-age population report, listing for each district the voting age population of each racial or language minority and the total minority voting age population, according to the categories recommended by the United States Department of Justice. The report must also highlight each district with 30 percent or more total minority population;

(4) a communities of interest report, if the chief author of a plan asserts that it preserves a community of interest, maps of the plan must include a layer identifying the census blocks within the community of interest. Publication of the plan must also include a report that lays out the research and process used to identify the communities of interest and lists the district or districts to which the community of interest has been assigned. The report must include the number of communities of interest that are split and the number of times the communities were split;

(5) a political subdivision splits report, listing the split counties, cities, towns, unorganized territories, and precincts, and the district to which each portion of a split subdivision is assigned. The report must also show the number of subdivisions split and the number of times a subdivision is split;

(6) a plan components report, listing for each district the names and populations of the counties within it and, where a county is split between or among districts, the names and populations of the portion of the split county and each of the split county's whole or partial cities, townships, unorganized territories, and precincts within each district.

(7) a measures of compactness report, listing for each district at least the results of the Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle, Ehrenburg, Length-Width, measures of compactness. The report must also state for all the districts in a plan the sum of its perimeters and the mean of its other measurements. The commission may consider other tests of compactness; and

(8) a partisan bias report, listing multiple measures of partisan symmetry or other measures of partisan bias as accepted in political science literature and the best available scientific and statistical methods.

#### **Sec. 4. [204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

Subdivision 1. **Redistricting plan standards; Redistricting Commission.** The principles provided in section 2.035 must be applied to the redistricting of:

(1) county commissioner districts, county park districts, and soil and water conservation supervisor districts in counties with a population greater than 100,000; and

(2) wards in cities with a population greater than 75,000.

Subd. 2. **Population variance.** The minimum population variance permitted for county districts and wards may be up to 1.5 percent of the mean population for all districts or wards in a redistricting plan adopted as provided in this section.

Subd. 3. **Procedure.** Redistricting plans required by this section shall be prepared and adopted by the charter commission, or where such a commission does not exist, by a redistricting commission of no fewer than seven and no more than 15 members appointed by the chief judge of the district court in which a majority of the population of the affected jurisdiction reside. Members of a commission appointed under this subdivision must meet the qualification standards for a public member of the Redistricting Commission as described in section 2.032, subdivision 2, paragraph (d).

## ARTICLE 7 APPROPRIATIONS

### Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2020</u></b>	<b><u>2021</u></b>
Sec. 2. <b><u>MILITARY AFFAIRS</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$24,197,000</u></b>	<b><u>\$24,197,000</u></b>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <b><u>Maintenance of Training Facilities</u></b>	9,701,000	9,701,000
Subd. 3. <b><u>General Support</u></b>	3,382,000	3,382,000
<u>\$258,000 each year is for reintegration activities. If the amount for fiscal year 2020 is insufficient, the amount for 2021 is available in fiscal year 2020. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.</u>		
Subd. 4. <b><u>Enlistment Incentives</u></b>	11,114,000	11,114,000

The appropriations in this subdivision are available until June 30, 2023, except that any unspent amounts allocated to a program otherwise supported by this appropriation are canceled to the general fund upon receipt of federal funds in the same amount to support administration of that program.

If the amount for fiscal year 2020 is insufficient, the amount for 2021 is available in fiscal year 2020. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

Sec. 3. **VETERANS AFFAIRS**

Subdivision 1. **Total Appropriation**

**\$76,521,000**

**\$76,494,000**

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

Subd. 2. **Veterans Programs and Services**

18,380,000

18,353,000

(a) **CORE Program.** \$750,000 each year is for the Counseling and Case Management Outreach Referral and Education (CORE) program.

(b) **Veterans Service Organizations.** \$353,000 each year is for grants to the following congressionally chartered veterans service organizations as designated by the commissioner: Disabled American Veterans, Military Order of the Purple Heart, the American Legion, Veterans of Foreign Wars, Vietnam Veterans of America, AMVETS, and Paralyzed Veterans of America. This funding must be allocated in direct proportion to the funding currently being provided by the commissioner to these organizations.

(c) **Minnesota Assistance Council for Veterans.** \$750,000 each year is for a grant to the Minnesota Assistance Council for Veterans to provide assistance throughout Minnesota to veterans and their families who are homeless or in danger of homelessness, including assistance with the following:

(1) utilities;

(2) employment; and

(3) legal issues.

The assistance authorized under this paragraph must be made only to veterans who have resided in Minnesota for 30 days prior to application for assistance and according to other guidelines established by the commissioner. In order to avoid duplication of services, the commissioner must ensure that this assistance is coordinated with all other available programs for veterans.

(d) **State's Veterans Cemeteries.** \$1,647,000 in the first year and \$1,672,000 in the second year are for the state's veterans cemeteries.



(e) **Honor Guards.** \$200,000 each year is for compensation for honor guards at the funerals of veterans under Minnesota Statutes, section 197.231.

(f) **Minnesota GI Bill.** \$200,000 each year is for the costs of administering the Minnesota GI Bill postsecondary educational benefits, on-the-job training, and apprenticeship program under Minnesota Statutes, section 197.791.

(g) **Gold Star Program.** \$100,000 each year is for administering the Gold Star Program for surviving family members of deceased veterans.

(h) **County Veterans Service Office.** \$1,100,000 each year is for funding the County Veterans Service Office grant program under Minnesota Statutes, section 197.608.

(i) **Armed Forces Service Center.** \$100,000 in the first year is for a onetime grant to the Armed Forces Service Center at the Minneapolis-St. Paul Airport for construction costs related to the remodeling of the Armed Forces Service Center and for refurbishing the center's furniture and beds used by service members between connecting flights and while awaiting ground transportation when traveling individually or by unit to and from military duty assignments.

As a condition of issuing this grant, the commissioner must ensure that the center provides matching funding for this purpose. The commissioner must also ensure that no part of this grant may be spent for salary or related benefits for any person or for the operations of the center.

(j) **Veterans Justice Grant; Report.** \$200,000 each year is for a veterans justice grant program. The commissioner shall solicit bids for grants to an organization or organizations that will use the grant money to support, through education, outreach, and legal training and services, military veterans who are involved with the criminal justice system. The commissioner may use up to seven percent of this appropriation each year for costs incurred to administer the program under this section.

A county or city may apply for a veterans justice grant to establish or operate a veterans pretrial diversion program for eligible offenders.

The grant recipient or recipients must report to the commissioner of veterans affairs and the chairs and ranking minority members of the legislative committees and divisions overseeing veterans affairs policy and finance by January 15 of each year. The report must include: an overview of the project's budget; a detailed explanation of project expenditures; the number of veterans and

service members served by the project; a list and explanation of the services provided to project participants; and details of the project's education, outreach, and legal training programs.

(k) **Medal of Honor Memorial.** \$150,000 in the first year is for deposit in the Medal of Honor Memorial account established under Laws 2016, chapter 189, article 13, section 64, subdivision 2. The commissioner shall use the amount transferred under this section to construct the Medal of Honor Commemorative Memorial. This transfer is not available until the commissioner of management and budget determines that an equal amount is committed from other nonstate sources.

**Subd. 3. Veterans Health Care**

58,141,000

58,141,000

(a) **Transfers.** These appropriations may be transferred to a veterans homes special revenue account in the special revenue fund in the same manner as other receipts are deposited according to Minnesota Statutes, section 198.34, and are appropriated to the commissioner of veterans affairs for the operation of veterans homes facilities and programs.

(b) **Report.** No later than January 15, 2020, the commissioner of veterans affairs must submit a report to the legislative committees with jurisdiction over veterans affairs on reserve amounts maintained in the veterans homes special revenue account. The report must detail current and historical amounts maintained as a reserve, and uses of those amounts. The report must also include data on the utilization of existing veterans homes, including current and historical bed capacity and usage, staffing levels and staff vacancy rates, and staff-to-resident ratios.

(c) **Maximize Federal Reimbursements.** The commissioner shall seek opportunities to maximize federal reimbursements of Medicare-eligible expenses and provide annual reports to the commissioner of management and budget on the federal Medicare reimbursements received. Contingent upon future federal Medicare receipts, reductions to the veterans homes' general fund appropriation may be made.

Sec. 4. Laws 2016, chapter 189, article 13, section 64, is amended to read:

**Sec. 64. MEMORIAL COMMEMORATING RECIPIENTS OF THE MEDAL OF HONOR.**

Subdivision 1. **Medal of Honor Memorial on the State Capitol grounds.** Subject to approval by the Capitol Area Architectural and Planning Board, the commissioner of administration shall place a memorial on the State Capitol grounds to honor Minnesotans awarded the Medal of Honor.

Subd. 2. **Gifts and grants.** The commissioner of veterans affairs may solicit gifts, grants, or donations of any kind from any private or public source to carry out the purposes of this section. A Medal of Honor Memorial account is created in the special revenue fund. The account consists of money transferred by law to the account and

any other money donated, gifted, granted, allotted, or otherwise provided to the account. All gifts, grants, or donations received by the commissioner shall be deposited in a Medal of Honor Memorial account in the special revenue fund. Money in the account is annually appropriated to the commissioner of administration for predesign, design, construction, and ongoing maintenance of the memorial.

~~Subd. 3. **Restrictions.** Money deposited in the Medal of Honor Memorial account is not available until the commissioner of management and budget has determined an amount sufficient to complete predesign of the memorial has been committed to the project from nonstate sources. The commissioner of administration shall not begin construction on this project until money in the account is sufficient to pay for all costs related to construction and ongoing maintenance of the memorial.~~

Sec. 5. **CANCELLATION.**

All unspent funds, estimated to be \$350,000, to provide grants to the veterans Journey Home program in fiscal year 2019 under Laws 2017, First Special Session chapter 4, article 1, section 38, subdivision 2, are canceled to the general fund by June 29, 2019.

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

ARTICLE 8  
POLICY

Section 1. Minnesota Statutes 2018, section 15.057, is amended to read:

**15.057 PUBLICITY REPRESENTATIVES.**

No state department, bureau, or division, whether the same operates on funds appropriated or receipts or fees of any nature whatsoever, except the Department of Veterans Affairs, the Department of Transportation, the Department of Employment and Economic Development, the Game and Fish Division, State Agricultural Society, and Explore Minnesota Tourism shall use any of such funds for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau, or division shall be personally liable for funds used contrary to this provision. This section shall not be construed, however, as preventing any such department, bureau, or division from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau, or division was created.

Sec. 2. Minnesota Statutes 2018, section 196.05, subdivision 1, is amended to read:

Subdivision 1. **General duties.** The commissioner shall:

(1) act as the agent of a resident of the state having a claim against the United States for benefits arising out of or by reason of service in the armed forces and prosecute the claim without charge;

(2) act as custodian of veterans' bonus records;

(3) administer the laws relating to the providing of bronze flag holders at veterans' graves for memorial purposes;

(4) administer the laws relating to recreational or rest camps for veterans so far as applicable to state agencies;

(5) administer the state soldiers' assistance fund and veterans' relief fund and other funds appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation of veterans;

(6) cooperate with national, state, county, municipal, and private social agencies in securing to veterans and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;

(7) provide necessary assistance where other adequate aid is not available to the dependent family of a veteran while the veteran is hospitalized and after the veteran is released for as long a period as is necessary as determined by the commissioner;

(8) cooperate with United States governmental agencies providing compensation, pensions, insurance, or other benefits provided by federal law, by supplementing the benefits prescribed therein, when conditions in an individual case make it necessary;

(9) assist dependent family members of military personnel who are called from reserve status to extended federal active duty during a time of war or national emergency through the state soldiers' assistance fund provided by section 197.03;

(10) exercise other powers as ~~may be~~ authorized and necessary to carry out ~~the provisions of this chapter and chapter chapters~~ 197, ~~consistent with that chapter~~ and 198;

(11) provide information, referral, and counseling services to those veterans who may have suffered adverse health conditions as a result of possible exposure to chemical agents; and

(12) in coordination with the Minnesota Association of County Veterans Service Officers, develop a written disclosure statement for use by private providers of veterans benefits services as required under section 197.6091. At a minimum, the written disclosure statement shall include a signature line, contact information for the department, and a statement that veterans benefits services are offered at no cost by federally chartered veterans service organizations and by county veterans service officers.

Sec. 3. Minnesota Statutes 2018, section 197.603, subdivision 2, is amended to read:

Subd. 2. **Records; data privacy.** Pursuant to chapter 13 the county veterans service officer is the responsible authority with respect to all records in the officer's custody. The data on clients' applications for assistance is private data on individuals, as defined in section 13.02, subdivision 12. The county veterans service officer may disclose to the county assessor private data necessary to determine a client's eligibility for the disabled veteran's homestead market value exclusion under section 273.13, subdivision 34.

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

Sec. 4. Minnesota Statutes 2018, section 197.791, subdivision 1, is amended to read:

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

(b) "Commissioner" means the commissioner of veterans affairs, unless otherwise specified.

(c) "Cost of attendance" for undergraduate students has the meaning given in section 136A.121, subdivision 6, multiplied by a factor of 1.2. Cost of attendance for graduate students has the meaning given in section 136A.121, subdivision 6, multiplied by a factor of 1.2, using the tuition and fee maximum established by law for four-year programs. For purposes of calculating the cost of attendance for graduate students, full time is eight credits or more per term or the equivalent.

(d) "Child" means a natural or adopted child of a person described in subdivision 4, paragraph (a), clause (1), item (i) or (ii).

(e) "Eligible institution" means a postsecondary institution under section 136A.101, subdivision 4, or a graduate school licensed or registered with the state of Minnesota serving only graduate students.

(f) "Program" means the Minnesota GI Bill program established in this section, unless otherwise specified.

~~(g) "Time of hostilities" means any action by the armed forces of the United States that is recognized by the issuance of a presidential proclamation or a presidential executive order in which the armed forces expeditionary medal or other campaign service medals are awarded according to presidential executive order, and any additional period or place that the commissioner determines and designates, after consultation with the United States Department of Defense, to be a period or place where the United States is in a conflict that places persons at such a risk that service in a foreign country during that period or in that place should be considered to be included.~~

~~(h) "Veteran" has the meaning given in section 197.447. Veteran also includes a service member who has received an honorable discharge after leaving each period of federal active duty service and has:~~

~~(1) served 90 days or more of federal active duty in a foreign country during a time of hostilities in that country; or~~

~~(2) been awarded any of the following medals:~~

~~(i) Armed Forces Expeditionary Medal;~~

~~(ii) Kosovo Campaign Medal;~~

~~(iii) Afghanistan Campaign Medal;~~

~~(iv) Iraq Campaign Medal;~~

~~(v) Global War on Terrorism Expeditionary Medal; or~~

~~(vi) any other campaign medal authorized for service after September 11, 2001; or~~

~~(3) received a service related medical discharge from any period of service in a foreign country during a time of hostilities in that country.~~

A service member who has fulfilled the requirements for being a veteran ~~under this paragraph~~ but is still serving actively in the United States armed forces is also a veteran for the purposes of this section.

Sec. 5. Minnesota Statutes 2018, section 273.1245, subdivision 2, is amended to read:

Subd. 2. **Disclosure.** The assessor shall disclose the data described in subdivision 1 to the commissioner of revenue as provided by law. The assessor shall also disclose all or portions of the data described in subdivision 1 to:

(1) the county treasurer solely for the purpose of proceeding under the Revenue Recapture Act to recover personal property taxes owing; and

(2) the county veterans service officer for the purpose of determining a person's eligibility for the disabled veteran's homestead market value exclusion under section 273.13, subdivision 34.

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

Sec. 6. **[609.1056] MILITARY VETERAN OFFENDERS RESTORATIVE JUSTICE SENTENCE.**

Subdivision 1. Offenses as a result of military service; presentence supervision procedures. (a) In the case of a person charged with a criminal offense that is either Severity Level 7, D7, or lower in the Minnesota Sentencing Guidelines, who could otherwise be sentenced to county jail or state prison and who alleges that the offense was committed as a result of sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health conditions stemming from service in the United States military, the court shall, prior to entering a plea of guilty, make a determination as to whether the defendant was, or currently is, a member of the United States military and whether the defendant may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health conditions as a result of that person's service. The court may request, through existing resources, an assessment to aid in that determination.

(b) A defendant who requests to be sentenced under this section shall release or authorize access to military service reports and records relating to the alleged conditions stemming from service in the United States military. The records shall be filed as confidential and remain sealed, except as provided for in this paragraph. The defendant, through existing records or licensed professional evaluation, shall establish the diagnosis of the condition and its connection to military service. The court, on the prosecutor's motion with notice to defense counsel, may order the defendant to furnish to the court for in camera review or to the prosecutor copies of all medical and military service reports and records previously or subsequently made concerning the defendant's condition and its connection to service. Based on the record, the court shall make findings on whether, by clear and convincing evidence, the defendant suffers from a diagnosable condition and whether that condition stems from service in the United States military. Within 15 days of the court's findings, either party may file a challenge to the findings and demand a hearing on the defendant's eligibility under this section.

