

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1935

03/04/2019 Authored by Nelson
The bill was read for the first time and referred to the Committee on Ways and Means
04/23/2019 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
04/25/2019 Referred to the Chief Clerk for Comparison with S. F. No. 2227
04/26/2019 Postponed Indefinitely

1.1 A bill for an act

1.2 relating to the operation of state government; appropriating money for the

1.3 legislature, the governor's office, state auditor, attorney general, secretary of state,

1.4 certain agencies, boards, councils, and retirement funds; changing provisions in

1.5 state government operations; providing for the 2020 census; requiring legislative

1.6 accessibility measures; eliminating the legislative budget office; allowing

1.7 appointment of certain county officers; ratifying a labor agreement; providing for

1.8 redistricting; making changes to campaign finance, election and voting rights, state

1.9 payments terminology, and racing and gaming; prohibiting state contracts with

1.10 state sponsors of terrorism; requiring compliance with federal law related to conflict

1.11 minerals; changing and adding provisions for military and veterans affairs; requiring

1.12 reports; amending Minnesota Statutes 2018, sections 3.8843, subdivision 7; 3.886,

1.13 subdivision 6; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, by

1.14 adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivisions 1, 2;

1.15 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, by

1.16 adding a subdivision; 10A.244; 10A.25, subdivision 3a; 10A.27, subdivision 15;

1.17 13.607, by adding a subdivision; 15.057; 15.191, subdivisions 1, 3; 15A.083,

1.18 subdivision 6a; 16A.013, by adding a subdivision; 16A.065; 16A.13, subdivision

1.19 2a; 16A.15, subdivision 3; 16A.272, subdivision 3; 16A.40; 16A.42, subdivision

1.20 2, by adding a subdivision; 16A.671, subdivision 1; 16A.90; 16B.32, subdivision

1.21 1a; 16B.323, subdivision 2; 16B.37, subdivision 4; 16C.055, subdivision 2; 16C.10,

1.22 subdivision 2; 16C.19; 16C.251; 16D.03, subdivision 2; 16D.09, subdivision 1;

1.23 16E.03, subdivision 1, by adding subdivisions; 21.116; 80A.65, subdivision 9;

1.24 84A.23, subdivision 4; 84A.33, subdivision 4; 84A.52; 88.12, subdivision 1;

1.25 94.522; 94.53; 116J.64, subdivision 7; 123B.09, subdivision 5b; 127A.34,

1.26 subdivision 1; 127A.40; 136F.70, subdivision 3; 138.081; 138.31, by adding a

1.27 subdivision; 138.34; 138.40; 138.665, subdivision 2; 138.666; 138.667; 138.763,

1.28 subdivision 1; 155A.25, subdivision 1a; 155A.28, by adding a subdivision; 174.24,

1.29 by adding a subdivision; 176.181, subdivision 2; 176.581; 176.591, subdivision

1.30 3; 192.55; 196.05, subdivision 1; 197.603, subdivision 2; 197.791, subdivision 1;

1.31 201.014, by adding a subdivision; 201.022, subdivision 1; 201.071, subdivision

1.32 1; 201.091, subdivision 4, by adding a subdivision; 201.161; 203B.001; 203B.01,

1.33 by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 5; 203B.05,

1.34 subdivision 1; 203B.06, subdivisions 1, 3; 203B.081, subdivision 1; 203B.085;

1.35 203B.121, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 204B.28, subdivision

1.36 2; 204B.35, by adding a subdivision; 204B.45, subdivisions 1, 2; 204C.03, by

1.37 adding a subdivision; 204C.10; 204C.15, subdivision 1; 204C.24, subdivision 1;

1.38 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.

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

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.

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

Sec. 2. LEGISLATURE

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>88,669,000</u>	<u>\$</u>	<u>92,220,000</u>
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Appropriations by Fund

<u>2020</u>	<u>2021</u>
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3.1	<u>General</u>	<u>88,541,000</u>	<u>92,092,000</u>
3.2	<u>Health Care Access</u>	<u>128,000</u>	<u>128,000</u>

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

3.6	<u>Subd. 2. Senate</u>	<u>32,105,000</u>	<u>32,105,000</u>
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3.7	<u>Subd. 3. House of Representatives</u>	<u>37,420,000</u>	<u>38,857,000</u>
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3.8	<u>Subd. 4. Legislative Coordinating Commission</u>	<u>19,144,000</u>	<u>21,258,000</u>
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3.9 Appropriations by Fund

3.10	<u>General</u>	<u>19,016,000</u>	<u>21,130,000</u>
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3.11	<u>Health Care Access</u>	<u>128,000</u>	<u>128,000</u>
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3.12 (a) \$161,000 the first year and \$156,000 the
 3.13 second year are to support the Office on the
 3.14 Economic Status of Women and other duties
 3.15 under Minnesota Statutes, section 3.303,
 3.16 subdivision 7.

3.17 (b) \$140,000 the first year and \$1,039,000 the
 3.18 second year are to implement the accessibility
 3.19 standards established in Minnesota Statutes,
 3.20 section 3.199, including support for the
 3.21 working group on the legislature's accessibility
 3.22 measures established in article 2. The base for
 3.23 this appropriation is \$780,000 each year
 3.24 beginning in fiscal year 2022.

3.25 (c) \$218,000 the second year is for the
 3.26 Redistricting Advisory Commission
 3.27 established in Minnesota Statutes, section
 3.28 2.032. The base for the commission is
 3.29 \$190,000 in fiscal year 2022 and \$0 in fiscal
 3.30 year 2023.

3.31 (d) \$135,000 the first year and \$130,000 the
 3.32 second year are for the Legislative

4.1 Commission on Data Practices and Personal

4.2 Data Privacy.

4.3 (e) \$10,000 each year is for purposes of the

4.4 legislators' forum, through which Minnesota

4.5 legislators meet with counterparts from South

4.6 Dakota, North Dakota, and Manitoba to

4.7 discuss issues of mutual concern.

4.8 **Legislative Auditor.** \$7,205,000 the first year

4.9 and \$7,596,000 the second year are for the

4.10 Office of the Legislative Auditor.

4.11 **Revisor of Statutes.** \$6,768,000 the first year

4.12 and \$7,207,000 the second year are for the

4.13 Office of the Revisor of Statutes.

4.14 **Legislative Reference Library.** \$1,664,000

4.15 the first year and \$1,775,000 the second year

4.16 are for the Legislative Reference Library.

4.17 Sec. 3. **GOVERNOR AND LIEUTENANT**

4.18 **GOVERNOR** \$ 3,972,000 \$ 3,972,000

4.19 (a) This appropriation is to fund the Office of

4.20 the Governor and Lieutenant Governor.

4.21 (b) \$350,000 each year is for the Office of

4.22 Public Engagement.

4.23 (c) Up to \$19,000 each year is for necessary

4.24 expenses in the normal performance of the

4.25 governor's and lieutenant governor's duties for

4.26 which no other reimbursement is provided.

4.27 Sec. 4. **STATE AUDITOR** \$ 10,669,000 \$ 10,943,000

4.28 Sec. 5. **ATTORNEY GENERAL** \$ 26,681,000 \$ 27,740,000

4.29 Appropriations by Fund

4.30	<u>2020</u>	<u>2021</u>
4.31 <u>General</u>	<u>23,822,000</u>	<u>24,824,000</u>
4.32 <u>State Government</u>		
4.33 <u>Special Revenue</u>	<u>2,464,000</u>	<u>2,521,000</u>

5.1	<u>Environmental</u>	<u>145,000</u>	<u>145,000</u>		
5.2	<u>Remediation</u>	<u>250,000</u>	<u>250,000</u>		
5.3	Sec. 6. <u>SECRETARY OF STATE</u>		<u>\$</u>	<u>7,525,000</u>	<u>\$ 7,411,000</u>
5.4	<u>\$163,000 the first year is transferred from the</u>				
5.5	<u>general fund to the Help America Vote Act</u>				
5.6	<u>account under Minnesota Statutes, section</u>				
5.7	<u>5.30, and is credited to the state match</u>				
5.8	<u>requirement of the Omnibus Appropriations</u>				
5.9	<u>Act of 2018, Public Law 115-1410, and the</u>				
5.10	<u>Help America Vote Act of 2002, Public Law</u>				
5.11	<u>107-252, section 101. This is a onetime</u>				
5.12	<u>appropriation.</u>				
5.13	Sec. 7. <u>CAMPAIGN FINANCE AND PUBLIC</u>				
5.14	<u>DISCLOSURE BOARD</u>		<u>\$</u>	<u>1,173,000</u>	<u>\$ 1,123,000</u>
5.15	<u>\$50,000 the first year is for updates to the</u>				
5.16	<u>Campaign Finance Reporter application. This</u>				
5.17	<u>is a onetime appropriation.</u>				
5.18	Sec. 8. <u>STATE BOARD OF INVESTMENT</u>		<u>\$</u>	<u>139,000</u>	<u>\$ 139,000</u>
5.19	Sec. 9. <u>ADMINISTRATIVE HEARINGS</u>		<u>\$</u>	<u>8,231,000</u>	<u>\$ 8,231,000</u>
5.20	<u>Appropriations by Fund</u>				
5.21		<u>2020</u>	<u>2021</u>		
5.22	<u>General</u>	<u>400,000</u>	<u>400,000</u>		
5.23	<u>Workers'</u>				
5.24	<u>Compensation</u>	<u>7,831,000</u>	<u>7,831,000</u>		
5.25	<u>\$263,000 each year is for municipal boundary</u>				
5.26	<u>adjustments.</u>				
5.27	Sec. 10. <u>OFFICE OF MN.IT SERVICES</u>		<u>\$</u>	<u>17,379,000</u>	<u>\$ 12,079,000</u>
5.28	<u>(a) \$12,650,000 the first year and \$7,350,000</u>				
5.29	<u>the second year are for enhancements to</u>				
5.30	<u>cybersecurity across state government. The</u>				
5.31	<u>base for this appropriation in fiscal years 2022</u>				
5.32	<u>and 2023 is \$7,347,000 each year.</u>				
5.33	<u>(b) \$2,050,000 each year is to expand the state</u>				
5.34	<u>information technology project portfolio and</u>				

6.1 project management oversight across state
6.2 government. The base for this appropriation
6.3 in fiscal years 2022 and 2023 is \$1,200,000
6.4 each year.