(c) If the court concludes that a defendant who entered a plea of guilty to a criminal offense is a person described in this subdivision or the parties stipulate to eligibility, and if the defendant is otherwise eligible for probation, the court shall, upon the defendant entering a plea of guilty, without entering a judgment of guilty and with the consent of the defendant, defer further proceedings and place the defendant on probation upon such reasonable conditions as it may require and for a period not to exceed the maximum sentence provided for the violation.

(d) Upon violation of a condition of the probation, the court may enter an adjudication of guilt and proceed as otherwise provided by law, including sentencing pursuant to the guidelines, application or waiver of statutory mandatory minimums, or a departure under subdivision 2, paragraph (d).

(e) As a condition of probation, the court may order the defendant to attend a local, state, federal, or private nonprofit treatment program for a period not to exceed that period which the defendant would have served in state prison or county jail, provided the defendant agrees to participate in the program and the court determines that an appropriate treatment program exists.

(f) A defendant granted probation under this section and ordered to attend a residential treatment program shall earn sentence credits for the actual time the defendant serves in residential treatment.

(g) The court, in making an order under this section to order a defendant to attend an established treatment program, shall give preference to a treatment program that has a history of successfully treating veterans who suffer from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of that service, including but not limited to programs operated by the United States Departments of Defense or Veterans Affairs.

(h) The court and the assigned treatment program shall, when available, collaborate with a county veterans service officer and the United States Department of Veterans Affairs to maximize benefits and services provided to the veteran.

(i) If available in the county or judicial district having jurisdiction over the case, the defendant may be supervised by the veterans treatment court program under subdivision 3. If there is a veterans treatment court that meets the requirements of subdivision 3 in the county in which the defendant resides or works, supervision of the defendant may be transferred to that county or judicial district veterans treatment court program. If the defendant successfully completes the veterans treatment court program in the supervising jurisdiction, that jurisdiction shall sentence the defendant under this section. If the defendant is unsuccessful in the veterans treatment court program, the defendant's supervision shall be returned to the jurisdiction that initiated the transfer for standard sentencing.

**Subd. 2. Restorative justice for military veterans; dismissal of charges.** (a) It is in the interests of justice to restore a defendant who acquired a criminal record due to a mental health condition stemming from service in the United States military to the community of law-abiding citizens. The restorative provisions of this subdivision apply to cases in which a court monitoring the defendant's performance of probation under this section finds at a public hearing, held after not less than 15 days' notice to the prosecution, the defense, and any victim of the offense, that all of the following describe the defendant:

(1) the defendant was granted probation and was at the time that probation was granted a person eligible under subdivision 1;

(2) the defendant is in substantial compliance with the conditions of that probation;

(3) the defendant has successfully participated in court-ordered treatment and services to address the sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems stemming from military service;

(4) the defendant does not represent a danger to the health and safety of others; and

(5) the defendant has demonstrated significant benefit from court-ordered education, treatment, or rehabilitation to clearly show that granting restorative relief pursuant to this subdivision would be in the interests of justice.

(b) When determining whether granting restorative relief under this subdivision is in the interests of justice, the court may consider, among other factors, all of the following:

(1) the defendant's completion and degree of participation in education, treatment, and rehabilitation as ordered by the court;

(2) the defendant's progress in formal education;

(3) the defendant's development of career potential;

(4) the defendant's leadership and personal responsibility efforts;

(5) the defendant's contribution of service in support of the community; and

(6) the level of harm to the community or victim from the offense.

(c) If the court finds that a case satisfies each of the requirements described in paragraph (a), then upon expiration of the period of probation the court shall discharge the defendant and dismiss the proceedings against that defendant. Discharge and dismissal under this subdivision shall be without court adjudication of guilt, but a not public record of it shall be retained by the Bureau of Criminal Apprehension for the purpose of use by the courts in determining the merits of subsequent proceedings against the defendant. The not public record may also be opened only upon court order for purposes of a criminal investigation, prosecution, or sentencing. Upon request by law

enforcement, prosecution, or corrections authorities, the bureau shall notify the requesting party of the existence of the not public record and the right to seek a court order to open it under this section. The court shall forward a record of any discharge and dismissal under this subdivision to the bureau, which shall make and maintain the not public record of it as provided under this subdivision. The discharge or dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime or for any other purpose. For purposes of this subdivision, "not public" has the meaning given in section 13.02, subdivision 8a.

(d) If the charge to which the defendant entered a plea of guilty is listed under subdivision 1, paragraph (a), and is for an offense that is a presumptive commitment to state imprisonment, the court may use the factors of paragraph (a) to justify a dispositional departure, or any sentence appropriate including the application or waiver of statutory mandatory minimums. If the court finds paragraph (a), clauses (1) to (5), factors, the defendant is presumed amenable to probation.

(e) A dismissal under this subdivision does not apply to an offense for which registration is required under section 243.166, subdivision 1b.

**Subd. 3. Optional veterans treatment court program; procedures for eligible defendants.** (a) A county or judicial district may supervise probation under this section through a veterans treatment court, using county veterans service officers appointed under sections 197.60 to 197.606, United States Department of Veterans Affairs veterans justice outreach specialists, probation agents, and any other rehabilitative resources available to the court.

(b) "Veterans treatment court program" means a program that has the following essential characteristics:

(1) the integration of services in the processing of cases in the judicial system;

(2) the use of a nonadversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants;

(3) early identification and prompt placement of eligible participants in the program;

(4) access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services;

(5) careful monitoring of treatment and services provided to program participants;

(6) a coordinated strategy to govern program responses to participants' compliance;

(7) ongoing judicial interaction with program participants;

(8) monitoring and evaluation of program goals and effectiveness;

(9) continuing interdisciplinary education to promote effective program planning, implementation, and operations;

(10) development of partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs; and

(11) inclusion of a participant's family members who agree to be involved in the treatment and services provided to the participant under the program.



**Subd. 4. Creation of county and city diversion programs; authorization.** Any county or city may establish and operate a veterans pretrial diversion program for offenders eligible under subdivision 1 without penalty under section 477A.0175. "Pretrial diversion" means the decision of a prosecutor to refer an offender to a diversion program on condition that the criminal charges against the offender shall be dismissed after a specified period of time, or the case shall not be charged, if the offender successfully completes the program of treatment recommended by the United States Department of Veterans Affairs or a local, state, federal, or private nonprofit treatment program.

**EFFECTIVE DATE.** This section is effective August 1, 2019."

Delete the title and insert:

"A bill for an act relating to the operation of state government; appropriating money for the legislature, the governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, and retirement funds; changing provisions in state government operations; providing for the 2020 census; requiring legislative accessibility measures; eliminating the legislative budget office; allowing appointment of certain county officers; ratifying a labor agreement; providing for redistricting; making changes to campaign finance, election and voting rights, state payments terminology, and racing and gaming; prohibiting state contracts with state sponsors of terrorism; requiring compliance with federal law related to conflict minerals; changing and adding provisions for military and veterans affairs; requiring reports; amending Minnesota Statutes 2018, sections 3.8843, subdivision 7; 3.886, subdivision 6; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, by adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivisions 1, 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, by adding a subdivision; 10A.244; 10A.25, subdivision 3a; 10A.27, subdivision 15; 13.607, by adding a subdivision; 15.057; 15.191, subdivisions 1, 3; 15A.083, subdivision 6a; 16A.013, by adding a subdivision; 16A.065; 16A.13, subdivision 2a; 16A.15, subdivision 3; 16A.272, subdivision 3; 16A.40; 16A.42, subdivision 2, by adding a subdivision; 16A.671, subdivision 1; 16A.90; 16B.32, subdivision 1a; 16B.323, subdivision 2; 16B.37, subdivision 4; 16C.055, subdivision 2; 16C.10, subdivision 2; 16C.19; 16C.251; 16D.03, subdivision 2; 16D.09, subdivision 1; 16E.03, subdivision 1, by adding subdivisions; 21.116; 80A.65, subdivision 9; 84A.23, subdivision 4; 84A.33, subdivision 4; 84A.52; 88.12, subdivision 1; 94.522; 94.53; 116J.64, subdivision 7; 123B.09, subdivision 5b; 127A.34, subdivision 1; 127A.40; 136F.70, subdivision 3; 138.081; 138.31, by adding a subdivision; 138.34; 138.40; 138.665, subdivision 2; 138.666; 138.667; 138.763, subdivision 1; 155A.25, subdivision 1a; 155A.28, by adding a subdivision; 174.24, by adding a subdivision; 176.181, subdivision 2; 176.581; 176.591, subdivision 3; 192.55; 196.05, subdivision 1; 197.603, subdivision 2; 197.791, subdivision 1; 201.014, by adding a subdivision; 201.022, subdivision 1; 201.071, subdivision 1; 201.091, subdivision 4, by adding a subdivision; 201.161; 203B.001; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 5; 203B.05, subdivision 1; 203B.06, subdivisions 1, 3; 203B.081, subdivision 1; 203B.085; 203B.121, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 204B.28, subdivision 2; 204B.35, by adding a subdivision; 204B.45, subdivisions 1, 2; 204C.03, by adding a subdivision; 204C.10; 204C.15, subdivision 1; 204C.24, subdivision 1; 204D.19, subdivision 2; 204D.195; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 2; 206.58, subdivision 1; 206.61, by adding a subdivision; 206.80; 206.82, subdivision 1; 206.83; 206.86, by adding a subdivision; 206.89, subdivisions 2, 3; 207A.11; 207A.12; 207A.14, subdivision 2; 207A.15, subdivision 2; 237.30; 240.01, by adding a subdivision; 240.02, subdivisions 2, 6; 240.08, subdivision 5; 240.10; 240.12; 240.13, subdivision 5; 240.131, subdivision 7; 240.135; 240.15, subdivision 6; 240.155, subdivision 1; 240.16, subdivisions 1, 2; 240.18, subdivisions 2, 3; 240.22; 240.27; 240.30, subdivision 9; 240A.09; 244.19, subdivision 7; 256B.20; 273.1245, subdivision 2; 299C.21; 307.08; 326A.01, subdivision 2; 326A.04, subdivisions 4, 5; 326A.08, subdivisions 4, 5, by adding a subdivision; 326A.10; 352.04, subdivision 9; 353.05; 353.27, subdivision 3c; 353.505; 354.42, subdivision 7; 375.08; 375A.10, subdivision 5; 375A.12, subdivision 2; 382.01; 382.02; 383B.041; 401.15, subdivision 1; 446A.16, subdivision 1; 462A.18, subdivision 1; 469.074, by adding a subdivision; 473.408, by adding a subdivision; 473.606, subdivision 5; 525.841; 609.165, subdivision 1; Laws 2016, chapter 189, article 13, section 64; proposing coding for new law in Minnesota Statutes, chapters 2; 3; 5; 10A; 16A; 16B; 16C; 16E; 201; 203B; 204B; 204D; 206; 208; 240; 243; 326A; 375A; 504B; 609; proposing coding for new law as Minnesota Statutes, chapter 204E; repealing Minnesota Statutes 2018,

sections 3.8853; 3.8854; 10A.15, subdivision 6; 43A.17, subdivision 9; 155A.28, subdivisions 1, 3, 4; 203B.081, subdivision 3; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; 383B.057; Laws 2017, First Special Session chapter 4, article 2, sections 1, as amended; 3, as amended; 7; 8; 9, as amended; 58, as amended; Laws 2018, chapter 214, article 5, sections 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15."

The motion prevailed and the amendment was adopted.

Nelson, M., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 76, after line 16, insert:

"Sec. 71. Minnesota Statutes 2018, section 383B.1511, subdivision 8, is amended to read:

Subd. 8. **Expiration.** The authority to enter into new contracts under this section expires on December 31, ~~2019~~ 2024."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Nelson, M., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 26, line 2, strike "(b) and (c)" and insert "(b), (c), and (d)"

Page 26, line 6, strike "The capacity of a solar energy system"

Page 26, line 7, strike the old language

Page 26, strike lines 8 and 9 and insert "The total aggregate nameplate capacity of all distributed generation serving the building, including any subscriptions to a community solar garden under section 216B.1641, may not exceed 100 percent of the average annual electric energy consumption of the building or buildings if served by a common billing meter and located on a contiguous piece of property owned by the same customer, excepting right-of-way."

Page 26, after line 13, insert:

"(d) The solar energy system must be located either (1) on a state building; or (2) adjacent to a state building, but only if any land situated between the building and the site where the solar energy system is installed is owned by the state, excepting right-of-way."

Page 26, line 14, strike "(d)" and insert "(e)"

The motion prevailed and the amendment was adopted.

Nelson, M., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 20, after line 6, insert:

"Sec. 4. Minnesota Statutes 2018, section 4.60, is amended to read:

**4.60 POET LAUREATE.**

(a) The position of poet laureate of the state of Minnesota is established. The ~~Minnesota Humanities Center~~ entity designated by the Library of Congress as the Minnesota Center for the Book must solicit nominations for the poet laureate appointment and must make recommendations to the governor. After receiving these recommendations ~~from the Minnesota Humanities Center~~, the governor shall appoint a state poet laureate and conduct appropriate ceremonies to honor the person appointed. The person appointed as poet laureate continues to serve in this position until the governor appoints another person.

(b) State agencies and officers are encouraged to use the services of the poet laureate for appropriate ceremonies and celebrations."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Nelson, M., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 5, line 27, delete "17,379,000" and insert "17,709,000"

Page 5, line 28, delete "\$12,650,000" and insert "\$12,980,000"

Page 19, after line 5, insert:

"Sec. 39. **CANCELLATION; INFORMATION AND TELECOMMUNICATIONS TECHNOLOGY SYSTEMS AND SERVICES ACCOUNT.**

\$330,000 retained from previously completed project balances in the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the general fund effective July 1, 2019."

Kiel moved to amend the Nelson, M., amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 1, delete lines 3 and 4

Page 1, before line 5, insert:

"Page 14, line 20, delete "700,000" and insert "865,000" and delete "700,000" and insert "865,000"

Page 14, line 21, delete "\$325,000" and insert "\$490,000"

A roll call was requested and properly seconded.

The question was taken on the Kiel amendment to the Nelson, M., amendment and the roll was called. There were 59 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Demuth	Gunther	Kresha	Neu	Schomacker
Anderson	Dettmer	Haley	Layman	Nornes	Scott
Backer	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Bahr	Erickson	Heinrich	Lueck	O'Neill	Theis
Baker	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mahoney	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mann	Poppe	Winkler
Bernardy	Elkins	Kotzya-Witthuhn	Mariani	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Marquart	Richardson	Xiong, J.
Brand	Freiberg	Lee	Masin	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moller	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Moran	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Morrison	Schultz	
Christensen	Hausman	Lillie	Murphy	Stephenson	
Clafin	Her	Lippert	Nelson, M.	Sundin	
Considine	Hornstein	Lislegard	Noor	Tabke	
Davnie	Howard	Loeffler	Olson	Vang	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Nelson, M., amendment to S. F. No. 2227, the third engrossment, as amended. The motion prevailed and the amendment was adopted.

Xiong, T., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 71, after line 24, insert:

"Sec. 66. Minnesota Statutes 2018, section 375.101, subdivision 1, is amended to read:

Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided in subdivision 3, a vacancy in the office of county commissioner may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The county board may by resolution call for a special election to be held on a date authorized by section 205.10, subdivision 3a.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

(c) If a special election is required to be held to fill a vacancy in the office of county commissioner, the county board may temporarily fill the vacancy by appointment before the vacancy is filled by special election. Before making an appointment to temporarily fill a vacancy under this subdivision, the board must allow public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of the prospective appointee. After the board selects the person to temporarily fill the vacancy, the board shall adopt and enter into the minutes of its proceedings a resolution evidencing the appointment. The term of the appointment expires when a successor is chosen by special election and takes the oath of office."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hansen and Bernardy moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 20, after line 6, insert:

"Sec. 4. Minnesota Statutes 2018, section 3.97, subdivision 3a, is amended to read:

Subd. 3a. **Evaluation topics.** ~~(a)~~ The commission shall periodically select topics for the legislative auditor to evaluate. Topics may include any agency, program, or activity established by law to achieve a state purpose, or any topic that affects the operation of state government, ~~but~~. The commission shall give primary consideration to topics that are likely, upon examination, to produce recommendations for cost savings, increased productivity, or the elimination of duplication among public agencies. The commission shall also give consideration to programs and statutory provisions that authorize grants, tax incentives, and other inducements for economic development. Legislators and legislative committees may suggest topics for evaluation, but the legislative auditor shall only conduct evaluations approved by the commission.