6.5 (c) The commissioner of management and
6.6 budget is authorized to provide cash flow
6.7 assistance of up to \$50,000,000 from the
6.8 special revenue fund or other statutory general
6.9 funds as defined in Minnesota Statutes, section
6.10 16A.671, subdivision 3, paragraph (a), to the
6.11 Office of MN.IT Services for the purpose of
6.12 managing revenue and expenditure
6.13 differences. These funds shall be repaid with
6.14 interest by the end of the fiscal year 2021
6.15 closing period.

6.16 (d) During the biennium ending June 30, 2021,
6.17 the Office of MN.IT Services must not charge
6.18 fees to a public noncommercial educational
6.19 television broadcast station eligible for funding
6.20 under Minnesota Statutes, chapter 129D, for
6.21 access to state broadcast infrastructure. If the
6.22 access fees not charged to public
6.23 noncommercial educational television
6.24 broadcast stations total more than \$400,000
6.25 for the biennium, the office may charge for
6.26 access fees in excess of that amount.

6.27 Sec. 11. ADMINISTRATION

6.28	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>28,826,000</u>	<u>\$</u>	<u>25,661,000</u>
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6.29 The amounts that may be spent for each
6.30 purpose are specified in the following
6.31 subdivisions.

6.32	<u>Subd. 2. Government and Citizen Services</u>		<u>11,983,000</u>		<u>10,013,000</u>
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7.1 (a) \$100,000 each year is for website
 7.2 accessibility grants under Minnesota Statutes,
 7.3 section 16B.90.

7.4 (b) \$30,000 the second year is for the Capitol
 7.5 flag program established in Minnesota
 7.6 Statutes, section 16B.276. This is a onetime
 7.7 appropriation and is available until June 30,
 7.8 2023.

7.9 **Council on Developmental Disabilities.**
 7.10 \$74,000 each year is for the Council on
 7.11 Developmental Disabilities.

7.12 **Office of State Procurement. \$2,862,000**
 7.13 each year is for the Office of State
 7.14 Procurement.

7.15 Of this amount, \$441,000 each year is for the
 7.16 state match to the Procurement Technical
 7.17 Assistance Center. This is a onetime
 7.18 appropriation. The base for the Office of State
 7.19 Procurement is \$2,421,000 in fiscal year 2022
 7.20 and each year thereafter.

7.21 **State Demographer. \$2,739,000 the first year**
 7.22 and \$739,000 the second year are for the state
 7.23 demographer. Of this amount, \$2,000,000 the
 7.24 first year is for Minnesota Census 2020
 7.25 mobilization, including the grant program
 7.26 required under article 2.

7.27 **State Historic Preservation Office. \$527,000**
 7.28 each year is for the State Historic Preservation
 7.29 Office.

7.30 **Subd. 3. Strategic Management Services**
 7.31 **Subd. 4. Fiscal Agent**
 7.32 **In-Lieu of Rent. \$9,391,000 each year is for**
 7.33 **space costs of the legislature and veterans**

2,671,0002,651,00014,172,00012,997,000

8.1 organizations, ceremonial space, and
8.2 statutorily free space.

8.3 **Public Television.** (a) \$1,550,000 each year
8.4 is for matching grants for public television.

8.5 (b) \$250,000 each year is for public television
8.6 equipment grants under Minnesota Statutes,
8.7 section 129D.13.

8.8 (c) The commissioner of administration must
8.9 consider the recommendations of the
8.10 Minnesota Public Television Association
8.11 before allocating the amounts appropriated in
8.12 paragraphs (a) and (b) for equipment or
8.13 matching grants.

8.14 **Public Radio.** (a) \$492,000 each year is for
8.15 community service grants to public
8.16 educational radio stations. This appropriation
8.17 may be used to disseminate emergency
8.18 information in foreign languages.

8.19 (b) \$142,000 each year is for equipment grants
8.20 to public educational radio stations. This
8.21 appropriation may be used for the repair,
8.22 rental, and purchase of equipment including
8.23 equipment under \$500.

8.24 (c) \$510,000 each year is for equipment grants
8.25 to Minnesota Public Radio, Inc., including
8.26 upgrades to Minnesota's Emergency Alert and
8.27 AMBER Alert Systems.

8.28 (d) The appropriations in paragraphs (a) to (c)
8.29 may not be used for indirect costs claimed by
8.30 an institution or governing body.

8.31 (e) The commissioner of administration must
8.32 consider the recommendations of the
8.33 Association of Minnesota Public Educational

9.1 Radio Stations before awarding grants under
9.2 Minnesota Statutes, section 129D.14, using
9.3 the appropriations in paragraphs (a) and (b).
9.4 No grantee is eligible for a grant unless they
9.5 are a member of the Association of Minnesota
9.6 Public Educational Radio Stations on or before
9.7 July 1, 2019.

9.8 (f) \$75,000 the first year is for a grant to the
9.9 Association of Minnesota Public Educational
9.10 Radio Stations for statewide programming to
9.11 promote the Veterans' Voices program. The
9.12 grant must be used to educate and engage
9.13 communities regarding veterans' contributions,
9.14 knowledge, skills, and experiences with an
9.15 emphasis on Korean War veterans.

9.16 (g) Any unencumbered balance remaining the
9.17 first year for grants to public television or
9.18 public radio stations does not cancel and is
9.19 available for the second year.

9.20 (h) \$1,600,000 the first year is for grants to
9.21 Twin Cities Public Television and to the
9.22 Association of Minnesota Public Educational
9.23 Radio Stations to produce the Beyond Opioids
9.24 Project in collaboration with the stations of
9.25 the Minnesota Public Television Association.
9.26 Seventy percent of this appropriation must be
9.27 for a grant to Twin Cities Public Television
9.28 and 30 percent must be for a grant to the
9.29 Association of Minnesota Public Educational
9.30 Radio Stations. The commissioner of
9.31 administration may use up to five percent of
9.32 the total appropriation under this paragraph
9.33 for administrative costs.

9.34 (i) \$162,000 each year is for transfer to the
9.35 Minnesota Film and TV Board. The

10.1 appropriation in each year is available only
 10.2 upon receipt by the board of \$1 in matching
 10.3 contributions of money or in-kind
 10.4 contributions from nonstate sources for every
 10.5 \$3 provided by this appropriation, except that
 10.6 each year up to \$50,000 is available on July
 10.7 1 even if the required matching contribution
 10.8 has not been received by that date. Beginning
 10.9 in fiscal year 2022, these amounts are added
 10.10 to the base for the Film and TV Board in the
 10.11 Department of Employment and Economic
 10.12 Development.

10.13	Sec. 12. <u>CAPITOL AREA ARCHITECTURAL</u>			
10.14	<u>AND PLANNING BOARD</u>	\$	<u>351,000</u>	\$ <u>351,000</u>

10.15	Sec. 13. <u>MINNESOTA MANAGEMENT AND</u>			
10.16	<u>BUDGET</u>	\$	<u>33,223,000</u>	\$ <u>27,591,000</u>

10.17 (a) \$1,168,000 the first year and \$868,000 the
 10.18 second year are for efforts to support enhanced
 10.19 sexual harassment prevention activities, to
 10.20 support the Office of Inclusion and Equity, to
 10.21 fund state workforce recruitment activities,
 10.22 and to implement a statewide compensation
 10.23 study.

10.24 (b) \$205,000 the first year and \$252,000 the
 10.25 second year are to enhance capacity to provide
 10.26 legislators, executive branch officials, local
 10.27 governments, and other Minnesota
 10.28 stakeholders access to data-driven information.

10.29 (c) \$5,500,000 the first year is for system
 10.30 security and risk management. This is a
 10.31 onetime appropriation.

10.32 Sec. 14. REVENUE

10.33	<u>Subdivision 1. Total Appropriation</u>	\$	<u>165,005,000</u>	\$ <u>167,204,000</u>
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11.1	<u>Appropriations by Fund</u>		
11.2		<u>2020</u>	<u>2021</u>
11.3	<u>General</u>	<u>160,745,000</u>	<u>162,944,000</u>
11.4	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
11.5	<u>Highway User Tax</u>		
11.6	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
11.7	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>
11.8	<u>Subd. 2. Tax System Management</u>	<u>136,190,000</u>	<u>137,892,000</u>
11.9	<u>Appropriations by Fund</u>		
11.10		<u>2020</u>	<u>2021</u>
11.11	<u>General</u>	<u>131,930,000</u>	<u>133,632,000</u>
11.12	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
11.13	<u>Highway User Tax</u>		
11.14	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
11.15	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>
11.16	<u>Subd. 3. Debt Collection Management</u>	<u>28,815,000</u>	<u>29,312,000</u>
11.17	Sec. 15. <u>GAMBLING CONTROL</u>	<u>\$ 3,472,000</u>	<u>\$ 3,472,000</u>
11.18	<u>These appropriations are from the lawful</u>		
11.19	<u>gambling regulation account in the special</u>		
11.20	<u>revenue fund.</u>		
11.21	Sec. 16. <u>RACING COMMISSION</u>	<u>\$ 913,000</u>	<u>\$ 913,000</u>
11.22	<u>These appropriations are from the racing and</u>		
11.23	<u>card playing regulation accounts in the special</u>		
11.24	<u>revenue fund.</u>		
11.25	Sec. 17. <u>STATE LOTTERY</u>		
11.26	<u>Notwithstanding Minnesota Statutes, section</u>		
11.27	<u>349A.10, subdivision 3, the State Lottery's</u>		
11.28	<u>operating budget must not exceed \$35,000,000</u>		
11.29	<u>in fiscal year 2020 and \$36,500,000 in fiscal</u>		
11.30	<u>year 2021.</u>		
11.31	Sec. 18. <u>AMATEUR SPORTS COMMISSION</u>	<u>\$ 1,266,000</u>	<u>\$ 306,000</u>
11.32	<u>(a) \$600,000 the first year is for grants under</u>		
11.33	<u>Minnesota Statutes, section 240A.09,</u>		
11.34	<u>paragraph (b).</u>		

12.1 (b) \$250,000 the first year is for grants to
 12.2 reimburse local governments that made
 12.3 improvements between January 1, 2017, and
 12.4 the effective date of this section that would
 12.5 have been eligible for grants under Minnesota
 12.6 Statutes, section 240A.09, paragraph (b), if
 12.7 funding had been available.