~~(b) The commission is requested to direct the auditor, in response to a suggestion from an individual legislator of an evaluation topic, to estimate the scope of the proposed evaluation and the time required to complete it. The estimate must be reported to the legislator who submitted the suggestion and to the commission. The commission must determine within 60 days of receiving the estimate whether to proceed with the suggested evaluation and must convey its decision to the legislator along with the reasons for its decision.~~

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

Sec. 5. Minnesota Statutes 2018, section 3.971, subdivision 9, is amended to read:

Subd. 9. **Obligation to notify the legislative auditor.** The chief executive, financial, or information officers of an organization subject to audit under this section must promptly notify the legislative auditor when the officer obtains information indicating that public money or other public resources may have been used for an unlawful purpose, or when the officer obtains information indicating that government data classified by chapter 13 as not public may have been accessed ~~or used unlawfully by or provided to a person without lawful authorization.~~ As necessary, the legislative auditor shall coordinate an investigation of the allegation with appropriate law enforcement officials.

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

Sec. 6. Minnesota Statutes 2018, section 3.972, subdivision 2a, is amended to read:

Subd. 2a. **Audits of Department of Human Services.** ~~(a) To ensure continuous legislative oversight and accountability, the legislative auditor shall give high priority to auditing the programs, services, and benefits administered by the Department of Human Services. The audits shall determine whether the department offered programs and provided services and benefits only to eligible persons and organizations, and complied with applicable legal requirements.~~

~~(b) The legislative auditor shall, based on an assessment of risk and using professional standards to provide a statistically significant sample, no less than three times each year, test a representative sample of persons enrolled in a medical assistance program or MinnesotaCare to determine whether they are eligible to receive benefits under those programs. The legislative auditor shall report the results to the commissioner of human services and recommend corrective actions. The commissioner shall provide a response to the legislative auditor within 20 business days, including corrective actions to be taken to address any problems identified by the legislative auditor and anticipated completion dates. The legislative auditor shall monitor the commissioner's implementation of corrective actions and periodically report the results to the Legislative Audit Commission and the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance. The legislative auditor's reports to the commission and the chairs and ranking minority members must include recommendations for any legislative actions needed to ensure that medical assistance and MinnesotaCare benefits are provided only to eligible persons.~~

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

Page 83, after line 6, insert:

"Subd. 4. **Legislative Auditor.** Minnesota Statutes 2018, section 3.9735, is repealed, effective the day following final enactment."

The motion prevailed and the amendment was adopted.

Poppe moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 78, after line 3, insert:

"Sec. 74. Laws 2018, chapter 211, article 14, section 26, is amended to read:

Sec. 26. **CITY OF AUSTIN; ALLOCATION OF FIRE STATE AID FOR FIREFIGHTERS.**

(a) Notwithstanding any law to the contrary, the city of Austin must annually:

(1) determine the amount of state aid required under the bylaws of the Austin Parttime Firefighters Relief Association to fund the volunteer firefighters' service pensions;

(2) transmit to the Austin Parttime Firefighters Relief Association any supplemental state aid received under Minnesota Statutes, section 423A.022;

(3) transmit to the Austin Parttime Firefighters Relief Association an amount of fire state aid under Minnesota Statutes, sections 69.011 to 69.051, equal to the difference between the amount determined under clause (1) and the amount transmitted under clause (2); and

(4) transmit the remaining balance of fire state aid under Minnesota Statutes, sections 69.011 to 69.051, for the payment of the employer contribution requirements for firefighters covered by the public employees police and fire retirement plan under Minnesota Statutes, section 353.65, subdivision 3.

(b) Notwithstanding Minnesota Statutes, section 69.031, subdivision 5, the city of Austin has no liability to the relief association related to payments it made or will make to the public employees police and fire retirement plan from fire state aid for 2013, 2014, 2015, 2016, 2017, and 2018 and subsequent years.

(c) ~~This section expires July 1, 2019~~ Paragraphs (a) and (b) expire on the effective date of general legislation permitting the allocation of fire state aid between volunteer firefighter relief associations and the affiliated municipalities, independent nonprofit firefighting corporations, or joint powers entities.

**EFFECTIVE DATE.** This section is effective the day after the governing body of the city of Austin and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

The motion prevailed and the amendment was adopted.

Becker-Finn moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 190, after line 7, insert:

"Section 1. **[10.578] VETERANS SUICIDE AWARENESS DAY.**

The first Saturday of every October is designated Veterans Suicide Awareness Day. Each year, the governor shall issue a proclamation honoring this observance.

**EFFECTIVE DATE.** This section is effective January 1, 2020."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Xiong, T., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 190, after line 7, insert:

"Section 1. **[10.5805] HMONG VETERANS DAY; STATEMENT OF PURPOSE.**

(a) May 14 of each year is designated as Hmong Veterans Memorial Day in honor of Southeast Asians, Lao, Americans, and their allies who served, suffered, sacrificed, or died in the Secret War in Laos during the Vietnam War in the years 1961 to 1975 in support of the armed forces of the United States, and in recognition of the significance of May 14, 1975, the last day that the overall American-trained Hmong command structure over the Special Guerilla Units in Laos was operational. At least 35,000 Hmong Special Guerilla soldiers lost their lives protecting trapped, lost, or captured American soldiers and pilots in Laos and Vietnam. One-half of the Hmong population in Laos perished as a result of the American Secret War in Laos. Ethnic Hmong men, women, and children in Laos faced persecution and forced re-education in seminar camps after their American support ended. Despite the tremendous cost and sacrifices in the war, the Hmong remain proud to stand by the values of freedom and justice that America symbolizes. Those who survived escaped to western countries to start a new life. Each year, the governor shall issue a proclamation honoring the observance.

(b) Schools are encouraged to read a passage about Hmong history or this statute to students in honor of this day on May 14 or, if May 14 falls on a Saturday or Sunday, on the Friday preceding May 14. Businesses may close in honor of this day and an employee may request the day off without pay with two weeks' notice to the employer in observance of this day.

(c) The governor shall order the American flag and Minnesota flag flown on the grounds of the Capitol area and other state property to be flown at half-staff on May 14. Local governments, private businesses, and public and private schools are encouraged to fly American and Minnesotan flags at half-staff on May 14."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Xiong, T., amendment and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Considine	Gomez	Jurgens	Lucero	Neu
Albright	Daniels	Green	Kiel	Lueck	Noor
Anderson	Daudt	Grossell	Klevorn	Mahoney	Nornes
Backer	Davids	Gruenhagen	Koegel	Mann	O'Driscoll
Bahner	Davnie	Gunther	Kotzya-Witthuhn	Mariani	Olson
Bahr	Dehn	Haley	Koznick	Marquart	O'Neill
Baker	Demuth	Halverson	Kresha	Masin	Pelowski
Becker-Finn	Dettmer	Hamilton	Kunesh-Podein	McDonald	Persell
Bennett	Drazkowski	Hansen	Layman	Mekeland	Petersburg
Bernardy	Ecklund	Hausman	Lee	Miller	Pierson
Bierman	Edelson	Heinrich	Lesch	Moller	Pinto
Boe	Elkins	Heintzeman	Liebling	Moran	Poppe
Brand	Erickson	Her	Lien	Morrison	Poston
Cantrell	Fabian	Hertaus	Lillie	Munson	Pryor
Carlson, A.	Fischer	Hornstein	Lippert	Murphy	Quam
Carlson, L.	Franson	Howard	Lislegard	Nash	Richardson
Christensen	Freiberg	Huot	Loeffler	Nelson, M.	Robbins
Clafin	Garofalo	Johnson	Long	Nelson, N.	Runbeck



Sandell	Scott	Theis	Wagenius	Xiong, J.
Sandstede	Stephenson	Torkelson	Wazlawik	Xiong, T.
Sauke	Sundin	Urdahl	West	Youakim
Schomacker	Swedzinski	Vang	Winkler	Zerwas
Schultz	Tabke	Vogel	Wolgamott	Spk. Hortman

The motion prevailed and the amendment was adopted.

Mahoney was excused for the remainder of today's session.

Ecklund moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 33, after line 9, insert:

"Sec. 24. Minnesota Statutes 2018, section 43A.10, is amended by adding a subdivision to read:

Subd. 2c. **Managerial positions.** The commissioner, and any applicable appointing authority, must ensure that all hiring for classified positions identified as managerial under section 43A.18, subdivision 3, is conducted through a fair and open process where all candidates who meet the minimum qualifications for the position are considered. For classified management positions filled through a competitive selection process, under no circumstances may:

(1) the job requirements be altered to fit a particular candidate prior to the posting of a position; or

(2) internal documents identify a particular candidate as the future holder of a position prior to their official hiring."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Layman moved to amend the Ecklund amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 1, line 6, before "The" insert "(a)"

Page 1, after line 15, insert:

"(b) Notice of a vacant position subject to this section must be posted, and applications must be accepted, for a period of no fewer than 21 days before the position is filled. Upon request of an appointing authority, the commissioner may waive the requirements of this paragraph. Notice of a waiver must be published in the State Register no more than 14 days after the waiver is granted. The notice must describe the reason for the waiver."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Ecklund amendment, as amended, to S. F. No. 2227, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Baker was excused for the remainder of today's session.

Lesch moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 193, after line 21, insert:

"Sec. 6. Minnesota Statutes 2018, section 471.975, is amended to read:

**471.975 MAY PAY DIFFERENTIAL OF RESERVE ON ACTIVE DUTY.**

(a) Except as provided in ~~paragraph~~ paragraphs (b) and (c), a statutory or home rule charter city, county, town, or other political subdivision may pay to each eligible member of the National Guard or other reserve component of the armed forces of the United States an amount equal to the difference between the member's base active duty military salary and the salary the member would be paid as an active political subdivision employee, including any adjustments the member would have received if not on leave of absence. This payment may be made only to a person whose base active duty military salary is less than the salary the person would be paid as an active political subdivision employee. Back pay authorized by this section may be paid in 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.

(b) Each school district shall pay to each eligible member of the National Guard or other reserve component of the armed forces of the United States an amount equal to the difference between the member's base active duty military salary and the salary the member would be paid as an active school district employee, including any adjustments the member would have received if not on leave of absence. The pay differential must be based on a comparison between the member's daily base rate of active duty pay, calculated by dividing the member's base military monthly salary by the number of paid days in the month, and the member's daily rate of pay for the member's school district salary, calculated by dividing the member's total school district salary by the number of contract days. The member's salary as a school district employee must include the member's basic salary and any additional salary the member earns from the school district for cocurricular and extracurricular activities. The differential payment under this paragraph must be the difference between the daily base rates of military pay times the number of school district contract days the member misses because of military active duty. This payment may be made only to a person whose daily base rate of active duty pay is less than the person's daily rate of pay as an active school district employee. Payments may be made at the intervals at which the member received pay as a school district employee. 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.

(c) A county shall pay to each eligible member of the National Guard or other reserve component of the armed forces of the United States an amount equal to the difference between the member's base active duty military salary and the salary the member would be paid as an active county employee, including any adjustments the member would have received if not on leave of absence. This payment shall be made only to a person whose base active duty military salary is less than the salary the person would be paid as an active county employee. Back pay authorized by this section may be paid in 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.

(d) An eligible member of the reserve components of the armed forces of the United States is a reservist or National Guard member who was an employee of a political subdivision at the time the member reported for active service on or after May 29, 2003, or who is on active service on May 29, 2003.

~~(d)~~ (e) Except as provided in paragraph ~~(e)~~ (f) and elsewhere in Minnesota Statutes, a statutory or home rule charter city, county, town, or other political subdivision has total discretion regarding employee benefit continuation for a member who reports for active service and the terms and conditions of any benefit.

~~(e)~~ (f) A school district or county must continue the employee's enrollment in health and dental coverage, and the employer contribution toward that coverage, until the employee is covered by health and dental coverage provided by the armed forces. If the employee had elected dependent coverage for health or dental coverage as of the time that the employee reported for active service, a school district or county must offer the employee the option to continue the dependent coverage at the employee's own expense. A school district or county must permit the employee to continue participating in any pretax account in which the employee participated when the employee reported for active service, to the extent of employee pay available for that purpose.

~~(f)~~ (g) For purposes of this section, "active service" has the meaning given in section 190.05, subdivision 5, but excludes service performed exclusively for purposes of:

- (1) basic combat training, advanced individual training, annual training, and periodic inactive duty training;
- (2) special training periodically made available to reserve members; and
- (3) service performed in accordance with section 190.08, subdivision 3.

~~(g)~~ (h) When an employee of a school district or county who, as a member of the National Guard or any other reserve unit of the United States armed forces, reports for active service as defined in section 190.05, subdivision 5, the district or county must place into a special service members' aggregate salary savings account the amount of salary the district or county would have paid to the employee during the employee's leave for military service. The district or county must use the combined proceeds in the account only to fully pay the salary differentials of all eligible deployed employees ~~in~~ who are employed by the district or county, as determined under paragraph (b) or (c). Funds remaining in the account at the end of the fiscal year after all obligations to employees under this statute have been satisfied may be used to pay for replacements or substitutes for the deployed employees, and then for any other purpose.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies retroactively to the date an employee was ordered to active service on or after January 1, 2018."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Urdahl moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 20, after line 6, insert:

"Sec. 4. Minnesota Statutes 2018, section 3.98, subdivision 2, is amended to read:

Subd. 2. **Contents.** (a) The fiscal note, where possible, shall:

- (1) cite the effect in dollar amounts;
- (2) cite the statutory provisions affected;
- (3) estimate the increase or decrease in revenues or expenditures;

- (4) include the costs which may be absorbed without additional funds;
- (5) include the assumptions used in determining the cost estimates; and
- (6) specify any long-range implication.

(b) The fiscal note may comment on technical or mechanical defects in the bill but shall express no opinions concerning the merits of the proposal.

(c) The head or chief administrative officer of the agency or department preparing a fiscal note must consult with the chief author of the bill to ensure the note accurately reflects the language of the bill and the chief author's intent.

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Vogel moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, line 42, delete "88,669,000" and insert "90,075,000" and delete "92,220,000" and insert "93,793,000"

Page 3, line 8, delete "19,144,000" and insert "20,550,000" and delete "21,258,000" and insert "22,831,000"

Page 3, line 1, delete "88,541,000" and insert "89,947,000" and delete "92,092,000" and insert "93,665,000"

Page 3, line 10, delete "19,016,000" and insert "20,422,000" and delete "21,130,000" and insert "22,703,000"

Page 4, after line 16, insert:

"Legislative Budget Office. \$1,406,000 the first year and \$1,573,000 the second year are for the Legislative Budget Office."

Page 17, line 29, delete "\$890,000" and insert "\$3,869,000"

Page 81, delete section 76

Page 82, delete lines 29 and 30

Page 83, delete lines 1 to 4

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Vogel amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Schomacker
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Scott
Backer	Erickson	Heinrich	Lueck	O'Neill	Swedzinski
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Theis
Bennett	Franson	Hertaus	Mekeland	Pierson	Torkelson
Boe	Garofalo	Johnson	Miller	Poppe	Urdahl
Daniels	Green	Jurgens	Munson	Poston	Vogel
Daudt	Grossell	Kiel	Nash	Quam	West
Davids	Gruenhagen	Koznick	Nelson, N.	Robbins	Zerwas
Demuth	Gunther	Kresha	Neu	Runbeck	

Those who voted in the negative were:

Acomb	Dehn	Howard	Lislegard	Noor	Sundin
Bahner	Ecklund	Huot	Loeffler	Olson	Tabke
Becker-Finn	Edelson	Klevorn	Long	Pelowski	Vang
Bernardy	Elkins	Koegel	Mann	Persell	Wagenius
Bierman	Fischer	Kotyza-Witthuhn	Mariani	Pinto	Wazlawik
Brand	Freiberg	Kunesh-Podein	Marquart	Pryor	Winkler
Cantrell	Gomez	Lee	Masin	Richardson	Wolgamott
Carlson, A.	Halverson	Lesch	Moller	Sandell	Xiong, J.
Carlson, L.	Hansen	Liebling	Moran	Sandstede	Xiong, T.
Christensen	Hausman	Lien	Morrison	Sauke	Youakim
Clafin	Her	Lillie	Murphy	Schultz	Spk. Hortman
Davnie	Hornstein	Lippert	Nelson, M.	Stephenson	

The motion did not prevail and the amendment was not adopted.

Long moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 144, after line 29, insert:

"Sec. 68. Minnesota Statutes 2018, section 207A.13, is amended by adding a subdivision to read:

**Subd. 3. Tax return disclosure required.** (a) No later than 63 days before the presidential nomination primary, a candidate for presidential nomination must:

(1) publicly release a copy of the candidate's federal income tax returns, as defined in United States Code, title 26, section 6103(b)(1), for at least the five most recent taxable years for which a return has been filed with the internal revenue service; or

(2) file with the secretary of state:

(i) the federal tax returns as described in clause (1); and

(ii) written consent, in a form prescribed by the secretary of state, for the public disclosure of such returns pursuant to this section.

(b) The secretary of state shall make tax returns filed or released under this section publicly available on the secretary of state's website within seven days of receipt or release. The secretary of state may make additional schedules or forms filed under this section publicly available upon request. Prior to making any federal tax returns public, the secretary of state shall redact such information contained in the returns as deemed needed in consultation with the commissioner of revenue.

(c) Notwithstanding a party's determination under subdivision 2, a presidential candidate who does not comply with the requirements of this subdivision may not appear on the presidential nomination primary ballot.

(d) No later than 63 days before a general election for president, all candidates for president and vice-president shall comply with paragraph (a). Notwithstanding section 208.04, subdivision 1, candidates for president or vice-president who do not comply with paragraph (a) may not appear on the general election ballot."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Nash moved to amend the Long amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, after line 4, insert:

"(e) The secretary of state must review the return from the most recent taxable year filed or released by each candidate subject to this section. If the return indicates that the candidate has made charitable contributions of less than two percent of the candidate's total income for that taxable year to organizations qualifying under section 170(c) of the Internal Revenue Code, the secretary of state must print the following statement beneath the candidate's name on the presidential nomination primary ballot and, if applicable, the general election ballot: "In the most recent taxable year, this candidate contributed less than two percent of the candidate's income to charity." The statement must be printed in bold type, and in a font size equal to that used to indicate the candidate's political party or principle."

A roll call was requested and properly seconded.

The question was taken on the Nash amendment to the Long amendment and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Scott
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Backer	Erickson	Heinrich	Lueck	O'Neill	Theis
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mann	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mariani	Poppe	Winkler
Bernardy	Elkins	Kotzya-Witthuhn	Marquart	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Masin	Richardson	Xiong, J.
Brand	Freiberg	Lee	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Murphy	Schultz	
Christensen	Hausman	Lillie	Nelson, M.	Stephenson	
Clafin	Her	Lippert	Noor	Sundin	
Considine	Hornstein	Lislegard	Olson	Tabke	
Davnie	Howard	Loeffler	Pelowski	Vang	

The motion did not prevail and the amendment to the amendment was not adopted.

Nash moved to amend the Long amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, after line 4, insert:

"(e) No later than 63 days before a state primary or state general election at which a constitutional office is on the ballot, all candidates for each constitutional office to be nominated or elected must release or file federal income tax returns in the same manner as required for a candidate for president under paragraph (a). The secretary of state must post these returns on the secretary of state's website consistent with paragraph (b). A candidate for constitutional office who does not comply with this paragraph may not appear on the state general election ballot."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Long amendment, as amended, and the roll was called. There were 80 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Hornstein	Lislegard	Pelowski	Vang
Bahner	Ecklund	Howard	Loeffler	Persell	Wagenius
Becker-Finn	Edelson	Huot	Long	Pinto	Wazlawik
Bernardy	Elkins	Jurgens	Mann	Poppe	West
Bierman	Erickson	Klevorn	Mariani	Pryor	Winkler
Brand	Fischer	Koegel	Masin	Richardson	Wolgamott
Cantrell	Freiberg	Kotzya-Witthuhn	Moller	Robbins	Xiong, J.
Carlson, A.	Garofalo	Kunesh-Podein	Moran	Sandell	Xiong, T.
Carlson, L.	Gomez	Lee	Morrison	Sandstede	Youakim
Christensen	Grossell	Lesch	Murphy	Sauke	Spk. Hortman
Clafin	Halverson	Liebling	Nelson, M.	Schultz	
Considine	Hansen	Lien	Neu	Stephenson	
Daudt	Hausman	Lillie	Noor	Sundin	
Davnie	Her	Lippert	Olson	Tabke	

Those who voted in the negative were:

Albright	Dettmer	Heinrich	Lueck	O'Driscoll	Swedzinski
Anderson	Drazkowski	Heintzeman	Marquart	O'Neill	Theis
Backer	Fabian	Hertaus	McDonald	Petersburg	Torkelson
Bahr	Franson	Johnson	Mekeland	Pierson	Urdahl
Bennett	Green	Kiel	Miller	Poston	Vogel
Boe	Gruenhagen	Koznick	Munson	Quam	Zerwas
Daniels	Gunther	Kresha	Nash	Runbeck	
Davids	Haley	Layman	Nelson, N.	Schomacker	
Demuth	Hamilton	Lucero	Nornes	Scott	

The motion prevailed and the amendment, as amended, was adopted.

The Speaker called Olson to the Chair.

Quam moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 82, after line 24, insert:

"Sec. 81. **REDUCTION IN APPROPRIATIONS FOR UNFILLED POSITIONS.**

Subdivision 1. **Reduction required.** The general fund and nongeneral fund appropriations to an agency for agency operations for the biennium ending June 30, 2021, are reduced by the amount for salary and benefits savings that results from any positions that have not been filled within 180 days of the posting of the position. This section applies only to positions that are posted in fiscal years 2019, 2020, and 2021. Reductions made under this paragraph must be reflected as reductions in agency base budgets for fiscal years 2022 and 2023. This section does not apply to:

(1) any positions that require law enforcement training; or

(2) any positions in public safety.

Subd. 2. **Reporting.** The commissioner of management and budget must report to the chairs and ranking minority members of the senate and the house of representatives finance committees regarding the amount of reductions in spending by each agency under this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Quam moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 19, after line 28, insert:

"Sec. 2. Minnesota Statutes 2018, section 3.855, is amended by adding a subdivision to read:



Subd. 5. **Information required.** The commissioner of management and budget must submit to the Legislative Coordinating Commission the following information with the submission of a collective bargaining agreement or compensation plan under subdivisions 2 and 3:

(1) for each agency and for each proposed agreement or plan, a comparison of biennial compensation costs under the current agreement or plan to the projected biennial compensation costs under the proposed agreement or plan, paid with funds appropriated from the general fund;

(2) for each agency and for each proposed agreement or plan, a comparison of biennial compensation costs under the current agreement or plan to the projected biennial compensation costs under the proposed agreement or plan, paid with funds appropriated from each fund other than the general fund;

(3) for each agency and for each proposed agreement or plan, an identification of the amount of the additional biennial compensation costs that are attributable to salary and wages and to the cost of nonsalary and nonwage benefits; and

(4) for each agency, for clauses (1) to (3), the impact of the aggregate of all agreements and plans being submitted to the commission."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Vogel moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 28, after line 3, insert:

"Sec. 14. Minnesota Statutes 2018, section 16C.045, is amended to read:

**16C.045 REPORTING OF VIOLATIONS.**

(a) A state employee who discovers evidence of violation of laws or rules governing state contracts, or evidence that a party to a state contract is in violation of its terms, is encouraged to report the violation or suspected violation to the employee's supervisor, the commissioner or the commissioner's designee, or the legislative auditor.

(b) Upon receipt of evidence suggesting a violation, the commissioner must promptly initiate an investigation or refer the matter to the attorney general. The legislative auditor must report to the Legislative Audit Commission if there are multiple complaints about the same agency. The auditor's report to the Legislative Audit Commission under this section must disclose only the number and type of violations alleged.

(c) An employee making a good faith report under this section is covered by section 181.932, prohibiting the employer from discriminating against the employee."

Page 29, after line 23, insert:

"Sec. 18. **[16C.107] COOPERATIVE PURCHASING; MOTOR VEHICLE SALES.**

A cooperative purchasing agreement involving the purchase of motor vehicles must include terms that eliminate or minimize the risk of gaps in coverage in the event the agreement, or an amendment to the agreement, expires before a new agreement or amendment takes effect. The terms must include but are not limited to a requirement that, prior to entering a purchase agreement, the vendor provide a written notice clearly indicating whether the terms of the cooperative purchasing agreement apply to the sale.

**EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to cooperative purchasing agreements entered on or after that date."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Vogel amendment and the roll was called. There were 57 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	O'Driscoll	Swedzinski
Anderson	Drazkowski	Hamilton	Lucero	O'Neill	Theis
Backer	Elkins	Heinrich	Lueck	Petersburg	Torkelson
Bahr	Erickson	Heintzeman	McDonald	Pierson	Urdahl
Bennett	Fabian	Hertaus	Mekeland	Poston	Vogel
Boe	Franson	Johnson	Munson	Quam	West
Daniels	Garofalo	Jurgens	Nash	Robbins	Zerwas
Daudt	Green	Kiel	Nelson, N.	Runbeck	
Davids	Gruenhagen	Koznick	Neu	Schomacker	
Demuth	Gunther	Kresha	Nornes	Scott	

Those who voted in the negative were:

Acomb	Davnie	Howard	Lislegard	Noor	Stephenson
Bahner	Dehn	Huot	Loeffler	Olson	Sundin
Becker-Finn	Ecklund	Klevorn	Long	Pelowski	Tabke
Bernardy	Edelson	Koegel	Mann	Persell	Vang
Bierman	Fischer	Kotzya-Witthuhn	Mariani	Pinto	Wagenius
Brand	Freiberg	Kunesh-Podein	Marquart	Poppe	Wazlawik
Cantrell	Gomez	Lee	Masin	Pryor	Winkler
Carlson, A.	Halverson	Lesch	Moller	Richardson	Wolgamott
Carlson, L.	Hansen	Liebling	Moran	Sandell	Xiong, J.
Christensen	Hausman	Lien	Morrison	Sandstede	Xiong, T.
Clafin	Her	Lillie	Murphy	Sauke	Youakim
Considine	Hornstein	Lippert	Nelson, M.	Schultz	Spk. Hortman

The motion did not prevail and the amendment was not adopted.

Nelson, M., moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 104, after line 4, insert:

"Sec. 3. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10, subdivision 1, may be increased in the amount approved by the voters of the district at a referendum called for the purpose. The referendum may be called by the board. The referendum must be conducted one or two calendar years before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. Unless the referendum is conducted by mail under subdivision 11, paragraph (a), the referendum must be held on the first Tuesday after the first Monday in November. The ballot must state the maximum amount of the increased revenue per adjusted pupil unit. The ballot may state a schedule, determined by the board, of increased revenue per adjusted pupil unit that differs from year to year over the number of years for which the increased revenue is authorized or may state that the amount shall increase annually by the rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum levy authority is expiring. In this case, the ballot may also compare the proposed levy authority to the existing expiring levy authority, and express the proposed increase as the amount, if any, over the expiring referendum levy authority. The ballot must designate the specific number of years, not to exceed ten, for which the referendum authorization applies. The ballot, including a ballot on the question to revoke or reduce the increased revenue amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per pupil." The notice required under section 275.60 may be modified to read, in cases of renewing existing levies at the same amount per pupil as in the previous year:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED TO EXPIRE."

The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of ....., School District No. ..., be approved?"

If approved, an amount equal to the approved revenue per adjusted pupil unit times the adjusted pupil units for the school year beginning in the year after the levy is certified shall be authorized for certification for the number of years approved, if applicable, or until revoked or reduced by the voters of the district at a subsequent referendum.

(b) The board must deliver by mail at least 15 days but no more than ~~30~~ 45 days before the day of the referendum to each taxpayer a notice of the referendum and the proposed revenue increase. The board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the school district.

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum extends an existing operating referendum at the same amount per pupil as in the previous year."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke or reduce the revenue amount must state the amount per adjusted pupil unit by which the authority is to be reduced. Revenue authority approved by the voters of the district pursuant to paragraph (a) must be available to the school district at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

**EFFECTIVE DATE.** This section is effective July 1, 2019."

The motion prevailed and the amendment was adopted.

Nash moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 104, line 14, before "An" insert "(a) Except as provided in paragraph (b)."

Page 104, after line 18, insert:

"(b) An individual convicted of a felony crime of violence as defined in section 624.712, subdivision 5, has the civil right to vote restored when the individual's sentence has expired or is fully discharged."

Page 106, line 18, delete the new language

Page 106, line 19, delete the new language and insert "have the right to vote because, if I have been convicted of a felony, my civil rights have been restored"

Page 125, line 8, strike the old language

Page 125, line 9, delete the new language and insert "the individual's civil rights have been restored;"

Page 148, line 15, delete everything after "restored" and insert "under section 201.014, subdivision 2a."

Page 148, line 22, after "offense" insert "whose civil rights are restored at the time of release under section 201.014, subdivision 2a"

Page 148, line 24, after "offense" insert "whose civil rights have been restored under section 201.014, subdivision 2a"

Dehn moved to amend the Nash amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 1, line 5, delete "felony crime of violence as defined in section 624.712."

Page 1, line 6, delete "subdivision 5." and insert "felony offense related to elections, voting, or the conduct of campaigns under chapters 200 to 211B"

A roll call was requested and properly seconded.

The question was taken on the Dehn amendment to the Nash amendment and the roll was called. There were 72 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Howard	Lislegard	Noor	Stephenson
Bahner	Ecklund	Huot	Loeffler	Olson	Sundin
Becker-Finn	Edelson	Klevorn	Long	Pelowski	Tabke
Bernardy	Elkins	Koegel	Mann	Persell	Vang
Bierman	Fischer	Kotyza-Witthuhn	Mariani	Pinto	Wagenius
Cantrell	Freiberg	Kunesh-Podein	Marquart	Poppe	Wazlawik
Carlson, A.	Gomez	Lee	Masin	Pryor	Winkler
Carlson, L.	Halverson	Lesch	Moller	Richardson	Wolgamott
Christensen	Hansen	Liebling	Moran	Sandell	Xiong, J.
Clafin	Hausman	Lien	Morrison	Sandstede	Xiong, T.
Considine	Her	Lillie	Murphy	Sauke	Youakim
Davnie	Hornstein	Lippert	Nelson, M.	Schultz	Spk. Hortman

Those who voted in the negative were:

Albright	Demuth	Gunther	Kresha	Neu	Schomacker
Anderson	Dettmer	Haley	Layman	Nornes	Scott
Backer	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Bahr	Erickson	Heinrich	Lueck	O'Neill	Theis
Bennett	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Boe	Franson	Hertaus	Mekeland	Pierson	Urdahl
Brand	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Nash amendment, as amended, to S. F. No. 2227, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

O'Driscoll moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 152, line 3, strike "or"

Page 152, line 5, after "made" insert "or (3) in the case of a loan or advance of credit provided to a political committee or fund, provided by a financial institution."

Page 170, after line 6, insert:

"Sec. 25. Minnesota Statutes 2018, section 10A.27, subdivision 11, is amended to read:

Subd. 11. **Contributions from certain types of contributors.** (a) A candidate must not permit the candidate's principal campaign committee to accept a contribution from a political committee, political fund, lobbyist, or association not registered with the board if the contribution will cause the aggregate contributions from those types of contributors during an election cycle segment to exceed an amount equal to 20 percent of the election cycle segment expenditure limits for the office sought by the candidate, provided that the 20 percent limit must be rounded to the nearest \$100.

(b) A political committee or political fund may not accept a contribution from a financial institution in the form of a loan or line of credit."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the O'Driscoll amendment and the roll was called. There were 57 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albright	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Anderson	Erickson	Heinrich	Lueck	O'Neill	Theis
Backer	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bahr	Franson	Hertaus	Mekeland	Pierson	Urdahl
Bennett	Garofalo	Johnson	Miller	Poston	Vogel
Boe	Green	Jurgens	Munson	Quam	West
Daniels	Grossell	Kiel	Nash	Robbins	Zerwas
Daudt	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	
Dettmer	Haley	Layman	Nornes	Scott	

Those who voted in the negative were:

Acomb	Carlson, A.	Dehn	Halverson	Klevorn	Lien
Bahner	Carlson, L.	Ecklund	Hansen	Koegel	Lillie
Becker-Finn	Christensen	Edelson	Hausman	Kotyza-Witthuhn	Lippert
Bernardy	Claffin	Elkins	Her	Kunesh-Podein	Lislegard
Bierman	Considine	Fischer	Hornstein	Lee	Loeffler
Brand	Dauids	Freiberg	Howard	Lesch	Long
Cantrell	Davnie	Gomez	Huot	Liebling	Mann

Mariani	Murphy	Pinto	Sauke	Wagenius	Youakim
Marquart	Nelson, M.	Poppe	Schultz	Wazlawik	Spk. Hortman
Masin	Noor	Pryor	Stephenson	Winkler	
Moller	Olson	Richardson	Sundin	Wolgamott	
Moran	Pelowski	Sandell	Tabke	Xiong, J.	
Morrison	Persell	Sandstede	Vang	Xiong, T.	

The motion did not prevail and the amendment was not adopted.