12.8 (c) \$75,000 the first year is to determine a site
 12.9 and plans for a new velodrome for track
 12.10 cycling.

12.11 **Sec. 19. COUNCIL FOR MINNESOTANS OF**
 12.12 **AFRICAN HERITAGE**

\$ **681,000** **\$** **682,000**

12.13 **Sec. 20. COUNCIL ON LATINO AFFAIRS**

\$ **679,000** **\$** **685,000**

12.14 **Sec. 21. COUNCIL ON ASIAN-PACIFIC**
 12.15 **MINNESOTANS**

\$ **609,000** **\$** **616,000**

12.16 **Sec. 22. INDIAN AFFAIRS COUNCIL**

\$ **1,119,000** **\$** **1,106,000**

12.17 \$533,000 the first year and \$520,000 the
 12.18 second year are to implement Minnesota
 12.19 Statutes, section 307.08.

12.20 **Sec. 23. MINNESOTA HISTORICAL**
 12.21 **SOCIETY**

12.22 **Subdivision 1. Total Appropriation**

\$ **24,063,000** **\$** **24,213,000**

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

12.26 **Subd. 2. Operations and Programs**

23,342,000 **23,892,000**

12.27 \$395,000 each year is for digital preservation
 12.28 and access to preserve and make available
 12.29 resources related to Minnesota history.

12.30 **Subd. 3. Fiscal Agent**

12.31 **(a) Global Minnesota**

39,000 **39,000**

12.32 **(b) Minnesota Air National Guard Museum**

17,000 **17,000**

12.33 **(c) Minnesota Military Museum**

450,000 **50,000**

13.1 Of these amounts, \$400,000 the first year is
 13.2 to:

13.3 (1) care for, catalog, and display the recently
 13.4 acquired collection of the personal and
 13.5 professional effects belonging to General John
 13.6 W. Vessey, Minnesota's most decorated
 13.7 veteran; and

13.8 (2) conduct a statewide story-sharing program
 13.9 to honor the distinct service of post 9/11
 13.10 veterans in anticipation of the 2021
 13.11 anniversary.

13.12	<u>(d) Farmamerica</u>	<u>115,000</u>	<u>115,000</u>
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13.13	<u>(e) Hockey Hall of Fame</u>	<u>50,000</u>	<u>50,000</u>
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13.14 Any unencumbered balance remaining in this
 13.15 subdivision the first year does not cancel but
 13.16 is available for the second year of the
 13.17 biennium.

13.18 Sec. 24. **BOARD OF THE ARTS**

13.19	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>8,241,000</u>	<u>\$</u>	<u>7,541,000</u>
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13.20 The amounts that may be spent for each
 13.21 purpose are specified in the following
 13.22 subdivisions.

13.23	<u>Subd. 2. Operations and Services</u>	<u>1,302,000</u>	<u>602,000</u>
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13.24 \$700,000 in the first year is for moving and
 13.25 relocation expenses for the board. Moving and
 13.26 relocation expenses are limited to the design
 13.27 and construction of new leased office space;
 13.28 moving, installing and reconfiguring
 13.29 information technology systems and audio
 13.30 visual equipment; purchasing and installing
 13.31 work stations; and professional moving
 13.32 services necessary to complete the relocation.
 13.33 The board may use no more than \$5,000 for

14.1 other miscellaneous services, provided that
 14.2 the services must be directly related to the
 14.3 office relocation. On June 30, 2020, any
 14.4 unexpended amounts appropriated for moving
 14.5 and relocation expenses cancel to the general
 14.6 fund.

14.7 Subd. 3. **Grants Program** 4,800,000 4,800,000

14.8 Subd. 4. **Regional Arts Councils** 2,139,000 2,139,000

14.9 Any unencumbered balance remaining in this
 14.10 section the first year does not cancel, but is
 14.11 available for the second year.

14.12 Money appropriated in this section and
 14.13 distributed as grants may only be spent on
 14.14 projects located in Minnesota. A recipient of
 14.15 a grant funded by an appropriation in this
 14.16 section must not use more than five percent
 14.17 of the total grant for costs related to travel
 14.18 outside the state of Minnesota.

14.19 Sec. 25. **MINNESOTA HUMANITIES**
 14.20 **CENTER** \$ 700,000 \$ 700,000

14.21 \$325,000 each year is for grants under
 14.22 Minnesota Statutes, section 138.912. No more
 14.23 than three percent of the appropriation may
 14.24 be used for the nonprofit administration of the
 14.25 program. Beginning in fiscal year 2022, these
 14.26 amounts are added to the base in the
 14.27 Department of Agriculture.

14.28 Sec. 26. **BOARD OF ACCOUNTANCY** \$ 736,000 \$ 667,000

14.29 \$50,000 the first year is to update the online
 14.30 permitting system. The base in fiscal year
 14.31 2023 is \$657,000.

14.32 Sec. 27. **BOARD OF ARCHITECTURE**
 14.33 **ENGINEERING, LAND SURVEYING,**
 14.34 **LANDSCAPE ARCHITECTURE,**
 14.35 **GEOSCIENCE, AND INTERIOR DESIGN** \$ 905,000 \$ 851,000

15.1 \$50,000 the first year is to update the online
 15.2 permitting system. The base in fiscal year
 15.3 2022 is \$831,000 and in fiscal year 2023 is
 15.4 \$821,000.

15.5 Sec. 28. **BOARD OF COSMETOLOGIST**
 15.6 **EXAMINERS** \$ 2,916,000 \$ 2,935,000

15.7 Sec. 29. **BOARD OF BARBER EXAMINERS** \$ 343,000 \$ 343,000

15.8 Sec. 30. **GENERAL CONTINGENT**
 15.9 **ACCOUNTS** \$ 1,000,000 \$ 500,000

15.10 Appropriations by Fund

15.11		<u>2020</u>	<u>2021</u>
15.12	<u>General</u>	<u>500,000</u>	<u>-0-</u>
15.13	<u>State Government</u>		
15.14	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
15.15	<u>Workers'</u>		
15.16	<u>Compensation</u>	<u>100,000</u>	<u>100,000</u>

15.17 (a) The appropriations in this section may only
 15.18 be spent with the approval of the governor
 15.19 after consultation with the Legislative
 15.20 Advisory Commission pursuant to Minnesota
 15.21 Statutes, section 3.30.

15.22 (b) If an appropriation in this section for either
 15.23 year is insufficient, the appropriation for the
 15.24 other year is available for it.

15.25 (c) If a contingent account appropriation is
 15.26 made in one fiscal year, it should be
 15.27 considered a biennial appropriation.

15.28 Sec. 31. **TORT CLAIMS** \$ 161,000 \$ 161,000

15.29 These appropriations are to be spent by the
 15.30 commissioner of management and budget
 15.31 according to Minnesota Statutes, section
 15.32 3.736, subdivision 7. If the appropriation for
 15.33 either year is insufficient, the appropriation
 15.34 for the other year is available for it.

16.1 **Sec. 32. MINNESOTA STATE RETIREMENT**
16.2 **SYSTEM**

17.1 **Sec. 34. TEACHERS RETIREMENT**
 17.2 **ASSOCIATION**

\$ 29,831,000 \$ 29,831,000

17.3 The amounts estimated to be needed are as
 17.4 follows:

17.5 **Special Direct State Aid.** \$27,331,000 each
 17.6 year is for special direct state aid authorized
 17.7 under Minnesota Statutes, section 354.436.

17.8 **Special Direct State Matching Aid.**
 17.9 \$2,500,000 each year is for special direct state
 17.10 matching aid authorized under Minnesota
 17.11 Statutes, section 354.435.

17.12 **Sec. 35. ST. PAUL TEACHERS RETIREMENT**
 17.13 **FUND**

\$ 14,827,000 \$ 14,827,000

17.14 The amounts estimated to be needed for
 17.15 special direct state aid to the first class city
 17.16 teachers retirement fund association authorized
 17.17 under Minnesota Statutes, section 354A.12,
 17.18 subdivisions 3a and 3c.

17.19 **Sec. 36. APPROPRIATION; SECRETARY OF STATE; COURT ORDERED**
 17.20 **ATTORNEY FEES.**

17.21 \$1,290,000 is appropriated in fiscal year 2019 from the general fund to the secretary of
 17.22 state for the payment of attorney fees awarded by court order in *Minnesota Voters Alliance*
 17.23 *v. Mansky*. This is a onetime appropriation.

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

17.25 **Sec. 37. CONTRACTS FOR PROFESSIONAL OR TECHNICAL SERVICES.**

17.26 (a) During the biennium ending June 30, 2021, the commissioner of management and
 17.27 budget must reduce total general fund appropriations across all executive branch state
 17.28 agencies for planned expenditures on contracts for professional or technical services by at
 17.29 least \$890,000. Contracts that provide services to support client-facing health care workers,
 17.30 corrections officers, public safety workers, mental health workers, and state cybersecurity
 17.31 systems; contracts that support the enterprise resource planning system replacement at the
 17.32 Minnesota State Colleges and Universities; and contracts that support information technology

18.1 systems or services that were not part of an agency's base budget prior to the effective date
18.2 of this act may not be reduced under this paragraph.

18.3 (b) The commissioner of management and budget, in consultation with the commissioner
18.4 of administration, may authorize an agency to exceed the expenditure restriction provided
18.5 by this section if a contract for professional or technical services is required to respond to
18.6 an emergency.

18.7 (c) For purposes of this section:

18.8 (1) "professional or technical services" has the meaning given in Minnesota Statutes,
18.9 section 16C.08, subdivision 1;

18.10 (2) "emergency" has the meaning given in Minnesota Statutes, section 16C.02, subdivision
18.11 6b; and

18.12 (3) "executive branch state agency" has the meaning given in Minnesota Statutes, section
18.13 16A.011, subdivision 12a, and includes the Minnesota State Colleges and Universities.

18.14 Sec. 38. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;**
18.15 **SECRETARY OF STATE.**

18.16 (a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established
18.17 in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving
18.18 the administration and security of elections as authorized by federal law. Use of the
18.19 appropriation is limited to the following activities:

18.20 (1) modernizing, securing, and updating the statewide voter registration system and for
18.21 cybersecurity upgrades as authorized by federal law;

18.22 (2) improving accessibility;

18.23 (3) preparing training materials and training local election officials; and

18.24 (4) implementing security improvements for election systems.

18.25 (b) Any amount earned in interest on the amount appropriated under paragraph (a) is
18.26 appropriated from the HAVA account to the secretary of state for purposes of improving
18.27 the administration and security of elections as authorized by federal law.

18.28 (c) The appropriations under paragraphs (a) and (b) are onetime and available until
18.29 March 23, 2023.

18.30 (d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for
18.31 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.

20.1 Sec. 2. Minnesota Statutes 2018, section 3.8843, subdivision 7, is amended to read:

20.2 Subd. 7. **Expiration.** This section expires June 30, ~~2019~~ 2026.

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

20.4 Sec. 3. Minnesota Statutes 2018, section 3.886, subdivision 6, is amended to read:

20.5 Subd. 6. **Expiration.** This section expires July 1, ~~2019~~ 2025.

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

20.7 Sec. 4. **[5.42] DISPLAY OF BUSINESS ADDRESS ON WEBSITE.**

20.8 (a) A business entity may request in writing that all addresses submitted by the business
20.9 entity to the secretary of state be omitted from display on the secretary of state's website.

20.10 A business entity may only request that all addresses be omitted from display if the entity
20.11 certifies that:

20.12 (1) there is only one shareholder, member, manager, or owner of the business entity;

20.13 (2) the shareholder, manager, member, or owner is a natural person; and

20.14 (3) at least one of the addresses provided is the residential address of the sole shareholder,
20.15 manager, member, or owner.

20.16 The secretary of state shall post a notice that this option is available and a link to the form
20.17 needed to make a request on the secretary's website. The secretary of state shall also attach
20.18 a copy of the request form to all business filing forms provided in a paper format that require
20.19 a business entity to submit an address.

20.20 (b) This section does not change the classification of data under chapter 13 and addresses
20.21 shall be made available to the public in response to requests made by telephone, mail, e-mail,
20.22 and facsimile transmission.

20.23 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to business
20.24 entity filings filed with the secretary of state on or after that date.

20.25 Sec. 5. Minnesota Statutes 2018, section 15A.083, subdivision 6a, is amended to read:

20.26 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative
20.27 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the
20.28 assistant chief administrative law judge and administrative law judge supervisors are ~~93.60~~
20.29 100 percent of the salary of a chief district court judge. The salary of an administrative law

21.1 judge employed by the Office of Administrative Hearings is 98.52 percent of the salary of
21.2 a district court judge as set under section 15A.082, subdivision 3.

21.3 **EFFECTIVE DATE.** This section is effective July 1, 2019.

21.4 Sec. 6. Minnesota Statutes 2018, section 16A.013, is amended by adding a subdivision to
21.5 read:

21.6 Subd. 1a. **Opportunity to make gifts via website.** The commissioner of management
21.7 and budget must maintain a secure website which permits any person to make a gift of
21.8 money electronically for any purpose authorized by subdivision 1. Gifts made using the
21.9 website are subject to all other requirements of this section, sections 16A.014 to 16A.016,
21.10 and any other applicable law governing the receipt of gifts by the state and the purposes for
21.11 which a gift may be used. The website must include historical data on the total amount of
21.12 gifts received using the site, itemized by month.

21.13 Sec. 7. **[16A.1335] EMPLOYEE SALARIES AND BENEFITS IN EVENT OF STATE**
21.14 **GOVERNMENT SHUTDOWN.**

21.15 Subdivision 1. **Definition.** As used in this section, "government shutdown" means that,
21.16 as of July 1 of an odd-numbered year, legislation appropriating money for the general
21.17 operations of:

21.18 (1) an executive agency;

21.19 (2) an office or department of the legislature, including each house of the legislature and
21.20 the Legislative Coordinating Commission; or

21.21 (3) a judicial branch agency or department, including a court;

21.22 has not been enacted for the biennium beginning July 1 of that year.

21.23 Subd. 2. **Payment required.** Notwithstanding section 16A.17, subdivision 8, state
21.24 employees must be provided payment for lost salary and benefits resulting from their absence
21.25 from work during a government shutdown. An employee is eligible for a payment under
21.26 this section only upon the employee's return to work.

21.27 Subd. 3. **Appropriation; limitation.** (a) In the event of a government shutdown, the
21.28 amount necessary to pay the salary and benefits of employees of any impacted agency,
21.29 office, or department is appropriated beginning on that July 1 to that agency, office, or
21.30 department. The appropriation is made from the fund or funds from which an appropriation
21.31 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

23.1 compensation under this section except in extraordinary circumstances as defined by the
23.2 commissioner; and

23.3 (3) employees are eligible for awards under this section notwithstanding chapter 179A.

23.4 (b) The program required by this section must be in addition to any existing monetary
23.5 or nonmonetary performance-based recognition programs for state employees, including
23.6 achievement awards, continuous improvement awards, and general employee recognitions.

23.7 Subd. 2. **Biannual Legislative report.** No later than ~~August 1, 2017, and biannually~~
23.8 July 1, 2020, and annually thereafter, the commissioner must report to the chairs and ranking
23.9 minority members of the house of representatives and senate committees with jurisdiction
23.10 over Minnesota Management and Budget on ~~the status of the program required by this~~
23.11 ~~section. The report must detail:~~

23.12 (1) the specific program guidelines established by the commissioner as required by
23.13 subdivision 1, if the guidelines have not been described in a previous report;

23.14 (2) any proposed modifications to the established guidelines under consideration by the
23.15 commissioner, including the reason for the proposed modifications; and

23.16 ~~(3) the methods used by the commissioner to promote the program to state employees,~~
23.17 ~~if the methods have not been described in a previous report;~~

23.18 ~~(4) a summary of the results of the program that includes the following, categorized by~~
23.19 ~~agency:~~

23.20 ~~(i) the number of state employees whose suggestions or involvement in a project were~~
23.21 ~~considered for possible bonus compensation, and a description of each suggestion or project~~
23.22 ~~that was considered;~~

23.23 ~~(ii) the total amount of bonus compensation actually awarded, itemized by each suggestion~~
23.24 ~~or project that resulted in an award and the amount awarded for that suggestion or project;~~
23.25 ~~and~~

23.26 ~~(iii) the total amount of documented cost savings that accrued to the agency as a result~~
23.27 ~~of each suggestion or project for which bonus compensation was granted; and~~

23.28 ~~(5)~~ (3) any recommendations for legislation that, in the judgment of the commissioner,
23.29 would improve the effectiveness of the bonus compensation program established by this
23.30 section or which would otherwise increase opportunities for state employees to actively
23.31 participate in the development and implementation of strategies for reducing the costs of
23.32 operating state government or for providing better or more efficient state services.

24.1 Subd. 3. **Pilot program.** To the extent that appropriations are not available to fully
24.2 implement the program required by subdivision 1, the commissioner must use available
24.3 resources to implement a pilot program that meets the requirements of subdivision 1 within
24.4 a single agency designated by the commissioner. If established, details on the pilot program
24.5 must be included in the legislative report required under subdivision 2.

24.6 Sec. 9. **[16B.276] CAPITOL FLAG PROGRAM.**

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

24.9 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

24.10 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
24.11 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
24.12 died while serving honorably in active service in the United States armed forces. For purposes
24.13 of this section, an eligibility relationship may be established by birth or adoption.

24.14 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
24.15 3.

24.16 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

24.17 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the
24.18 program is to make a Minnesota state flag and an American flag that was flown over the
24.19 Minnesota State Capitol available to the family members of a public safety officer killed
24.20 in the line of duty or a member of the United States armed forces who died while in active
24.21 service. In addition to appropriations provided by law, the commissioner of management
24.22 and budget may receive gifts to support the program as authorized in sections 16A.013 to
24.23 16A.016. The program established by this section is required only to the extent that sufficient
24.24 funds are available through appropriations or gifts to support its operations.

24.25 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made
24.26 by a legislator or state constitutional officer on behalf of an eligible family member, after
24.27 verification of the family member's eligibility under the procedures adopted under subdivision
24.28 4. The request must be made to the commissioner of administration, and must indicate the
24.29 type of flag requested, a certification that the family member's eligibility has been verified,
24.30 special requests for the date the flag is flown over the Capitol, and the method of presentment.
24.31 The commissioner may adopt a form to be used for this purpose. With at least 30 days'
24.32 notice, the commissioner must honor a request that a flag be flown on a specific
24.33 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.

27.1 Sec. 13. **[16B.90] WEBSITE ACCESSIBILITY GRANTS; ADVISORY COUNCIL.**

27.2 Subdivision 1. **Grant program established.** A website accessibility grant program is
27.3 established. Within available appropriations, grants must be awarded by the commissioner
27.4 to local governments to improve the accessibility of local government websites for persons
27.5 with disabilities.