Nash moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, line 42, delete "92,220,000" and insert "92,002,000"

Page 3, line 1, delete "92,092,000" and insert "91,874,000"

Page 3, line 8, delete "21,258,000" and insert "21,040,000"

Page 3, line 10, delete "21,130,000" and insert "20,912,000"

Page 3, delete lines 25 to 30

Page 3, line 31, delete "(d)" and insert "(c)"

Page 5, line 3, delete "7,525,000" and insert "7,431,000" and delete "7,411,000" and insert "7,402,000"

Page 11, line 31, delete "1,266,000" and insert "1,849,000"

Page 11, line 32, delete "\$600,000" and insert "\$1,183,000"

Page 103, delete article 4

Page 150, delete article 5

Page 173, delete article 6

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Nash amendment and the roll was called. There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Bahr	Daniels	Demuth	Erickson	Green
Anderson	Bennett	Daudt	Dettmer	Fabian	Grossell
Backer	Boe	Davids	Drazkowski	Garofalo	Gruenhagen

Gunther	Jurgens	McDonald	Nornes	Robbins	Urdahl
Haley	Kiel	Mekeland	O'Driscoll	Runbeck	Vogel
Hamilton	Koznick	Miller	O'Neill	Schomacker	West
Heinrich	Kresha	Munson	Petersburg	Scott	Zerwas
Heintzeman	Layman	Nash	Pierson	Swedzinski	
Hertaus	Lucero	Nelson, N.	Poston	Theis	
Johnson	Lueck	Neu	Quam	Torkelson	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mann	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mariani	Poppe	Winkler
Bernardy	Elkins	Kotzya-Witthuhn	Marquart	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Masin	Richardson	Xiong, J.
Brand	Freiberg	Lee	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Murphy	Schultz	
Christensen	Hausman	Lillie	Nelson, M.	Stephenson	
Clafin	Her	Lippert	Noor	Sundin	
Considine	Hornstein	Lislegard	Olson	Tabke	
Davnie	Howard	Loeffler	Pelowski	Vang	

The motion did not prevail and the amendment was not adopted.

Nash moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 20, after line 24, insert:

"Sec. 5. Minnesota Statutes 2018, section 10.60, subdivision 4, is amended to read:

Subd. 4. **Permitted material.** (a) Material specified in this subdivision may be included on a website or in a publication, but only if the material complies with subdivision 2. This subdivision is not a comprehensive list of material that may be contained on a website or in a publication, if the material complies with subdivision 2.

(b) A website or publication may include biographical information about an elected or appointed official, a single official photograph of the official, and photographs of the official performing functions related to the office. Photographs of a constitutional officer performing functions related to the office may not be included on a website or publication during the period beginning 60 days after adjournment sine die of the legislature in a year the constitutional office is on the ballot, and ending the day after the state general election in that year. There is no limitation on photographs, webcasts, archives of webcasts, and audio or video files that facilitate access to information or services or inform the public about the duties and obligations of the office or that are intended to promote trade or tourism. Except during the period beginning 60 days after adjournment sine die of the legislature in a year that the office of governor is subject to election, and ending the day after the state general election in that year, a state website or publication may include photographs or information involving civic or charitable work done by the governor's spouse, provided that these activities relate to the functions of the governor's office.

(c) A website or publication may include press releases, proposals, policy positions, and other information directly related to the legal functions, duties, and jurisdiction of a public official or organization.

(d) The election-related website maintained by the Office of the Secretary of State shall provide links to:



(1) the campaign website of any candidate for legislative, constitutional, judicial, or federal office who requests or whose campaign committee requests such a link and provides in writing a valid URL address to the Office of the Secretary of State; and

(2) the website of any individual or group advocating for or against or providing neutral information with respect to any ballot question, where the individual or group requests such a link and provides in writing a valid website address and valid e-mail address to the Office of the Secretary of State.

These links must be provided on the election-related website maintained by the Office of the Secretary of State from the opening of filing for the office in question until the business day following the day on which the State Canvassing Board has declared the results of the state general election, or November 30 of the year in which the election has taken place, whichever date is earlier. The link must be activated on the election-related website maintained by the Office of the Secretary of State within two business days of receipt of the request from a qualified candidate or committee."

Page 33, after line 9, insert:

"Sec. 25. Minnesota Statutes 2018, section 43A.32, subdivision 1, is amended to read:

Subdivision 1. **Prohibition.** (a) No employee shall, directly or indirectly, during hours of employment ~~solicit or receive funds for political purposes~~ engage in political activity, or use official authority or influence to compel an employee in the classified service to apply for membership in or become a member of any political organization, to pay or promise to pay any assessment, subscription, or contribution or to take part in any political activity.

(b) As used in this subdivision, "political activity" means any activity intended to influence, directly or indirectly, voting at a federal, state, or local election and includes, but is not limited to:

(1) engaging in any of the following activity on behalf of a candidate, committee, or political party unit:

(i) soliciting or receiving contributions;

(ii) recording contribution receipts;

(iii) sending contribution thank-you notes or contribution receipt forms to contributors; or

(iv) preparing reports required to be filed under chapter 10A, chapter 211A, or applicable federal law;

(2) design or production of campaign material for an election;

(3) participating in campaign planning or training for candidates; or

(4) preparing a written campaign plan for a candidate.

(c) A constitutional officer, and any employees of a constitutional officer, may not prepare or distribute, or assist in the preparation or distribution of, newsletters, questionnaires, or other mass mailings that contain a photograph or the name of the incumbent constitutional officer, or individualized letters of congratulations that contain a photograph or the name of the incumbent constitutional officer, during the period beginning 60 days after adjournment sine die of the legislature in a year the constitutional office is on the ballot and ending the day after the state general election in that year. A constitutional officer or employee subject to the restrictions provided by this paragraph may not circumvent those restrictions by directing other employees to engage in a prohibited activity on the constitutional officer or employee's behalf.

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

Page 82, after line 25, insert:

"Sec. 81. **COSTS TO REMOVE POLITICAL MATERIALS FROM STATE WEBSITES AND PUBLICATIONS.**

Costs associated with implementation of sections 5 and 25 must be absorbed through existing appropriations provided to an affected office or department by law."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Nash amendment and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Scott
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Backer	Erickson	Heinrich	Lueck	O'Neill	Theis
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mann	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mariani	Poppe	Winkler
Bernardy	Elkins	Kotyza-Witthuhn	Marquart	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Masin	Richardson	Xiong, J.
Brand	Freiberg	Lee	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Murphy	Schultz	
Christensen	Hausman	Lillie	Nelson, M.	Stephenson	
Clafin	Her	Lippert	Noor	Sundin	
Considine	Hornstein	Lislegard	Olson	Tabke	
Davnie	Howard	Loeffler	Pelowski	Vang	

The motion did not prevail and the amendment was not adopted.

Dettmer moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 183, delete article 7 and insert:

"ARTICLE 7  
APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2020</u></b>	<b><u>2021</u></b>
Sec. 2. <b><u>MILITARY AFFAIRS</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$24,197,000</u></b>	<b><u>\$24,197,000</u></b>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <b><u>Maintenance of Training Facilities</u></b>	9,701,000	9,701,000
Subd. 3. <b><u>General Support</u></b>	3,382,000	3,382,000
<u>\$258,000 each year is for reintegration activities. If the amount for fiscal year 2020 is insufficient, the amount for 2021 is available in fiscal year 2020. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.</u>		
Subd. 4. <b><u>Enlistment Incentives</u></b>	11,114,000	11,114,000
<u>The appropriations in this subdivision are available until June 30, 2023, except that any unspent amounts allocated to a program otherwise supported by this appropriation are canceled to the general fund upon receipt of federal funds in the same amount to support administration of that program.</u>		
<u>If the amount for fiscal year 2020 is insufficient, the amount for 2021 is available in fiscal year 2020. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.</u>		
Sec. 3. <b><u>VETERANS AFFAIRS</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$76,521,000</u></b>	<b><u>\$76,494,000</u></b>

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

**Subd. 2. Veterans Programs and Services**18,380,00018,353,000

(a) **CORE Program.** \$750,000 each year is for the Counseling and Case Management Outreach Referral and Education (CORE) program.

(b) **Veterans Service Organizations.** \$353,000 each year is for grants to the following congressionally chartered veterans service organizations as designated by the commissioner: Disabled American Veterans, Military Order of the Purple Heart, the American Legion, Veterans of Foreign Wars, Vietnam Veterans of America, AMVETS, and Paralyzed Veterans of America. This funding must be allocated in direct proportion to the funding currently being provided by the commissioner to these organizations.

(c) **Minnesota Assistance Council for Veterans.** \$750,000 each year is for a grant to the Minnesota Assistance Council for Veterans to provide assistance throughout Minnesota to veterans and their families who are homeless or in danger of homelessness, including assistance with the following:

(1) utilities;

(2) employment; and

(3) legal issues.

The assistance authorized under this paragraph must be made only to veterans who have resided in Minnesota for 30 days prior to application for assistance and according to other guidelines established by the commissioner. In order to avoid duplication of services, the commissioner must ensure that this assistance is coordinated with all other available programs for veterans.

(d) **State's Veterans Cemeteries.** \$1,647,000 in the first year and \$1,672,000 in the second year are for the state's veterans cemeteries.

(e) **Honor Guards.** \$200,000 each year is for compensation for honor guards at the funerals of veterans under Minnesota Statutes, section 197.231.

(f) **Minnesota GI Bill.** \$200,000 each year is for the costs of administering the Minnesota GI Bill postsecondary educational benefits, on-the-job training, and apprenticeship program under Minnesota Statutes, section 197.791.

(g) **Gold Star Program.** \$100,000 each year is for administering the Gold Star Program for surviving family members of deceased veterans.

(h) **County Veterans Service Office.** \$1,100,000 each year is for funding the County Veterans Service Office grant program under Minnesota Statutes, section 197.608.

(i) **Armed Forces Service Center.** \$100,000 in the first year is for a onetime grant to the Armed Forces Service Center at the Minneapolis-St. Paul Airport for construction costs related to the remodeling of the Armed Forces Service Center and for refurbishing the center's furniture and beds used by service members between connecting flights and while awaiting ground transportation when traveling individually or by unit to and from military duty assignments.

As a condition of issuing this grant, the commissioner must ensure that the center provides matching funding for this purpose. The commissioner must also ensure that no part of this grant may be spent for salary or related benefits for any person or for the operations of the center.

(j) **Veterans Justice Grant; Report.** \$200,000 each year is for a veterans justice grant program. The commissioner shall solicit bids for grants to an organization or organizations that will use the grant money to support, through education, outreach, and legal training and services, military veterans who are involved with the criminal justice system. The commissioner may use up to seven percent of this appropriation each year for costs incurred to administer the program under this section.

A county or city may apply for a veterans justice grant to establish or operate a veterans pretrial diversion program for eligible offenders.

The grant recipient or recipients must report to the commissioner of veterans affairs and the chairs and ranking minority members of the legislative committees and divisions overseeing veterans affairs policy and finance by January 15 of each year. The report must include: an overview of the project's budget; a detailed explanation of project expenditures; the number of veterans and service members served by the project; a list and explanation of the services provided to project participants; and details of the project's education, outreach, and legal training programs.

(k) **Medal of Honor Memorial.** \$150,000 in the first year is for deposit in the Medal of Honor Memorial account established under Laws 2016, chapter 189, article 13, section 64, subdivision 2. The commissioner shall use the amount transferred under this section to construct the Medal of Honor Commemorative Memorial. This transfer is not available until the commissioner of management and budget determines that an equal amount is committed from other nonstate sources.

**Subd. 3. Veterans Health Care**58,141,00058,141,000

(a) **Transfers.** These appropriations may be transferred to a veterans homes special revenue account in the special revenue fund in the same manner as other receipts are deposited according to Minnesota Statutes, section 198.34, and are appropriated to the commissioner of veterans affairs for the operation of veterans homes facilities and programs.

(b) **Report.** No later than January 15, 2020, the commissioner of veterans affairs must submit a report to the legislative committees with jurisdiction over veterans affairs on reserve amounts maintained in the veterans homes special revenue account. The report must detail current and historical amounts maintained as a reserve, and uses of those amounts. The report must also include data on the utilization of existing veterans homes, including current and historical bed capacity and usage, staffing levels and staff vacancy rates, and staff-to-resident ratios.

(c) **Maximize Federal Reimbursements.** The commissioner shall seek opportunities to maximize federal reimbursements of Medicare-eligible expenses and provide annual reports to the commissioner of management and budget on the federal Medicare reimbursements received. Contingent upon future federal Medicare receipts, reductions to the veterans homes' general fund appropriation may be made.

**Subd. 4. Helmets to Hardhats; Report**

If House File 2208 is passed into law, Construction Careers Foundation must report to the commissioner and the chairs and ranking minority members of the house of representatives and senate committees overseeing labor and industry policy and finance and veterans affairs policy and finance by January 15 of each year on the Helmets to Hardhats program. The report must include an overview of the program's budget, a detailed explanation of program expenditures, the number of veterans and service members served by the program, a list and explanation of the services provided to program participants, details of the positions program participants assumed, and the number of participants placed in jobs. This reporting requirement is in addition to any other reporting requirements imposed on Construction Careers Foundation.

Sec. 4. Laws 2016, chapter 189, article 13, section 64, is amended to read:

**Sec. 64. MEMORIAL COMMEMORATING RECIPIENTS OF THE MEDAL OF HONOR.**

Subdivision 1. **Medal of Honor Memorial on the State Capitol grounds.** Subject to approval by the Capitol Area Architectural and Planning Board, the commissioner of administration shall place a memorial on the State Capitol grounds to honor Minnesotans awarded the Medal of Honor.

Subd. 2. **Gifts and grants.** The commissioner of veterans affairs may solicit gifts, grants, or donations of any kind from any private or public source to carry out the purposes of this section. A Medal of Honor Memorial account is created in the special revenue fund. The account consists of money transferred by law to the account and any other money donated, gifted, granted, allotted, or otherwise provided to the account. All gifts, grants, or donations received by the commissioner shall be deposited in a Medal of Honor Memorial account in the special revenue fund. Money in the account is annually appropriated to the commissioner of administration for predesign, design, construction, and ongoing maintenance of the memorial.

~~Subd. 3. **Restrictions.** Money deposited in the Medal of Honor Memorial account is not available until the commissioner of management and budget has determined an amount sufficient to complete predesign of the memorial has been committed to the project from nonstate sources. The commissioner of administration shall not begin construction on this project until money in the account is sufficient to pay for all costs related to construction and ongoing maintenance of the memorial.~~

Sec. 5. **CANCELLATION.**

All unspent funds, estimated to be \$350,000, to provide grants to the veterans Journey Home program in fiscal year 2019 under Laws 2017, First Special Session chapter 4, article 1, section 38, subdivision 2, are canceled to the general fund by June 29, 2019.

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

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Dettmer amendment and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Daudt	Gruenhagen	Kotzya-Witthuhn	Masin	Persell
Albright	Davids	Gunther	Koznick	McDonald	Petersburg
Anderson	Davnie	Haley	Kresha	Mekeland	Pierson
Backer	Dehn	Halverson	Kunesh-Podein	Miller	Pinto
Bahner	Demuth	Hamilton	Layman	Moller	Poppe
Bahr	Dettmer	Hansen	Lee	Moran	Poston
Becker-Finn	Drazkowski	Hausman	Lesch	Morrison	Pryor
Bennett	Ecklund	Heinrich	Liebling	Munson	Quam
Bernardy	Edelson	Heintzeman	Lien	Murphy	Richardson
Bierman	Elkins	Her	Lillie	Nash	Robbins
Boe	Erickson	Hertaus	Lippert	Nelson, M.	Runbeck
Brand	Fabian	Hornstein	Lislegard	Nelson, N.	Sandell
Cantrell	Fischer	Howard	Loeffler	Neu	Sandstede
Carlson, A.	Franson	Huot	Long	Noor	Sauke
Carlson, L.	Freiberg	Johnson	Lucero	Nornes	Schomacker
Christensen	Garofalo	Jurgens	Lueck	O'Driscoll	Schultz
Claflin	Gomez	Kiel	Mann	Olson	Scott
Considine	Green	Klevorn	Mariani	O'Neill	Stephenson
Daniels	Grossell	Koegel	Marquart	Pelowski	Sundin

Swedzinski	Torkelson	Vogel	West	Xiong, J.	Zerwas
Tabke	Urdahl	Wagenius	Winkler	Xiong, T.	Spk. Hortman
Theis	Vang	Wazlawik	Wolgamott	Youakim	

The motion prevailed and the amendment was adopted.