27.6 Subd. 2. **Website Accessibility Grant Advisory Council.** (a) A Website Accessibility
27.7 Grant Advisory Council is established. The purpose of the advisory council is to assist the
27.8 commissioner in awarding grants under subdivision 1. The advisory council consists of the
27.9 following members:

27.10 (1) one representative of the League of Minnesota Cities, appointed by the league;

27.11 (2) one representative of the Association of Minnesota Counties, appointed by the
27.12 association;

27.13 (3) one representative of the Minnesota Council on Disability, appointed by the council;

27.14 (4) one member of the public who is a self-advocate, appointed by the governor; and

27.15 (5) the state chief information officer, or a designee.

27.16 (b) The terms, compensation, and removal of members is governed by section 15.059.

27.17 The council must elect a chair from among its members.

27.18 (c) The advisory council is subject to chapter 13D. The council must meet at the request
27.19 of the commissioner or the chair, but no fewer than two times per year to fulfill its duties.

27.20 The commissioner must provide meeting space and other administrative assistance to support
27.21 the work of the council.

27.22 (d) The council must review applications from local governments for grant funding to
27.23 support website accessibility projects and to make recommendations to the commissioner
27.24 for the award of grants. The commissioner may not award a grant unless it has been reviewed
27.25 by the advisory council. Consistent with the policies and procedures established by the
27.26 commissioner under sections 16B.97 and 16B.98, the council must establish uniform,
27.27 objective criteria to be used in evaluating grant applications. The criteria must include
27.28 standards to ensure grant funding is distributed equitably across the state, and that grant
27.29 funds are available without regard to a local government's population size.

27.30 Subd. 3. **Report to legislature.** No later than January 15, 2020, and annually thereafter,
27.31 the commissioner must submit a report to the chairs and ranking minority members of the
27.32 legislative committees with jurisdiction over state government finance and local government

28.1 detailing the grants awarded under this section, including the number of grant applications
28.2 received, the number of grants awarded, the geographic distribution of grant applications
28.3 and awards, and the amount of each grant awarded and how it was used.

28.4 Sec. 14. **[16C.0531] PROHIBITING STATE CONTRACTS WITH STATE**
28.5 **SPONSORS OF TERRORISM AND FOREIGN TERRORIST ORGANIZATIONS.**

28.6 (a) A state contract for goods or services must require the vendor to certify that the
28.7 vendor is not currently engaged in, and agrees for the duration of the contract not to engage
28.8 in, business with countries designated as state sponsors of terrorism by the State Department
28.9 and groups designated by the United States Secretary of State as foreign terrorist
28.10 organizations. This section applies to all state agencies, including the Minnesota State
28.11 Colleges and Universities and to contracts entered into by entities in the legislative branch.

28.12 (b) The commissioners of the Department of Administration and Minnesota Management
28.13 and Budget shall exercise appropriate due diligence in selecting vendors for goods or services
28.14 to avert contracting with countries designated as state sponsors of terrorism and groups
28.15 designated as foreign terrorist organizations or with vendors who do business with countries
28.16 designated as state sponsors of terrorism and groups designated as foreign terrorist
28.17 organizations. The commissioners shall implement measures designed to meet the objective
28.18 of this section and take the steps necessary to confirm that vendors have satisfied the
28.19 requirement of this section.

28.20 Sec. 15. Minnesota Statutes 2018, section 16C.055, subdivision 2, is amended to read:

28.21 Subd. 2. **Restriction.** An agency may not enter into a contract or otherwise agree with
28.22 a nongovernmental entity to receive total nonmonetary consideration valued at more than
28.23 \$100,000 annually in exchange for the agency providing nonmonetary consideration, unless
28.24 such an agreement is specifically authorized by law. This subdivision does not apply to the
28.25 State Lottery, state-owned optical fiber, or private aquaculture businesses involved in state
28.26 stocking contracts.

28.27 Sec. 16. **[16C.067] CONFLICT-FREE MINERALS.**

28.28 Subdivision 1. **Definitions.** (a) The following terms have the meanings given them.

28.29 (b) "Conflict mineral" means a mineral or mineral derivative determined under federal
28.30 law to be financing human conflict. Conflict mineral includes columbite-tantalite (coltan),
28.31 cassiterite, gold, wolframite, or derivatives of those minerals.

28.32 (c) "Noncompliant person" means a person:

29.1 (1) who is required to disclose under federal law information relating to conflict minerals
29.2 that originated in the Democratic Republic of the Congo or its neighboring countries; and

29.3 (2) for whom the disclosure is not filed, is considered under federal law to be an unreliable
29.4 determination, or contains false information.

29.5 Subd. 2. **Compliance.** By execution of a state contract to provide goods or services, a
29.6 vendor attests that it is not a noncompliant person and is in compliance with the required
29.7 disclosures under federal law related to conflict minerals.

29.8 Subd. 3. **Exemption; commissioner may waive.** (a) This section does not apply to
29.9 contracts with a value of less than \$100,000.

29.10 (b) The commissioner may waive application of this section in a contract if the
29.11 commissioner determines that compliance is not practicable or in the best interest of the
29.12 state.

29.13 Subd. 4. **Notice.** In any solicitation for supplies or services, a commissioner shall provide
29.14 notice of the requirements of this section.

29.15 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to solicitations
29.16 issued on or after that date.

29.17 Sec. 17. Minnesota Statutes 2018, section 16C.10, subdivision 2, is amended to read:

29.18 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and
29.19 chapter 16B is not required in emergencies. In emergencies, the commissioner may make
29.20 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and
29.21 improvement of a state-owned publicly owned structure or may make or authorize an agency
29.22 to do so and may purchase, or may authorize an agency to purchase, any purchases of goods,
29.23 services, or utility services directly for immediate use.

29.24 Sec. 18. Minnesota Statutes 2018, section 16C.19, is amended to read:

29.25 **16C.19 ELIGIBILITY; RULES.**

29.26 (a) A small business wishing to participate in the programs under section 16C.16,
29.27 subdivisions 4 to 7, must be certified by the commissioner or, if authorized by the
29.28 commissioner, by a nationally recognized certifying organization. The commissioner may
29.29 choose to authorize a nationally recognized certifying organization if the certification
29.30 requirements are substantially the same as those adopted under the rules authorized in this
29.31 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.

~~(e)~~ (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.

31.1 ~~(g)~~ (h) The commissioner may adopt rules to implement the programs under section
31.2 16C.16, subdivisions 4 to 7, using the expedited rulemaking process in section 14.389.

31.3 Sec. 19. Minnesota Statutes 2018, section 16C.251, is amended to read:

31.4 **16C.251 BEST AND FINAL OFFER.**

31.5 A "best and final offer" solicitation process may not be used for building and construction
31.6 contracts awarded based on competitive bids.

31.7 Sec. 20. Minnesota Statutes 2018, section 16E.03, subdivision 1, is amended to read:

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

31.10 (b) "Information and telecommunications technology systems and services" means all
31.11 computing and telecommunications hardware and software, the activities undertaken to
31.12 secure that hardware and software, and the activities undertaken to acquire, transport, process,
31.13 analyze, store, and disseminate information electronically. "Information and
31.14 telecommunications technology systems and services" includes all proposed expenditures
31.15 for computing and telecommunications hardware and software, security for that hardware
31.16 and software, and related consulting or other professional services.

31.17 (c) "Information and telecommunications technology project" means an effort to acquire
31.18 or produce information and telecommunications technology systems and services.

31.19 (d) "Telecommunications" means voice, video, and data electronic transmissions
31.20 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

31.21 (e) "Cyber security" means the protection of data and systems in networks connected to
31.22 the Internet.

31.23 (f) "State agency" means an agency in the executive branch of state government and
31.24 includes the Minnesota Office of Higher Education, but does not include the Minnesota
31.25 State Colleges and Universities unless specifically provided elsewhere in this chapter.

31.26 (g) "Total expected project cost" includes direct staff costs, all supplemental contract
31.27 staff and vendor costs, and costs of hardware and software development or purchase.
31.28 Breaking a project into several phases does not affect the cost threshold, which must be
31.29 computed based on the full cost of all phases.

32.1 (h) "Cloud computing" has the meaning described by the National Institute of Standards
32.2 and Technology of the United States Department of Commerce in special publication
32.3 800-145, September 2011.

32.4 Sec. 21. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to
32.5 read:

32.6 Subd. 4a. **Cloud computing services.** The project evaluation procedure required by
32.7 subdivision 4 must include a review of cloud computing service options, including any
32.8 security benefits and cost savings associated with purchasing those service options from a
32.9 cloud computing service provider.

32.10 Sec. 22. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to
32.11 read:

32.12 Subd. 11. **Technical support to the legislature.** The chief information officer, or a
32.13 designee, must provide technical support to assist the legislature to comply with accessibility
32.14 standards under section 3.199, subdivision 2. Support under this subdivision must include:

32.15 (1) clarifying the requirements of the accessibility standards;

32.16 (2) providing templates for common software applications used in developing documents
32.17 used by the legislature;

32.18 (3) assisting the development of training for staff to comply with the accessibility
32.19 standards and assisting in providing the training; and

32.20 (4) assisting the development of technical applications that enable legislative documents
32.21 to be fully accessible.

32.22 The chief information officer must provide these services at no cost to the legislature.

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

32.24 Sec. 23. **[16E.031] USER ACCEPTANCE TESTING.**

32.25 Subdivision 1. **Applicability.** As used in this section:

32.26 (1) "primary user" means an employee or agent of a state agency or local unit of
32.27 government who uses an information technology business software application to perform
32.28 an official function; and

32.29 (2) "local unit of government" does not include a school district.

33.1 Subd. 2. **User acceptance testing.** (a) A state agency implementing a new information
33.2 technology business software application or new business software application functionality
33.3 that significantly impacts the operations of a primary user must provide opportunities for
33.4 user acceptance testing, unless the testing is deemed not feasible or necessary by the relevant
33.5 agency commissioner, in consultation with the chief information officer and representatives
33.6 of the primary user.

33.7 (b) The requirements in paragraph (a) do not apply to routine software upgrades or
33.8 application changes that are primarily intended to comply with federal law, rules, or
33.9 regulations.

33.10 Sec. 24. Minnesota Statutes 2018, section 138.081, is amended to read:

33.11 **138.081 FEDERAL FUNDS, ACTS.**

33.12 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
33.13 Department of Administration is hereby designated the state agency with power to accept
33.14 any and all money provided for or made available to this state by the United States of
33.15 America or any department or agency thereof for surveys, restoration, construction,
33.16 equipping, or other purposes relating to the State Historic sites Preservation Program in
33.17 accordance with the provisions of federal law and any rules or regulations promulgated
33.18 thereunder and are further authorized to do any and all things required of this state by such
33.19 federal law and the rules and regulations promulgated thereunder in order to obtain such
33.20 federal money.

33.21 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
33.22 preservation officer shall be responsible for the preparation, implementation and
33.23 administration of the State Historic Preservation Plan and shall administer the State Historic
33.24 Preservation Program authorized by the National Historic Preservation Act (United States
33.25 Code, title ~~16~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
33.26 and approve in writing all grants-in-aid for architectural, archaeological and historic
33.27 preservation made by state agencies and funded by the state or a combination of state and
33.28 federal funds in accordance with the State Historic Preservation Program.

33.29 Subd. 3. **Administration of federal act.** The ~~Department of Administration~~ Minnesota
33.30 Historical Society is designated as the state agency to administer the provisions of the federal
33.31 act providing for the preservation of historical and archaeological data, United States Code,
33.32 title ~~16~~ 54, ~~sections 469 to 469C~~ section 312501, as amended, insofar as the provisions of
33.33 the act provide for implementation by the state.

34.1 Sec. 25. Minnesota Statutes 2018, section 138.31, is amended by adding a subdivision to
34.2 read:

34.3 Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"
34.4 means the State Historic Preservation Office at the Department of Administration.

34.5 Sec. 26. Minnesota Statutes 2018, section 138.34, is amended to read:

34.6 **138.34 ADMINISTRATION OF THE ACT.**

34.7 The state archaeologist shall act as the agent of the state to administer and enforce the
34.8 provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the
34.9 society and the State Historic Preservation Office.

34.10 Sec. 27. Minnesota Statutes 2018, section 138.40, is amended to read:

34.11 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

34.12 Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of
34.13 Transportation, and all other state agencies whose activities may be affected, shall cooperate
34.14 with the historical society, the State Historic Preservation Office, and the state archaeologist
34.15 to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but
34.16 sections 138.31 to 138.42 are not meant to burden persons who wish to use state property
34.17 for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

34.18 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
34.19 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
34.20 Conservation officers and other enforcement officers of the Department of Natural Resources
34.21 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
34.22 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
34.23 on scientific investigations are predicted to exist on public lands or waters, the agency or
34.24 department controlling said lands or waters shall use the professional services of
34.25 archaeologists from the University of Minnesota, Minnesota Historical Society, or other
34.26 qualified professional archaeologists, to preserve these sites. In the event that archaeological
34.27 excavation is required to protect or preserve these sites, state and other governmental agencies
34.28 may use their funds for such activities.

34.29 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
34.30 or, based on scientific investigations, are predicted to exist on public lands or waters, the
34.31 agency or department controlling said lands or waters shall submit construction or
34.32 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

36.1 the State Historic Preservation Office in safeguarding state historic sites and in the
36.2 preservation of historic and archaeological properties.

36.3 Sec. 30. Minnesota Statutes 2018, section 138.667, is amended to read:

36.4 **138.667 HISTORIC PROPERTIES; CHANGES.**

36.5 Properties designated as historic properties by sections 138.661 to 138.664 may be
36.6 changed from time to time, and the Minnesota Historical Society and the State Historic
36.7 Preservation Office shall notify the legislature of the need for changes, and shall make
36.8 recommendations to keep the state historic sites network and the state register of historic
36.9 places current and complete. The significance of properties proposed for designation under
36.10 section 138.663, subdivision 2, shall be documented under the documentation standards
36.11 established by the ~~Minnesota Historical Society~~ State Historic Preservation Office. ~~This~~
36.12 Documentation shall include the opinion of the Minnesota Historical Society for the historic
36.13 sites network under section 138.661, subdivision 3, or the State Historic Preservation Office
36.14 for the state register of historic places under section 138.663, subdivision 2, as to whether
36.15 the property meets the selection criteria.

36.16 Sec. 31. Minnesota Statutes 2018, section 138.763, subdivision 1, is amended to read:

36.17 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
36.18 22 members with the director of the Minnesota Historical Society as chair. The members
36.19 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
36.20 designee; the president of the Minneapolis Park and Recreation Board or the president's
36.21 designee; the superintendent of the park board; two members each from the house of
36.22 representatives appointed by the speaker, the senate appointed by the Rules Committee, the
36.23 city council, the Hennepin County Board, and the park board; one member each from the
36.24 preservation commission, the State Historic Preservation Office, Hennepin County Historical
36.25 Society, and the society; one person appointed by the park board; and two persons appointed
36.26 by the chair of the board.

36.27 Sec. 32. Minnesota Statutes 2018, section 155A.25, subdivision 1a, is amended to read:

36.28 Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this
36.29 subdivision.

36.30 (b) Three-year license fees are as follows:

36.31 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

- 37.1 (i) \$155 for each initial license; and
- 37.2 (ii) \$40 for each initial license application fee;
- 37.3 (2) \$115 renewal of practitioner license, divided as follows:
- 37.4 (i) \$100 for each renewal license; and
- 37.5 (ii) \$15 for each renewal application fee;
- 37.6 (3) \$145 renewal of manager or instructor license, divided as follows:
- 37.7 (i) \$130 for each renewal license; and
- 37.8 (ii) \$15 for each renewal application fee;
- 37.9 (4) \$350 initial salon license, divided as follows:
- 37.10 (i) \$250 for each initial license; and
- 37.11 (ii) \$100 for each initial license application fee;
- 37.12 (5) \$225 renewal of salon license, divided as follows:
- 37.13 (i) \$175 for each renewal; and
- 37.14 (ii) \$50 for each renewal application fee;
- 37.15 (6) \$4,000 initial school license, divided as follows:
- 37.16 (i) \$3,000 for each initial license; and
- 37.17 (ii) \$1,000 for each initial license application fee; and
- 37.18 (7) \$2,500 renewal of school license, divided as follows:
- 37.19 (i) \$2,000 for each renewal; and
- 37.20 (ii) \$500 for each renewal application fee.
- 37.21 (c) Penalties may be assessed in amounts up to the following:
- 37.22 (1) reinspection fee, \$150;
- 37.23 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 37.24 (3) expired practitioner or instructor found on inspection, \$200;
- 37.25 (4) expired salon found on inspection, \$500;
- 37.26 (5) expired school found on inspection, \$1,000;
- 37.27 (6) failure to display current license, \$100;

38.1 (7) failure to dispose of single-use equipment, implements, or materials as provided
38.2 under section 155A.355, subdivision 1, \$500;

38.3 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
38.4 subdivision 2, \$500;

38.5 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
38.6 or cosmetology services in a nail salon, \$500;

38.7 (10) owner and manager allowing an operator to work as an independent contractor,
38.8 \$200;

38.9 (11) operator working as an independent contractor, \$100;

38.10 (12) refusal or failure to cooperate with an inspection, \$500;

38.11 (13) practitioner late renewal fee, \$45; and

38.12 (14) salon or school late renewal fee, \$50.

38.13 (d) Administrative fees are as follows:

38.14 (1) homebound service permit, \$50 three-year fee;

38.15 (2) name change, \$20;

38.16 (3) certification of licensure, \$30 each;

38.17 (4) duplicate license, \$20;

38.18 (5) special event permit, \$75 per year;

38.19 ~~(6) registration of hair braiders, \$20 per year;~~

38.20 ~~(7)~~ (6) \$100 for each temporary military license for a cosmetologist, nail technician,
38.21 esthetician, or advanced practice esthetician one-year fee;

38.22 ~~(8)~~ (7) expedited initial individual license, \$150;

38.23 ~~(9)~~ (8) expedited initial salon license, \$300;

38.24 ~~(10)~~ (9) instructor continuing education provider approval, \$150 each year; and

38.25 ~~(11)~~ (10) practitioner continuing education provider approval, \$150 each year.

38.26 Sec. 33. Minnesota Statutes 2018, section 155A.28, is amended by adding a subdivision
38.27 to read:

38.28 Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the
38.29 requirements of this chapter.

39.1 Sec. 34. Minnesota Statutes 2018, section 240.01, is amended by adding a subdivision to
39.2 read:

39.3 Subd. 18a. **Racing or gaming-related vendor.** "Racing or gaming-related vendor"
39.4 means any person or entity that manufactures, sells, provides, distributes, repairs or maintains
39.5 equipment or supplies used at a Class A facility, or provides services to a Class A facility
39.6 or Class B license holder that are directly related to the running of a horse race, simulcasting,
39.7 pari-mutuel betting, or card playing.

39.8 Sec. 35. Minnesota Statutes 2018, section 240.02, subdivision 2, is amended to read:

39.9 Subd. 2. **Qualifications.** A member of the commission must have been a resident of
39.10 Minnesota for at least five years before appointment, and must have a background and
39.11 experience as would qualify for membership on the commission. ~~A member must, before~~
39.12 ~~taking a place on the commission, file a bond in the principal sum of \$100,000 payable to~~
39.13 ~~the state, conditioned upon the faithful performance of duties.~~ No commissioner, nor any
39.14 member of the commissioner's immediate family residing in the same household, may hold
39.15 a license issued by the commission or have a direct or indirect financial interest in a
39.16 corporation, partnership, or association which holds a license issued by the commission.