O'Neill moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 76, delete section 72

Page 83, delete lines 5 and 6

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the O'Neill amendment and the roll was called. There were 55 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Swedzinski
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Theis
Backer	Erickson	Heinrich	Lueck	O'Neill	Torkelson
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Vogel
Bennett	Franson	Hertaus	Mekeland	Poston	West
Boe	Garofalo	Howard	Miller	Quam	
Daniels	Green	Johnson	Munson	Robbins	
Daudt	Grossell	Kiel	Nash	Runbeck	
Davids	Gruenhagen	Koznick	Nelson, N.	Schomacker	
Demuth	Gunther	Kresha	Neu	Scott	

Those who voted in the negative were:

Acomb	Dehn	Jurgens	Long	Persell	Urdahl
Bahner	Ecklund	Klevorn	Mann	Pierson	Vang
Becker-Finn	Edelson	Koegel	Mariani	Pinto	Wagenius
Bernardy	Elkins	Kotyza-Witthuhn	Marquart	Poppe	Wazlawik
Bierman	Fischer	Kunesh-Podein	Masin	Pryor	Winkler
Brand	Freiberg	Lee	Moller	Richardson	Wolgamott
Cantrell	Gomez	Lesch	Moran	Sandell	Xiong, J.
Carlson, A.	Halverson	Liebling	Morrison	Sandstede	Xiong, T.
Carlson, L.	Hansen	Lien	Murphy	Sauke	Youakim
Christensen	Hausman	Lillie	Nelson, M.	Schultz	Zerwas
Clafin	Her	Lippert	Noor	Stephenson	Spk. Hortman
Considine	Hornstein	Lislegard	Olson	Sundin	
Davnie	Huot	Loeffler	Pelowski	Tabke	

The motion did not prevail and the amendment was not adopted.



Albright moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, delete article 1 and insert:

"ARTICLE 1  
STATE GOVERNMENT APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2020</u></b>	<b><u>2021</u></b>
Sec. 2. <b><u>LEGISLATURE</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$88,669,000</u></b>	<b><u>\$92,220,000</u></b>
<b><u>Appropriations by Fund</u></b>		
	<b><u>2020</u></b>	<b><u>2021</u></b>
General	<u>88,541,000</u>	<u>92,092,000</u>
Health Care Access	<u>128,000</u>	<u>128,000</u>

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

Subd. 2. <b><u>Senate</u></b>	<u>32,105,000</u>	<u>32,105,000</u>
Subd. 3. <b><u>House of Representatives</u></b>	<u>37,420,000</u>	<u>38,857,000</u>
Subd. 4. <b><u>Legislative Coordinating Commission</u></b>	<u>19,144,000</u>	<u>21,258,000</u>
<b><u>Appropriations by Fund</u></b>		
General	<u>19,016,000</u>	<u>21,130,000</u>
Health Care Access	<u>128,000</u>	<u>128,000</u>

**Legislative Auditor.** \$7,205,000 the first year and \$7,596,000 the second year are for the Office of the Legislative Auditor.

**Revisor of Statutes.** \$6,768,000 the first year and \$7,207,000 the second year are for the Office of the Revisor of Statutes.

**Legislative Reference Library.** \$1,664,000 the first year and \$1,775,000 the second year are for the Legislative Reference Library.

Sec. 3. **GOVERNOR AND LIEUTENANT GOVERNOR** **\$3,972,000** **\$3,972,000**

(a) This appropriation is to fund the Office of the Governor and Lieutenant Governor.

(b) \$350,000 each year is for the Office of Public Engagement.

(c) Up to \$19,000 each year is for necessary expenses in the normal performance of the governor's and lieutenant governor's duties for which no other reimbursement is provided.

Sec. 4. **STATE AUDITOR** **\$10,669,000** **\$10,943,000**

Sec. 5. **ATTORNEY GENERAL** **\$26,681,000** **\$27,740,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	23,822,000	24,824,000
<u>State Government Special</u>		
<u>Revenue</u>	2,464,000	2,521,000
<u>Environmental</u>	145,000	145,000
<u>Remediation</u>	250,000	250,000

Sec. 6. **SECRETARY OF STATE** **\$7,525,000** **\$7,411,000**

\$163,000 the first year is transferred from the general fund to the Help America Vote Act account under Minnesota Statutes, section 5.30, and is credited to the state match requirement of the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101. This is a onetime appropriation.

Sec. 7. **CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD** **\$1,173,000** **\$1,123,000**

\$50,000 the first year is for updates to the Campaign Finance Reporter application. This is a onetime appropriation.

Sec. 8. **STATE BOARD OF INVESTMENT** **\$139,000** **\$139,000**

Sec. 9. **ADMINISTRATIVE HEARINGS** **\$8,231,000** **\$8,231,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	400,000	400,000
<u>Workers' Compensation</u>	7,831,000	7,831,000

\$263,000 each year is for municipal boundary adjustments.

Sec. 10. **OFFICE OF MN.IT SERVICES****\$17,379,000****\$12,079,000**

(a) \$12,650,000 the first year and \$7,350,000 the second year are for enhancements to cybersecurity across state government. The base for this appropriation in fiscal years 2022 and 2023 is \$7,347,000 each year.

(b) \$2,050,000 each year is to expand the state information technology project portfolio and project management oversight across state government. The base for this appropriation in fiscal years 2022 and 2023 is \$1,200,000 each year.

(c) The commissioner of management and budget is authorized to provide cash flow assistance of up to \$50,000,000 from the special revenue fund or other statutory general funds as defined in Minnesota Statutes, section 16A.671, subdivision 3, paragraph (a), to the Office of MN.IT Services for the purpose of managing revenue and expenditure differences. These funds shall be repaid with interest by the end of the fiscal year 2021 closing period.

(d) During the biennium ending June 30, 2021, the Office of MN.IT Services must not charge fees to a public noncommercial educational television broadcast station eligible for funding under Minnesota Statutes, chapter 129D, for access to state broadcast infrastructure. If the access fees not charged to public noncommercial educational television broadcast stations total more than \$400,000 for the biennium, the office may charge for access fees in excess of that amount.

Sec. 11. **ADMINISTRATION**Subdivision 1. **Total Appropriation****\$28,826,000****\$25,661,000**

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

Subd. 2. **Government and Citizen Services****11,983,000****10,013,000**

(a) \$100,000 each year is for website accessibility grants under Minnesota Statutes, section 16B.90.

(b) \$30,000 the second year is for the Capitol flag program established in Minnesota Statutes, section 16B.276. This is a onetime appropriation and is available until June 30, 2023.

**Council on Developmental Disabilities.** \$74,000 each year is for the Council on Developmental Disabilities.

**Office of State Procurement.** \$2,862,000 each year is for the Office of State Procurement.

Of this amount, \$441,000 each year is for the state match to the Procurement Technical Assistance Center. This is a onetime appropriation. The base for the Office of State Procurement is \$2,421,000 in fiscal year 2022 and each year thereafter.

**State Demographer.** \$2,739,000 the first year and \$739,000 the second year are for the state demographer. Of this amount, \$2,000,000 the first year is for Minnesota Census 2020 mobilization, including the grant program required under article 2.

**State Historic Preservation Office.** \$527,000 each year is for the State Historic Preservation Office.

<b><u>Subd. 3. Strategic Management Services</u></b>	<u>2,671,000</u>	<u>2,651,000</u>
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<b><u>Subd. 4. Fiscal Agent</u></b>	<u>14,172,000</u>	<u>12,997,000</u>
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**In-Lieu of Rent.** \$9,391,000 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 of equipment including 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, 2019.

(f) \$75,000 the first year is for a grant to the Association of Minnesota Public Educational Radio Stations for statewide programming to promote the Veterans' Voices program. The grant must be used to educate and engage communities regarding veterans' contributions, knowledge, skills, and experiences with an emphasis on Korean War veterans.

(g) 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.

(h) \$1,600,000 the first year is for grants to Twin Cities Public Television and to the Association of Minnesota Public Educational Radio Stations to produce the Beyond Opioids Project in collaboration with the stations of the Minnesota Public Television Association. Seventy percent of this appropriation must be for a grant to Twin Cities Public Television and 30 percent must be for a grant to the Association of Minnesota Public Educational Radio Stations. The commissioner of administration may use up to five percent of the total appropriation under this paragraph for administrative costs.

(i) \$162,000 each year is for transfer to the Minnesota Film and TV Board. The appropriation in each year is available only upon receipt by the board of \$1 in matching contributions of money or in-kind contributions from nonstate sources for every \$3 provided by this appropriation, except that each year up to \$50,000 is available on July 1 even if the required matching contribution has not been received by that date.

Sec. 12. **CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

**\$351,000**

**\$351,000**

Sec. 13. **MINNESOTA MANAGEMENT AND BUDGET**

**\$33,223,000**

**\$27,591,000**

(a) \$1,168,000 the first year and \$868,000 the second year are for efforts to support enhanced sexual harassment prevention activities, to support the Office of Inclusion and Equity, to fund state workforce recruitment activities, and to implement a statewide compensation study.

(b) \$205,000 the first year and \$252,000 the second year are to enhance capacity to provide legislators, executive branch officials, local governments, and other Minnesota stakeholders access to data-driven information.

(c) \$5,500,000 the first year is for system security and risk management. This is a onetime appropriation.

Sec. 14. **REVENUE**

Subdivision 1. **Total Appropriation** **\$165,005,000** **\$167,204,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	160,745,000	162,944,000
<u>Health Care Access</u>	1,760,000	1,760,000
<u>Highway User Tax</u>		
<u>Distribution</u>	2,195,000	2,195,000
<u>Environmental</u>	305,000	305,000

Subd. 2. **Tax System Management** **136,190,000** **137,892,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	131,930,000	133,632,000
<u>Health Care Access</u>	1,760,000	1,760,000
<u>Highway User Tax</u>		
<u>Distribution</u>	2,195,000	2,195,000
<u>Environmental</u>	305,000	305,000

Subd. 3. **Debt Collection Management** **28,815,000** **29,312,000**

Sec. 15. **GAMBLING CONTROL** **\$3,472,000** **\$3,472,000**

These appropriations are from the lawful gambling regulation account in the special revenue fund.

Sec. 16. **RACING COMMISSION** **\$913,000** **\$913,000**

These appropriations are from the racing and card playing regulation accounts in the special revenue fund.

Sec. 17. **STATE LOTTERY**

Notwithstanding Minnesota Statutes, section 349A.10, subdivision 3, the State Lottery's operating budget must not exceed \$35,000,000 in fiscal year 2020 and \$36,500,000 in fiscal year 2021.

Sec. 18. **AMATEUR SPORTS COMMISSION** **\$1,266,000** **\$306,000**

(a) \$600,000 the first year is for grants under Minnesota Statutes, section 240A.09, paragraph (b).

(b) \$250,000 the first year is for grants to reimburse local governments that made improvements between January 1, 2017, and the effective date of this section that would have been eligible for grants under Minnesota Statutes, section 240A.09, paragraph (b), if funding had been available.

(c) \$75,000 the first year is to determine a site and plans for a new velodrome for track cycling.

Sec. 19. <b><u>COUNCIL FOR MINNESOTANS OF AFRICAN HERITAGE</u></b>	<b><u>\$681,000</u></b>	<b><u>\$682,000</u></b>
Sec. 20. <b><u>COUNCIL ON LATINO AFFAIRS</u></b>	<b><u>\$679,000</u></b>	<b><u>\$685,000</u></b>
Sec. 21. <b><u>COUNCIL ON ASIAN-PACIFIC MINNESOTANS</u></b>	<b><u>\$609,000</u></b>	<b><u>\$616,000</u></b>
Sec. 22. <b><u>INDIAN AFFAIRS COUNCIL</u></b>	<b><u>\$1,119,000</u></b>	<b><u>\$1,106,000</u></b>

\$533,000 the first year and \$520,000 the second year are to implement Minnesota Statutes, section 307.08.

Sec. 23. **MINNESOTA HISTORICAL SOCIETY**

Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$24,063,000</u></b>	<b><u>\$24,213,000</u></b>
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The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. <b><u>Operations and Programs</u></b>	<b><u>23,342,000</u></b>	<b><u>23,892,000</u></b>
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\$395,000 each year is for digital preservation and access to preserve and make available resources related to Minnesota history.

Subd. 3. **Fiscal Agent**

(a) <u>Global Minnesota</u>	<u>39,000</u>	<u>39,000</u>
(b) <u>Minnesota Air National Guard Museum</u>	<u>17,000</u>	<u>17,000</u>
(c) <u>Minnesota Military Museum</u>	<u>450,000</u>	<u>50,000</u>

Of these amounts, \$400,000 the first year is to:

(1) care for, catalog, and display the recently acquired collection of the personal and professional effects belonging to General John W. Vessey, Minnesota's most decorated veteran; and

(2) conduct a statewide story-sharing program to honor the distinct service of post 9/11 veterans in anticipation of the 2021 anniversary.

<u>(d) Farmamerica</u>	<u>115,000</u>	<u>115,000</u>
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<u>(e) Hockey Hall of Fame</u>	<u>50,000</u>	<u>50,000</u>
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Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Sec. 24. **BOARD OF THE ARTS**

<u>Subdivision 1. Total Appropriation</u>	<b><u>\$8,241,000</u></b>	<b><u>\$7,541,000</u></b>
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The amounts that may be spent for each purpose are specified in the following subdivisions.

<u>Subd. 2. Operations and Services</u>	<u>1,302,000</u>	<u>602,000</u>
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\$700,000 in the first year is for moving and relocation expenses for the board. Moving and relocation expenses are limited to the design and construction of new leased office space; moving, installing and reconfiguring information technology systems and audio visual equipment; purchasing and installing work stations; and professional moving services necessary to complete the relocation. The board may use no more than \$5,000 for other miscellaneous services, provided that the services must be directly related to the office relocation. On June 30, 2020, any unexpended amounts appropriated for moving and relocation expenses cancel to the general fund.

<u>Subd. 3. Grants Program</u>	<u>4,800,000</u>	<u>4,800,000</u>
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<u>Subd. 4. Regional Arts Councils</u>	<u>2,139,000</u>	<u>2,139,000</u>
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Any unencumbered balance remaining in this section the first year does not cancel, but is available for the second year.

Money appropriated in this section and distributed as grants may only be spent on projects located in Minnesota. A recipient of a grant funded by an appropriation in this section must not use more than four percent of the total grant for costs related to travel outside the state of Minnesota. Grants may not be awarded for projects that promote domestic terrorism or other criminal activity.

Sec. 25. <b><u>MINNESOTA HUMANITIES CENTER</u></b>	<b><u>\$700,000</u></b>	<b><u>\$700,000</u></b>
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\$325,000 each year is for grants under Minnesota Statutes, section 138.912. No more than three percent of the appropriation may be used for the nonprofit administration of the program.



Sec. 26. **BOARD OF ACCOUNTANCY** **\$736,000** **\$667,000**

\$50,000 the first year is to update the online permitting system.  
The base in fiscal year 2023 is \$657,000.

Sec. 27. **BOARD OF ARCHITECTURE ENGINEERING,  
LAND SURVEYING, LANDSCAPE ARCHITECTURE,  
GEOSCIENCE, AND INTERIOR DESIGN** **\$905,000** **\$851,000**

\$50,000 the first year is to update the online permitting system.  
The base in fiscal year 2022 is \$831,000 and in fiscal year 2023 is  
\$821,000.

Sec. 28. **BOARD OF COSMETOLOGIST EXAMINERS** **\$2,916,000** **\$2,935,000**

Sec. 29. **BOARD OF BARBER EXAMINERS** **\$343,000** **\$343,000**

Sec. 30. **GENERAL CONTINGENT ACCOUNTS** **\$1,000,000** **\$500,000**

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>500,000</u>	<u>-0-</u>
<u>State Government Special</u>		
<u>Revenue</u>	<u>400,000</u>	<u>400,000</u>
<u>Workers' Compensation</u>	<u>100,000</u>	<u>100,000</u>

(a) The appropriations in this section may only be spent with the approval of the governor after consultation with the Legislative Advisory Commission pursuant to Minnesota Statutes, section 3.30.

(b) If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

(c) If a contingent account appropriation is made in one fiscal year, it should be considered a biennial appropriation.

Sec. 31. **TORT CLAIMS** **\$161,000** **\$161,000**

These appropriations are to be spent by the commissioner of management and budget according to Minnesota Statutes, section 3.736, subdivision 7. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 32. **MINNESOTA STATE RETIREMENT SYSTEM**

Subdivision 1. **Total Appropriation** **\$15,111,000** **\$15,151,000**

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

**Subd. 2. Combined Legislators and Constitutional Officers Retirement Plan**

9,111,000

9,151,000

Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.115.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

**Subd. 3. Judges Retirement Plan**

6,000,000

6,000,000

For transfer to the judges retirement fund under Minnesota Statutes, section 490.123. This transfer continues each fiscal year until the judges retirement plan reaches 100 percent funding as determined by an actuarial valuation prepared according to Minnesota Statutes, section 356.214.