39.17 Sec. 36. Minnesota Statutes 2018, section 240.02, subdivision 6, is amended to read:

39.18 Subd. 6. ~~Annual~~ **Biennial report.** The commission shall on February 15 of each
39.19 odd-numbered year submit a report to the governor and legislature on its activities,
39.20 organizational structure, receipts and disbursements, including specific detail on the use of
39.21 amounts statutorily appropriated to the commission under this chapter, and recommendations
39.22 for changes in the laws relating to racing and pari-mutuel betting.

39.23 Sec. 37. Minnesota Statutes 2018, section 240.08, subdivision 5, is amended to read:

39.24 Subd. 5. **Revocation and suspension.** (a) After providing a licensee with notice and an
39.25 opportunity to be heard, the commission may:

39.26 (1) revoke a class C license for a violation of law or rule which in the commission's
39.27 opinion adversely affects the integrity of horse racing in Minnesota, the public health,
39.28 welfare, or safety, or for an intentional false statement made in a license application; or

39.29 ~~The commission may~~ (2) suspend a class C license for up to one year five years for a
39.30 violation of law, order or rule. If the license expires during the term of suspension, the
39.31 licensee shall be ineligible to apply for another license from the commission until the
39.32 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.

41.1 (b) The commission shall by rule establish an annual license fee for each occupation it
41.2 licenses under section 240.08.

41.3 (c) The initial annual license application fee for a class C license to provide advance
41.4 deposit wagering on horse racing under this chapter is \$10,000 and an annual license fee
41.5 of \$2,500 applies thereafter.

41.6 (d) Notwithstanding section 16A.1283, the commission shall by rule establish an annual
41.7 license fee for each type of racing or gaming-related vendor it licenses, not to exceed \$2,500.

41.8 Sec. 39. Minnesota Statutes 2018, section 240.12, is amended to read:

41.9 **240.12 LICENSE AGREEMENTS.**

41.10 The commission may enter into agreements or compacts with comparable bodies in
41.11 other racing jurisdictions for the mutual recognition of occupational licenses issued by each
41.12 body. The commission may by rule provide for and may charge a fee for the registration of
41.13 each license issued in another jurisdiction.

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

41.15 Sec. 40. Minnesota Statutes 2018, section 240.13, subdivision 5, is amended to read:

41.16 Subd. 5. **Purses.** (a) From the amounts deducted from all pari-mutuel pools by a licensee,
41.17 including breakage, an amount equal to not less than the following percentages of all money
41.18 in all pools must be set aside by the licensee and used for purses for races conducted by the
41.19 licensee, provided that a licensee may agree by contract with an organization representing
41.20 a majority of the horsepersons racing the breed involved to set aside amounts in addition
41.21 to the following percentages, if the contract is in writing and ~~filed with~~ reviewed by the
41.22 commission for compliance with this subdivision:

41.23 (1) for live races conducted at a class A facility, 8.4 percent of handle;

41.24 (2) for simulcasts conducted any day a class A facility is licensed, not less than 37 percent
41.25 of the ~~takeout~~ amount remaining after deduction for the state pari-mutuel tax, payment to
41.26 the breeders fund, and payment to the sending out-of-state racetrack for receipt of the signal.

41.27 The commission may by rule provide for the administration and enforcement of this
41.28 subdivision. The deductions for payment to the sending out-of-state racetrack must be actual,
41.29 except that when there exists any overlap of ownership, control, or interest between the
41.30 sending out-of-state racetrack and the receiving licensee, the deduction must not be greater
41.31 than three percent unless agreed to between the licensee and the horsepersons' organization

42.1 representing the majority of horsepersons racing the breed racing the majority of races
42.2 during the existing racing meeting or, if outside of the racing season, during the most recent
42.3 racing meeting.

42.4 The licensee shall pay to the commission for deposit in the Minnesota breeders fund
42.5 5-1/2 percent of the takeout from all pari-mutuel pools generated by wagering at the licensee's
42.6 facility on simulcasts of races not conducted in this state.

42.7 (b) ~~From the money set aside for purses,~~ The licensee shall pay to the horseperson's
42.8 organization representing the majority of the horsepersons racing the breed involved and
42.9 contracting with the licensee with respect to purses and the conduct of the racing meetings
42.10 and providing representation to its members, an amount as may be determined by agreement
42.11 by the licensee and the horsepersons' organization sufficient to provide benevolent programs,
42.12 benefits, and services for horsepersons and their on-track employees. The amount paid may
42.13 be deducted ~~only~~ from the money set aside for purses to be paid in races for the breed
42.14 represented by the horseperson's organization or may be paid from breakage retained by
42.15 the licensee from live or simulcast wagering as agreed between the licensee and horsepersons'
42.16 organization. With respect to racing meetings where more than one breed is racing, the
42.17 licensee may contract independently with the horseperson's organization representing each
42.18 breed racing. The contract must be in writing and reviewed by the commission for compliance
42.19 with this subdivision.

42.20 (c) Notwithstanding sections 325D.49 to 325D.66, a horseperson's organization
42.21 representing the majority of the horsepersons racing a breed at a meeting, and the members
42.22 thereof, may agree to withhold horses during a meeting.

42.23 (d) Money set aside for purses from wagering on simulcasts must be used for purses for
42.24 live races involving the same breed involved in the simulcast except that money set aside
42.25 for purses and payments to the breeders fund from wagering on simulcasts of races not
42.26 conducted in this state, occurring during a live mixed meet, must be allotted to the purses
42.27 and breeders fund for each breed participating in the mixed meet as agreed upon by the
42.28 breed organizations participating in the live mixed meet. The agreement shall be in writing
42.29 and ~~filed with~~ reviewed by the commission for compliance with this subdivision prior to
42.30 the first day of the live mixed meet. In the absence of a written agreement ~~filed with~~ reviewed
42.31 by the commission, the money set aside for purses and payments to the breeders fund from
42.32 wagering on simulcasts, occurring during a live mixed meet, shall be allotted to each breed
42.33 participating in the live mixed meet in the same proportion that the number of live races
42.34 run by each breed bears to the total number of live races conducted during the period of the
42.35 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:

48.1 (1) one-half of that amount to supplement purses for standardbreds at non-pari-mutuel
48.2 racetracks in the state; and

48.3 ~~(2) one-fourth of that amount for the development of non-pari-mutuel standardbred~~
48.4 ~~tracks in the state; and~~

48.5 ~~(3) one-fourth~~ (2) one-half of that amount as grants for equine research and related
48.6 education at public institutions of postsecondary learning in the state.

48.7 (b) After deducting the amount for paragraph (a), the balance of the available proceeds
48.8 in the standardbred category must be expended by the commission to:

48.9 (1) supplement purses for races held exclusively for Minnesota-bred and Minnesota-foaled
48.10 standardbreds;

48.11 (2) pay breeders or owners awards to the breeders or owners of Minnesota-bred
48.12 standardbreds which win money at licensed racetracks in the state; and

48.13 (3) provide other financial incentives to encourage the horse breeding industry in
48.14 Minnesota.

48.15 Sec. 50. Minnesota Statutes 2018, section 240.22, is amended to read:

48.16 **240.22 FINES.**

48.17 (a) The commission shall by rule establish a schedule of civil fines of up to \$50,000 for
48.18 a class C licensee and up to \$200,000 for a class A, B, or D licensee for violations of laws
48.19 related to horse racing or of the commission's rules. The schedule must be based on and
48.20 reflect the culpability, frequency and severity of the violator's actions. The commission may
48.21 impose a fine from this schedule on a licensee for a violation of those rules or laws relating
48.22 to horse racing. The fine is in addition to any criminal penalty imposed for the same violation.
48.23 Except as provided in paragraph (b), fines may be appealed to the commission according
48.24 to its rules. Fines imposed by the commission must be paid to the commission and except
48.25 as provided in paragraph (c), forwarded to the commissioner of management and budget
48.26 for deposit in the state treasury and credited to a racing and card-playing regulation account
48.27 in the special revenue fund and appropriated to the commission to distribute in the form of
48.28 grants, contracts, or expenditures to support racehorse adoption, retirement, and repurposing.

48.29 (b) If the commission issues a fine in excess of ~~\$5,000~~ \$10,000, the license holder has
48.30 the right to request a contested case hearing under chapter 14, to be held as set forth in
48.31 Minnesota Rules, chapter 1400. The appeal of a fine must be made in writing to the
48.32 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 telerracing 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~~

50.1 ~~state law or commission rule or order or who is a threat to racing integrity or the public~~
50.2 ~~safety. A person so excluded from racetrack premises may appeal the exclusion to the~~
50.3 ~~commission and must be given a public hearing on the appeal upon request. At the hearing~~
50.4 ~~the person must be given the opportunity to show cause why the exclusion should not have~~
50.5 ~~been ordered. If the commission after the hearing finds that the integrity of racing and the~~
50.6 ~~public safety do not justify the exclusion, it shall order the racetrack making the exclusion~~
50.7 ~~to reinstate or readmit the person. An appeal of a commission order upholding the exclusion~~
50.8 ~~is governed by section 240.20. A licensed racetrack may eject and exclude from its premises~~
50.9 any person for any lawful reason. If a licensed racetrack excludes a person for a suspected
50.10 or potential violation of law or rule, or if a licensed racetrack excludes any person for more
50.11 than five days, the licensed racetrack shall provide the person's name and reason for the
50.12 exclusion to the commission within 72 hours.

50.13 Sec. 52. Minnesota Statutes 2018, section 240.30, subdivision 9, is amended to read:

50.14 Subd. 9. **Reimbursement to commission.** The commission shall require that the licensee
50.15 reimburse it for the commission's actual costs, including personnel costs, of regulating the
50.16 card club. Amounts received under this subdivision must be deposited as provided in section
50.17 240.155, subdivision 1, and are appropriated to the commission.