**Sec. 33. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION**

\$20,500,000

\$25,000,000

General employees retirement plan of the Public Employees Retirement Association relating to the merged former MERF division.

State payments from the general fund to the Public Employees Retirement Association on behalf of the former MERF division account are \$16,000,000 on September 15, 2019, and \$16,000,000 on September 15, 2020.

These amounts are estimated to be needed under Minnesota Statutes, section 353.505.

**Sec. 34. TEACHERS RETIREMENT ASSOCIATION**

\$29,831,000

\$29,831,000

The amounts estimated to be needed are as follows:

**Special Direct State Aid.** \$27,331,000 each year is for special direct state aid authorized under Minnesota Statutes, section 354.436.

**Special Direct State Matching Aid.** \$2,500,000 each year is for special direct state matching aid authorized under Minnesota Statutes, section 354.435.

**Sec. 35. ST. PAUL TEACHERS RETIREMENT FUND**

\$14,827,000

\$14,827,000

The amounts estimated to be needed for special direct state aid to the first class city teachers retirement fund association authorized under Minnesota Statutes, section 354A.12, subdivisions 3a and 3c.

Sec. 36. **APPROPRIATION; SECRETARY OF STATE; COURT ORDERED ATTORNEY FEES.**

\$1,290,000 is appropriated in fiscal year 2019 from the general fund to the secretary of state for the payment of attorney fees awarded by court order in *Minnesota Voters Alliance v. Mansky*. This is a onetime appropriation.

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

Sec. 37. **CONTRACTS FOR PROFESSIONAL OR TECHNICAL SERVICES.**

(a) During the biennium ending June 30, 2021, the commissioner of management and budget must reduce total general fund appropriations across all executive branch state agencies for planned expenditures on contracts for professional or technical services by at least \$890,000. Contracts that provide services to support client-facing health care workers, corrections officers, public safety workers, mental health workers, and state cybersecurity systems; contracts that support the enterprise resource planning system replacement at the Minnesota State Colleges and Universities; and contracts that support information technology systems or services that were not part of an agency's base budget prior to the effective date of this act may not be reduced under this paragraph.

(b) The commissioner of management and budget, in consultation with the commissioner of administration, may authorize an agency to exceed the expenditure restriction provided by this section if a contract for professional or technical services is required to respond to an emergency.

(c) For purposes of this section:

(1) "professional or technical services" has the meaning given in Minnesota Statutes, section 16C.08, subdivision 1;

(2) "emergency" has the meaning given in Minnesota Statutes, section 16C.02, subdivision 6b; and

(3) "executive branch state agency" has the meaning given in Minnesota Statutes, section 16A.011, subdivision 12a, and includes the Minnesota State Colleges and Universities.

Sec. 38. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS; SECRETARY OF STATE.**

(a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving the administration and security of elections as authorized by federal law. Use of the appropriation is limited to the following activities:

(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;

(2) improving accessibility;

(3) preparing training materials and training local election officials; and

(4) implementing security improvements for election systems.

(b) 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.

(c) The appropriations under paragraphs (a) and (b) are onetime and available until March 23, 2023.

(d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for increasing secure access to the statewide voter registration system is deemed:

(1) to be money used for carrying out the purposes authorized under the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101; and

(2) to be credited toward any match required by those laws.

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

Green moved to amend the Albright amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, line 20, delete "3,972,000" and insert "3,831,000"

Page 2, line 23, delete "\$350,000 each year is" and insert "\$209,000 the first year and \$350,000 the second year are"

Page 8, line 18, delete "33,223,000" and insert "33,364,000"

Page 8, after line 33, insert:

"(d) \$141,000 the first year is to reimburse Wright County, Becker County, and Ramsey County for the amounts demonstrated by each county that it spent on legal fees, including costs and disbursements, to defend the lawsuit brought by former state auditor, Rebecca Otto, in *Otto v. Wright County, Becker County, and Ramsey County*, Minnesota District Court, Second Judicial District, Court File No. 62-CV-16-606, and all appeals from that suit."

A roll call was requested and properly seconded.

The question was taken on the Green amendment to the Albright amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Gunther	Kresha	Nelson, N.	Runbeck
Anderson	Drazkowski	Haley	Layman	Neu	Schomacker
Backer	Ecklund	Hamilton	Lucero	Nornes	Scott
Bahr	Erickson	Heinrich	Lueck	O'Driscoll	Swedzinski
Bennett	Fabian	Heintzeman	Marquart	O'Neill	Theis
Boe	Franson	Hertaus	McDonald	Petersburg	Torkelson
Daniels	Garofalo	Johnson	Mekeland	Pierson	Urdahl
Daudt	Green	Jurgens	Miller	Poston	Vogel
Davids	Grossell	Kiel	Munson	Quam	West
Demuth	Gruenhagen	Koznick	Nash	Robbins	Zerwas

Those who voted in the negative were:

Acomb	Cantrell	Davnie	Gomez	Howard	Lee
Bahner	Carlson, A.	Dehn	Halverson	Huot	Lesch
Becker-Finn	Carlson, L.	Edelson	Hansen	Klevorn	Liebling
Bernardy	Christensen	Elkins	Hausman	Koegel	Lien
Bierman	Clafin	Fischer	Her	Kotyza-Witthuhn	Lillie
Brand	Considine	Freiberg	Hornstein	Kunesh-Podein	Lippert

Lislegard	Moller	Olson	Richardson	Sundin	Wolgamott
Loeffler	Moran	Pelowski	Sandell	Tabke	Xiong, J.
Long	Morrison	Persell	Sandstede	Vang	Xiong, T.
Mann	Murphy	Pinto	Sauke	Wagenius	Youakim
Mariani	Nelson, M.	Poppe	Schultz	Wazlawik	Spk. Hortman
Masin	Noor	Pryor	Stephenson	Winkler	

The motion did not prevail and the amendment to the amendment was not adopted.

Albright moved to amend the Albright amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 1, delete lines 20 to 23

Page 2, delete lines 7 to 9

Page 9, line 4, delete "160,745,000" and insert "162,505,000" and delete "162,944,000" and insert "164,704,000"

Page 9, delete line 5

Page 9, line 12, delete "131,930,000" and insert "133,690,000" and delete "133,632,000" and insert "135,392,000"

Page 9, delete line 13

Page 16, line 5, delete "\$890,000" and insert "\$4,666,000"

A roll call was requested and properly seconded.

The question was taken on the Albright amendment to the Albright amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Scott
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Backer	Erickson	Heinrich	Lueck	O'Neill	Theis
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Huot	Loeffler	Pelowski	Tabke
Bahner	Ecklund	Klevorn	Long	Persell	Vang
Becker-Finn	Edelson	Koegel	Mariani	Pinto	Wagenius
Bernardy	Elkins	Kotyza-Witthuhn	Marquart	Poppe	Wazlawik
Bierman	Fischer	Kunesh-Podein	Masin	Pryor	Winkler
Brand	Freiberg	Lee	Moller	Richardson	Wolgamott
Cantrell	Gomez	Lesch	Moran	Sandell	Xiong, J.
Carlson, A.	Halverson	Liebling	Morrison	Sandstede	Xiong, T.
Carlson, L.	Hansen	Lien	Murphy	Sauke	Youakim
Christensen	Hausman	Lillie	Nelson, M.	Schultz	Spk. Hortman
Clafin	Her	Lippert	Noor	Stephenson	
Considine	Hornstein	Lislegard	Olson	Sundin	
Davnie	Howard				

The motion did not prevail and the amendment to the amendment was not adopted.

Quam moved to amend the Albright amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 15, line 30, after the second period, insert "Upon expenditure of these funds, the secretary of state is prohibited from using any other funds appropriated to the secretary to support the preparation or filing of further appeals in the case *Cilek v. Office of the Minnesota Secretary of State* (Appellate Case No. A18-1140)."

The motion did not prevail and the amendment to the amendment was not adopted.

Kiel moved to amend the Albright amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 9, line 1, delete "165,005,000" and insert "185,005,000"

Page 9, line 4, delete "160,745,000" and insert "180,745,000"

Page 9, after line 8, insert:

"\$20,000,000 the first year is to reimburse local governments for costs resulting from the settlement of pipeline and utility valuation cases. This appropriation is available until June 30, 2023."

Page 15, line 4, delete "\$16,000,000" and insert "\$6,000,000"

Page 15, line 5, delete "\$16,000,000" and insert "\$6,000,000"

Page 15, delete lines 6 and 7 and insert:

"These amounts supersede those directed by Minnesota Statutes, section 353.505, as amended by this act."

A roll call was requested and properly seconded.

The question was taken on the Kiel amendment to the Albright amendment and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Scott
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Backer	Erickson	Heinrich	Lueck	O'Neill	Theis
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mann	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mariani	Poppe	Winkler
Bernardy	Elkins	Kotyza-Witthuhn	Marquart	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Masin	Richardson	Xiong, J.
Brand	Freiberg	Lee	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Murphy	Schultz	
Christensen	Hausman	Lillie	Nelson, M.	Stephenson	
Clafin	Her	Lippert	Noor	Sundin	
Considine	Hornstein	Lislegard	Olson	Tabke	
Davnie	Howard	Loeffler	Pelowski	Vang	

The motion did not prevail and the amendment to the amendment was not adopted.

Kiel moved to amend the Albright amendment to S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, line 20, delete "3,972,000" and insert "3,807,000" and delete "3,972,000" and insert "3,807,000"

Page 2, line 23, delete "\$350,000" and insert "\$185,000"

Page 12, delete section 25 and insert:

"Sec. 25. **MINNESOTA HUMANITIES CENTER.** **\$865,000** **\$865,000**

\$490,000 each year is for grants under Minnesota Statutes, section 138.912. No more than three percent of the appropriation may be used for the nonprofit administration of the program. Beginning in fiscal year 2022, these amounts are added to the base in the Department of Agriculture."

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Kiel amendment to the Albright amendment and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Haley	Layman	Nornes	Scott
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Backer	Erickson	Heinrich	Lueck	O'Neill	Theis
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Huot	Long	Persell	Wagenius
Bahner	Ecklund	Klevorn	Mann	Pinto	Wazlawik
Becker-Finn	Edelson	Koegel	Mariani	Poppe	Winkler
Bernardy	Elkins	Kotyza-Witthuhn	Marquart	Pryor	Wolgamott
Bierman	Fischer	Kunesh-Podein	Masin	Richardson	Xiong, J.
Brand	Freiberg	Lee	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Lesch	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Liebling	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lien	Murphy	Schultz	
Christensen	Hausman	Lillie	Nelson, M.	Stephenson	
Clafin	Her	Lippert	Noor	Sundin	
Considine	Hornstein	Lislegard	Olson	Tabke	
Davnie	Howard	Loeffler	Pelowski	Vang	

The motion did not prevail and the amendment to the amendment was not adopted.

Albright withdrew his amendment to S. F. No. 2227, the third engrossment, as amended.

Nash moved to amend S. F. No. 2227, the third engrossment, as amended, as follows:

Page 2, line 42, delete "88,669,000" and insert "89,923,000" and delete "92,220,000" and insert "93,474,000"

Page 3, line 1, delete "88,541,000" and insert "89,795,000" and delete "92,092,000" and insert "93,346,000"

Page 3, line 8, delete "19,144,000" and insert "20,398,000" and delete "21,258,000" and insert "22,512,000"

Page 3, line 10, delete "19,016,000" and insert "20,270,000" and delete "21,130,000" and insert "22,384,000"

Page 4, line 8, delete "\$7,205,000" and insert "\$8,459,000"

Page 4, line 9, delete "\$7,596,000" and insert "\$8,850,000"

Page 4, line 10, after the period, insert "\$1,254,000 each year is to support special investigations of waste, fraud, and abuse involving funds appropriated to state government agencies and departments."



Page 153, strike line 24

Renumber the clauses in sequence

Page 155, after line 27, insert:

"Sec. 13. Minnesota Statutes 2018, section 10A.105, subdivision 1, is amended to read:

Subdivision 1. **Single committee.** A candidate must not accept contributions from a source, other than self, in aggregate in excess of \$750 ~~or accept a public subsidy~~ unless the candidate designates and causes to be formed a single principal campaign committee for each office sought. A candidate may not authorize, designate, or cause to be formed any other political committee bearing the candidate's name or title or otherwise operating under the direct or indirect control of the candidate. However, a candidate may be involved in the direct or indirect control of a party unit."

Page 157, after line 26, insert:

"Sec. 18. Minnesota Statutes 2018, section 10A.15, subdivision 1, is amended to read:

Subdivision 1. **Anonymous contributions.** A political committee, political fund, principal campaign committee, or party unit may not retain an anonymous contribution in excess of \$20, but must forward it to the board for deposit in the general ~~account of the state elections campaign account~~ fund."

Page 169, after line 28, insert:

"Sec. 24. Minnesota Statutes 2018, section 10A.245, subdivision 2, is amended to read:

Subd. 2. **Termination by board.** The board may terminate the registration of a principal campaign committee, party unit, political committee, or political fund found to be inactive under this section 60 days after sending written notice of inactivity by certified mail to the affected association at the last address on record with the board for that association. Within 60 days after the board sends notice under this section, the affected association must dispose of its assets as provided in this subdivision. The assets of the principal campaign committee, party unit, or political committee must be used for the purposes authorized by this chapter or section 211B.12 or must be liquidated and deposited in the general ~~account of the state elections campaign account~~ fund. The assets of an association's political fund that were derived from the association's general treasury money revert to the association's general treasury. Assets of a political fund that resulted from contributions to the political fund must be used for the purposes authorized by this chapter or section 211B.12 or must be liquidated and deposited in the general ~~account of the state elections campaign account~~ fund.

Sec. 25. Minnesota Statutes 2018, section 10A.25, subdivision 1, is amended to read:

Subdivision 1. **Limits are voluntary.** The expenditure limits imposed by this section apply only to a candidate who has signed an agreement under section 10A.322 to be bound by them as a condition of ~~receiving a public subsidy for the candidate's campaign~~ being eligible to issue political contribution refund receipts."

Page 170, after line 6, insert:

"Sec. 25. Minnesota Statutes 2018, section 10A.25, subdivision 10, is amended to read:

Subd. 10. **Effect of opponent's conduct.** (a) After the deadline for filing a spending limit agreement under section 10A.322, a candidate who has agreed to be bound by the expenditure limits imposed by this section as a condition of ~~receiving a public subsidy for the candidate's campaign~~ being eligible to issue political contribution

refund receipts may choose to be released from the expenditure limits but remain eligible to ~~receive a public subsidy~~ issue receipts if the candidate has an opponent who has not agreed to be bound by the limits and has received contributions or made or become obligated to make expenditures during that election cycle in excess of the following limits:

(1) up to the close of the reporting period before the primary election, receipts or expenditures equal to 20 percent of the election segment expenditure limit for that office as set forth in subdivision 2; or

(2) after the close of the reporting period before the primary election, cumulative receipts or expenditures during that election cycle equal to 50 percent of the election cycle expenditure limit for that office as set forth in subdivision 2.

Before the primary election, a candidate's "opponents" are only those who will appear on the ballot of the same party in the primary election.

(b) A candidate who has not agreed to be bound by expenditure limits, or the candidate's principal campaign committee, must file written notice with the board and provide written notice to any opponent of the candidate for the same office within 24 hours of exceeding the limits in paragraph (a). The notice must state only that the candidate or candidate's principal campaign committee has received contributions or made or become obligated to make campaign expenditures in excess of the limits in paragraph (a).

(c) Upon receipt of the notice, a candidate who had agreed to be bound by the limits may file with the board a notice that the candidate chooses to be no longer bound by the expenditure limits. A notice of a candidate's choice not to be bound by the expenditure limits that is based on the conduct of an opponent in the state primary election may not be filed more than one day after the State Canvassing Board has declared the results of the state primary.

(d) A candidate who has agreed to be bound by the expenditure limits imposed by this section and whose opponent in the general election has chosen, as provided in paragraph (c), not to be bound by the expenditure limits because of the conduct of an opponent in the primary election is no longer bound by the limits but remains eligible to ~~receive a public subsidy~~ issue political contribution refund receipts.

Sec. 26. Minnesota Statutes 2018, section 10A.257, subdivision 1, is amended to read:

Subdivision 1. **Unused funds.** For election cycles ending on or before December 31, 2020, after all campaign expenditures and noncampaign disbursements for an election cycle have been made, an amount up to 25 percent of the 2018 election cycle expenditure limit for the office may be carried forward. Any remaining amount up to the total amount of the 2018 public subsidy from the state elections campaign fund must be returned to the state treasury for credit to the general fund under Minnesota Statutes 2018, section 10A.324. Any remaining amount in excess of the total 2018 public subsidy must be contributed to the ~~state elections campaign account~~ general fund or a political party for multicandidate expenditures as defined in section 10A.275."

Page 171, after line 27, insert:

"Sec. 26. Minnesota Statutes 2018, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. **Agreement by candidate.** (a) As a condition of ~~receiving a public subsidy~~ issuing political contribution refund receipts, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; ~~10A.324~~; and 10A.38.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board at least three weeks before the candidate's state primary. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the close of the filing period for the special election for which the candidate filed.

(e) Notwithstanding paragraphs (b) and (d), if a vacancy occurs that will be filled by means of a special election called under section 204B.13, subdivision 2, paragraph (c), a candidate may sign and submit a spending limit agreement not later than eight calendar days after the general election."

Page 173, line 24, before "Minnesota" insert:

"Subdivision 1. Hennepin County."

Page 173, after line 26, insert:

"Subd. 2. Public subsidy. Minnesota Statutes 2018, sections 10A.30; 10A.31, subdivisions 1, 3, 3a, 4, 5, 5a, 6, 6a, 7, 7a, 7b, 10, 10a, 10b, and 11; 10A.315; 10A.321; 10A.323; and 10A.324, subdivisions 1 and 3, and Minnesota Rules, parts 4503.1400, subparts 2, 3, 4, 5, 6, and 7; and 4503.1450, subpart 2, are repealed."

**EFFECTIVE DATE.** Subdivision 2 is effective July 1, 2019, and applies to elections held on or after that date. Money in the account under Minnesota Statutes, section 10A.30, on June 30, 2019, cancels to the general fund, and amounts designated under Minnesota Statutes, section 10A.31, on income tax and property tax refund forms filed after June 30, 2019, are not effective and remain in the general fund."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Nash amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albright	Daudt	Franson	Hamilton	Koznick	Miller
Anderson	Dauids	Garofalo	Heinrich	Kresha	Munson
Backer	Demuth	Green	Heintzeman	Layman	Nash
Bahr	Dettmer	Grossell	Hertaus	Lucero	Nelson, N.
Bennett	Drazkowski	Gruenhagen	Johnson	Lueck	Neu
Boe	Erickson	Gunther	Jurgens	McDonald	Nornes
Daniels	Fabian	Haley	Kiel	Mekeland	O'Driscoll

O'Neill	Poston	Runbeck	Swedzinski	Urdahl	Zerwas
Petersburg	Quam	Schomacker	Theis	Vogel	
Pierson	Robbins	Scott	Torkelson	West	

Those who voted in the negative were:

Acomb	Davnie	Hornstein	Lislegard	Olson	Sundin
Bahner	Dehn	Howard	Loeffler	Pelowski	Tabke
Becker-Finn	Ecklund	Klevorn	Long	Persell	Vang
Bernardy	Edelson	Koegel	Mann	Pinto	Wagenius
Bierman	Elkins	Kotyza-Witthuhn	Mariani	Poppe	Wazlawik
Brand	Fischer	Kunesh-Podein	Marquart	Pryor	Winkler
Cantrell	Freiberg	Lee	Masin	Richardson	Wolgamott
Carlson, A.	Gomez	Lesch	Moller	Sandell	Xiong, J.
Carlson, L.	Halverson	Liebling	Moran	Sandstede	Xiong, T.
Christensen	Hansen	Lien	Morrison	Sauke	Youakim
Clafin	Hausman	Lillie	Murphy	Schultz	Spk. Hortman
Considine	Her	Lippert	Noor	Stephenson	

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

S. F. No. 2227, A bill for an act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, and retirement funds; changing provisions in state government operations; establishing commissions and task forces; repealing state aid to PERA General for MERF; establishing observances for veterans and allies; requiring reports; amending Minnesota Statutes 2018, sections 3.855, subdivision 2, by adding a subdivision; 3.97, subdivision 3a; 3.971, subdivision 9; 6.481, subdivisions 1, 3; 13.599, by adding a subdivision; 15A.083, subdivision 6a; 16A.103, subdivision 1a; 16A.11, subdivision 3; 16E.01, subdivision 1a; 16E.016; 16E.03, subdivisions 1, 2, by adding subdivisions; 16E.035; 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.14, subdivision 3; 16E.18, subdivision 6; 43A.01, by adding a subdivision; 43A.15, subdivision 14; 43A.191, subdivisions 2, 3; 179A.20, by adding a subdivision; 196.05, subdivision 1; 240.01, by adding a subdivision; 240.02, subdivisions 2, 6; 240.08, subdivision 5; 240.10; 240.12; 240.13, subdivision 5; 240.131, subdivision 7; 240.135; 240.16, subdivisions 1, 2; 240.18, subdivisions 2, 3; 240.22; 240.27; 240A.09; 326A.01, subdivision 2; 326A.04, subdivisions 4, 5; 326A.08, subdivisions 4, 5, by adding a subdivision; 326A.10; 349.12, subdivision 2; 349.17, subdivision 6; 349.181, subdivision 5; 349.19, subdivisions 1, 2; 353.27, subdivision 3c; 645.071; Laws 2016, chapter 189, article 13, section 64; Laws 2018, chapter 100, section 1; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 10; 14; 15; 16A; 16E; 326A; repealing Minnesota Statutes 2018, sections 3.9735; 353.505.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Acomb	Bernardy	Cantrell	Christensen	Davnie	Edelson
Bahner	Bierman	Carlson, A.	Clafin	Dehn	Elkins
Becker-Finn	Brand	Carlson, L.	Considine	Ecklund	Fischer

Freiberg	Koegel	Loeffler	Nelson, M.	Sandstede	Wolgamott
Gomez	Kotyza-Witthuhn	Long	Noor	Sauke	Xiong, J.
Halverson	Kunesh-Podein	Mann	Olson	Schultz	Xiong, T.
Hansen	Lee	Mariani	Pelowski	Stephenson	Youakim
Hausman	Lesch	Marquart	Persell	Sundin	Spk. Hortman
Her	Liebling	Masin	Pinto	Tabke	
Hornstein	Lien	Moller	Poppe	Vang	
Howard	Lillie	Moran	Pryor	Wagenius	
Huot	Lippert	Morrison	Richardson	Wazlawik	
Klevorn	Lislegard	Murphy	Sandell	Winkler	

Those who voted in the negative were:

Albright	Dettmer	Haley	Layman	Nornes	Scott
Anderson	Drazkowski	Hamilton	Lucero	O'Driscoll	Swedzinski
Backer	Erickson	Heinrich	Lueck	O'Neill	Theis
Bahr	Fabian	Heintzeman	McDonald	Petersburg	Torkelson
Bennett	Franson	Hertaus	Mekeland	Pierson	Urdahl
Boe	Garofalo	Johnson	Miller	Poston	Vogel
Daniels	Green	Jurgens	Munson	Quam	West
Daudt	Grossell	Kiel	Nash	Robbins	Zerwas
Davids	Gruenhagen	Koznick	Nelson, N.	Runbeck	
Demuth	Gunther	Kresha	Neu	Schomacker	

The bill was passed, as amended, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2125, A bill for an act relating to financing and operation of state and local government; providing conformity and nonconformity to certain federal tax law changes; modifying individual income and corporate franchise taxes, estate taxes, sales and use taxes, special and excise taxes, property taxes, local government aids, provisions related to local taxes, tax increment financing, and public finance, and other miscellaneous taxes and tax provisions; modifying indexing provisions; changing the starting point for state individual income tax calculation from federal taxable income to federal adjusted gross income; providing for various individual and corporate additions and subtractions to income; modifying certain allowances and adjustments to income; modifying individual income tax brackets; modifying certain income tax credits; modifying and allowing certain construction exemptions and other sales and purchases from sales and use taxes; modifying rates and definitions for certain tobacco and cigarette taxes; modifying rates and deposits for solid waste taxes; modifying provisions relating to property tax records and information; modifying certain property tax timelines; establishing property tax exemptions; allowing tax deferral for elderly living facilities; modifying homestead provisions; modifying state

general levy; modifying local government and county aid; modifying approval requirements for certain local sales taxes; modifying and authorizing certain local sales taxes; authorizing Metropolitan Council bonds; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 6.495, subdivision 3; 37.31, subdivision 1; 38.27, by adding a subdivision; 103E.611, subdivision 2; 116J.8737, subdivisions 1, 2, 3, 4, 5, 6, 12; 123B.595, subdivision 5; 138.053; 144E.42, subdivision 2; 161.14, by adding a subdivision; 162.145, subdivision 3; 197.603, subdivision 2; 270A.03, subdivision 5; 270B.08, subdivision 2; 270C.13, subdivision 2; 270C.21; 270C.445, subdivision 6; 270C.85, subdivision 2; 270C.89, subdivisions 1, 2; 270C.91; 272.02, subdivisions 27, 49, 81, by adding subdivisions; 272.115, subdivision 1; 273.032; 273.061, subdivision 9; 273.0755; 273.113, subdivision 3; 273.119, subdivision 2; 273.1231, subdivision 3; 273.124, subdivisions 3a, 13, 14, 21, by adding a subdivision; 273.1245, subdivision 2; 273.13, subdivisions 22, 23, 34, 35; 273.136, subdivision 2; 273.1384, subdivisions 2, 3; 273.1385, subdivision 4; 273.1387, subdivisions 2, 3; 273.18; 273.371, subdivision 1; 274.14; 274.16; 275.025, subdivision 1; 282.01, subdivision 6; 287.21, subdivision 1; 289A.08, subdivisions 1, 6, 7, by adding a subdivision; 289A.10, subdivision 1; 289A.11, by adding a subdivision; 289A.20, by adding a subdivision; 289A.25, subdivision 1; 289A.31, subdivisions 1, 2; 289A.37, subdivisions 2, 6; 289A.38, subdivisions 7, 10; 289A.42; 289A.60, subdivisions 24, 29; 290.01, subdivisions 4a, 29a, 31, by adding subdivisions; 290.0131, subdivisions 1, 3, by adding subdivisions; 290.0132, subdivisions 1, 7, 18, 19, 20, 26, by adding subdivisions; 290.0133, subdivision 6; 290.0134, by adding subdivisions; 290.0137; 290.032, subdivision 2; 290.05, subdivisions 1, 3; 290.06, subdivisions 2c, 2d, 2h; 290.067, subdivision 2b; 290.0671, subdivisions 1, 7; 290.0672, subdivision 2; 290.0675, subdivision 1; 290.0677, subdivision 1a; 290.0681, subdivisions 1, 2; 290.0682, subdivisions 1, 2; 290.0684, subdivision 2; 290.0685, subdivision 1, by adding a subdivision; 290.0802, subdivisions 2, 3; 290.091, subdivisions 2, 3; 290.0921, subdivisions 2, 3; 290.0922, subdivision 1; 290.095, subdivision 2; 290.17, subdivision 4, by adding subdivisions; 290.191, subdivision 5; 290.21, subdivision 4, by adding a subdivision; 290.31, subdivision 1; 290.92, subdivisions 1, 5, 28; 290A.03, subdivisions 3, 4, 8, 12, 13; 290A.04, subdivisions 2, 2a, 4; 290A.05; 290A.08; 290A.09; 290A.19; 290B.04, subdivision 1; 290B.09, subdivision 1; 291.016, subdivision 3; 295.50, subdivisions 3, 4, 9b, 14, 15, by adding subdivisions; 295.53, subdivision 1; 295.57, subdivision 5; 295.582, subdivision 1; 295.75, subdivision 4; 296A.03, subdivision 3; 296A.13; 297A.61, subdivision 18; 297A.66, subdivisions 1, 2, 3; 297A.67, subdivisions 6, 12, 28, by adding a subdivision; 297A.68, subdivisions 17, 25, 29, 42, 44, by adding a subdivision; 297A.70, subdivisions 3, 4, 10, 16, 20, by adding subdivisions; 297A.71, subdivisions 22, 45, 50, by adding subdivisions; 297A.75, subdivisions 1, 2; 297A.77, by adding a subdivision; 297A.83, subdivision 1; 297A.84; 297A.85; 297A.99, subdivisions 1, 2, 3, by adding a subdivision; 297A.993, subdivisions 1, 2, by adding a subdivision; 297B.01, subdivisions 14, 16; 297B.03; 297F.01, subdivisions 19, 23, by adding a subdivision; 297F.05, by adding a subdivision; 297F.08, subdivisions 8, 9; 297F.17, subdivision 6; 297G.07, subdivision 1; 297G.16, subdivision 7; 297H.02, subdivision 2; 297H.03, subdivision 2; 297H.04, subdivision 2; 297H.05; 297H.13, subdivision 2; 297I.20, subdivision 3; 298.018, subdivision 1, by adding a subdivision; 298.225, subdivision 1; 298.28, subdivision 3; 298.282, subdivision 1; 353G.01, subdivision 9; 353G.05, subdivision 2; 353G.08, subdivisions 1, 1a; 353G.17, subdivision 2; 356.20, subdivision 4a; 356.219, subdivision 8; 423A.02, subdivisions 1b, 3; 423A.022, subdivisions 2, 4; 424A.016, subdivisions 2, 4; 424A.02, subdivisions 1, 3a, 10; 424A.03, subdivision 2; 424A.05, subdivisions 2, 3, by adding a subdivision; 424A.07; 424A.091, subdivision 3; 424A.092, subdivisions 3, 4; 424A.093, subdivision 5; 424B.09; 462D.03, subdivision 2; 469.169, by adding a subdivision; 469.171, subdivision 4; 469.177, subdivision 1; 469.190, subdivisions 1, 7; 469.316, subdivision 1; 469.319, subdivision 4; 471.831; 473.39, subdivision 6, by adding a subdivision; 473H.08, subdivisions 1, 4, by adding a subdivision; 475.521, subdivision 1; 477A.011, subdivision 45; 477A.013, subdivisions 9, 13; 477A.03, subdivisions 2a, 2b; Minnesota Statutes 2019 Supplement, sections 289A.02, subdivision 7; 289A.12, subdivision 14; 289A.35; 290.01, subdivision 19; 290.0131, subdivision 10; 290.0132, subdivision 21; 290.0133, subdivision 12; 290.0672, subdivision 1; 290.0684, subdivision 1; 290.091, subdivision 2; 290.17, subdivision 2; 290A.03, subdivision 15; 291.005, subdivision 1; 462D.06, subdivisions 1, 2; Laws 1980, chapter 511, section 1, subdivision 1; Laws 1986, chapter 396, section 5, as amended; Laws 1986, chapter 462, section 31, as amended; Laws 1994, chapter 587, article 9, section 11; Laws 1998, chapter 389, article 8, section 45, subdivisions 1, 3, as amended, 4, 5; Laws 2008, chapter 366, article 5, sections 26, as amended; 33, as amended; Laws 2009, chapter 88, article 2, section 46, subdivisions 1, as amended, 2, 3, as amended, 4, 5; Laws 2011, First Special Session chapter 7, article 4, section 10, subdivision 3; Laws 2014, chapter 308, article 6, section 8, subdivisions 1, as amended, 3; Laws 2017, First Special Session chapter 1, article 3,

sections 26; 32; article 8, section 3; article 10, section 4; Laws 2018, chapter 211, article 14, section 26; proposing coding for new law in Minnesota Statutes, chapters 16A; 270C; 273; 289A; 290; 290A; 297H; 297I; 424A; 469; proposing coding for new law as Minnesota Statutes, chapters 477B; 477C; repealing Minnesota Statutes 2018, sections 37.31, subdivision 8; 69.011, subdivisions 1, 2, 2b, 2c, 3, 4; 69.021, subdivisions 1, 2, 3, 4, 5, 7, 7a, 8, 9, 10, 11; 69.022; 69.031, subdivisions 1, 3, 5; 69.041; 69.051, subdivisions 1, 1a, 1b, 2, 3, 4; 69.33; 69.80; 270C.131; 275.29; 289A.38, subdivisions 7, 8, 9; 290.0131, subdivisions 7, 11, 12, 13; 290.0132, subdivision 8; 290.0133, subdivisions 13, 14; 290.10, subdivision 2; 296A.03, subdivision 5; 296A.04, subdivision 2; 296A.05, subdivision 2; 297A.66, subdivision 4b; 297F.08, subdivision 5; 297I.25, subdivision 2; Minnesota Rules, part 8125.0410, subpart 1.

CAL R. LUDEMAN, Secretary of the Senate

Marquart moved that the House refuse to concur in the Senate amendments to H. F. No. 2125, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2125:

Marquart, Loeffler, Lislegard, Gomez and Davids.

#### ANNOUNCEMENT BY THE SPEAKER PURSUANT TO RULE 1.15(c)

A message from the Senate was received requesting concurrence by the House to amendments adopted by the Senate to the following House Files:

H. F. Nos. 819 and 1188.

#### ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, May 1, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, May 1, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