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

50.19 Sec. 53. Minnesota Statutes 2018, section 240A.09, is amended to read:

50.20 **240A.09 PLAN DEVELOPMENT; CRITERIA.**

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

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

50.27 (b) The commission must give priority to grant applications for indoor air quality
50.28 improvements and projects that eliminate R-22. For purposes of this section:

50.29 (1) "indoor air quality improvements" means: (i) renovation or replacement of heating,
50.30 ventilating, and air conditioning systems in existing indoor ice arenas whose ice resurfacing
50.31 and ice edging equipment are not powered by electricity in order to reduce concentrations
50.32 of carbon monoxide and nitrogen dioxide; and (ii) acquisition of zero-emission ice resurfacing

51.1 and ice edging equipment. The new or renovated systems may include continuous electronic
51.2 air monitoring devices to automatically activate the ventilation systems when the
51.3 concentration of carbon monoxide or nitrogen dioxide reaches a predetermined level; and

51.4 (2) "projects that eliminate R-22," means replacement of ice-making systems in existing
51.5 public facilities that use R-22 as a refrigerant, with systems that use alternative
51.6 non-ozone-depleting refrigerants.

51.7 (c) In the metropolitan area as defined in section 473.121, subdivision 2, the commission
51.8 is encouraged to give priority to the following proposals:

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

51.10 (2) proposals for construction of an additional sheet of ice at an existing ice center;

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

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

51.15 (d) The commission shall administer a site selection process for the ice centers. The
51.16 commission shall invite proposals from cities or counties or consortia of cities. A proposal
51.17 for an ice center must include matching contributions including in-kind contributions of
51.18 land, access roadways and access roadway improvements, and necessary utility services,
51.19 landscaping, and parking.

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

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

51.26 (g) To the extent possible, all proposed facilities must be dispersed equitably, must be
51.27 located to maximize potential for full utilization and profitable operation, and must
51.28 accommodate noncompetitive family and community skating for all ages.

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

51.31 (i) To the extent possible, 50 percent of all grants must be awarded to communities in
51.32 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~~ cemetery 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

55.1 with provisions established by the state archaeologist and other appropriate authority, as
55.2 specified in subdivision 3a, paragraph (e).

55.3 (d) If ~~such the~~ burials ~~are~~ include American Indian remains, as determined by the state
55.4 archaeologist, ~~efforts shall be made by~~ they must be dealt with as provided by the provisions
55.5 of subdivision 3a, paragraph (d). The state archaeologist and the Indian Affairs Council ~~to~~
55.6 shall ascertain ~~their~~ tribal identity. ~~If their probable tribal identity can be determined and~~
55.7 ~~the remains have been removed from their original context, such remains shall be turned~~
55.8 ~~over to contemporary tribal leaders for disposition.~~ of the remains in consultation with
55.9 appropriate experts designated by the Indian Affairs Council.

55.10 (e) If tribal identity of the remains cannot be determined, the American Indian remains
55.11 must be dealt with in accordance with provisions established by ~~the state archaeologist and~~
55.12 the Indian Affairs Council ~~if they are from public land.~~ If removed Indian remains are from
55.13 private land they shall be dealt with in accordance with provisions established by the Indian
55.14 Affairs Council.

55.15 ~~If it is deemed desirable by the state archaeologist or the Indian Affairs Council, removed~~
55.16 ~~remains shall be studied in a timely and respectful manner by a qualified professional~~
55.17 ~~archaeologist or a qualified physical anthropologist before being delivered to tribal leaders~~
55.18 ~~or before being reburied.~~

55.19 Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission
55.20 to develop or disturb nonburial areas within ~~authenticated~~ an assessed or recorded ~~burial~~
55.21 ~~grounds cemetery~~ shall be made to the:

55.22 (1) ~~to the~~ state archaeologist and other appropriate authority in the case of ~~non-Indian~~
55.23 ~~non-American Indian~~ burials; and

55.24 (2) ~~to the~~ Indian Affairs Council and other appropriate authority in the case of American
55.25 Indian burials.

55.26 (b) Landowners with ~~authenticated~~ known or suspected human ~~burial grounds~~ cemeteries
55.27 on their property are obligated to inform prospective buyers of the ~~burial ground~~ cemetery.

55.28 Subd. 8. **Burial-ground Cemetery relocation.** No ~~non-Indian burial-ground~~
55.29 ~~non-American Indian cemetery~~ may be relocated without the consent of the appropriate
55.30 authority. No American Indian burial-ground cemetery may be relocated unless the request
55.31 to relocate is approved by the Indian Affairs Council. When a ~~burial-ground~~ cemetery is
55.32 located on public lands or waters, any burial relocations must be duly licensed under section
55.33 138.36 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

57.1 collaboration with the state archaeologist, for the purpose of identifying or assessing
57.2 American Indian cemeteries. Only after obtaining permission from the property owner or
57.3 lessee, descendants of persons buried in ~~burial grounds~~ cemeteries covered by this section
57.4 may enter the ~~burial grounds~~ cemetery for the purpose of conducting religious or
57.5 commemorative ceremonies. This right of entry must not unreasonably burden property
57.6 owners or unnecessarily restrict their use of the property. The right of entry cannot be denied
57.7 unless an unreasonable burden can be shown by the property owners.

57.8 Subd. 13. **Definitions.** As used in this section, the following terms have the meanings
57.9 given.

57.10 (a) "Abandoned cemetery" means a cemetery where the cemetery association has
57.11 disbanded or the cemetery is neglected and contains marked graves older than 50 years.

57.12 (b) "Appropriate authority" means:

57.13 (1) the trustees when the trustees have been legally defined to administer ~~burial grounds~~
57.14 cemetery sites;

57.15 (2) the Indian Affairs Council in the case of American Indian ~~burial grounds~~ cemetery
57.16 sites lacking trustees;

57.17 (3) the county board in the case of abandoned cemeteries under section 306.243; and

57.18 (4) the state archaeologist in the case of ~~non-Indian burial grounds~~ non-American Indian
57.19 cemetery sites lacking trustees or not officially defined as abandoned.

57.20 (c) "Artifacts" means natural or artificial articles, objects, implements, or other items of
57.21 archaeological interest.

57.22 (d) ~~"Authenticate"~~ "Assess" means to establish the presence of or high potential of ~~human~~
57.23 ~~burials~~ for a cemetery or human ~~skeletal~~ remains ~~being~~ located in a discrete area, delimit
57.24 the boundaries of ~~human burial grounds~~ the cemetery or graves, and attempt to determine
57.25 the ethnic, cultural, or religious affiliation of individuals interred.

57.26 (e) "Burial" means the organic remnants of the human body that were intentionally
57.27 interred as part of a mortuary process.

57.28 ~~(f) "Burial ground" means a discrete location that is known to contain or has high potential~~
57.29 ~~to contain human remains based on physical evidence, historical records, or reliable informant~~
57.30 ~~accounts.~~

58.1 ~~(g)~~ (f) "Cemetery" means a discrete location that is known to contain or intended to be
58.2 used for the interment of human remains, or has high potential to contain human remains
58.3 based on physical evidence, historical records, or reliable informant accounts.

58.4 ~~(h)~~ (g) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or
58.5 setting of a ~~human burial or human burial ground~~ cemetery.

58.6 ~~(i)~~ (h) "Grave goods" means objects or artifacts directly associated with human burials
58.7 or ~~human burial grounds~~ cemeteries that were placed as part of a mortuary ritual at the time
58.8 of interment.

58.9 ~~(j)~~ (i) "Human remains" means ~~the calcified portion of the human body~~ the body of a
58.10 deceased person in whole or in parts, regardless of the state of decomposition, not including
58.11 isolated teeth, ~~or cremated remains deposited in a container or discrete feature.~~

58.12 ~~(k)~~ (j) "Identification" means to analyze organic materials to attempt to determine if they
58.13 represent human remains and to attempt to establish the ethnic, cultural, or religious
58.14 affiliations of such remains.

58.15 (k) "American Indian cemetery" means a discrete location that is known to contain or
58.16 has a high potential to contain American Indian human remains based on physical evidence,
58.17 historical records, or reliable informant accounts.

58.18 (l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker
58.19 in place or a legible sign identifying an area as a ~~burial ground or~~ cemetery.

58.20 (m) "Qualified ~~physical~~ forensic anthropologist" means a specialist in identifying human
58.21 remains who holds an advanced degree in forensic anthropology or a closely related field.

58.22 (n) "Qualified professional archaeologist" means an archaeologist who meets the United
58.23 States Secretary of the Interior's professional qualification standards in Code of Federal
58.24 Regulations, title 36, part 61, appendix A, or subsequent revisions.

58.25 (o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county
58.26 recorder's office.

58.27 (p) "State" or "the state" means the state of Minnesota or an agency or official of the
58.28 state acting in an official capacity.

58.29 (q) "Trustees" means the recognized representatives of the original incorporators, board
58.30 of directors, or cemetery association.

59.1 Sec. 55. Minnesota Statutes 2018, section 326A.01, subdivision 2, is amended to read:

59.2 Subd. 2. **Attest.** "Attest" means providing any of the following services:

59.3 (1) an audit or other engagement performed in accordance with the Statements on
59.4 Auditing Standards (SAS);

59.5 (2) an audit or other engagement performed in accordance with the Generally Accepted
59.6 Government Auditing Standards (GAGAS);

59.7 (3) a review of a financial statement performed in accordance with the Statements on
59.8 Standards for Accounting and Review Services (SSARS);

59.9 ~~(3)~~ (4) an examination of prospective financial information performed in accordance
59.10 with the Statements on Standards for Attestation Engagements (SSAE);

59.11 ~~(4)~~ (5) an engagement performed in accordance with the standards of the Public Company
59.12 Accounting Oversight Board (PCAOB); and

59.13 ~~(5)~~ (6) an examination, review, or agreed-upon procedures engagement performed in
59.14 accordance with SSAE, other than an examination described in clause (3).

59.15 Sec. 56. Minnesota Statutes 2018, section 326A.04, subdivision 4, is amended to read:

59.16 Subd. 4. **Program of learning.** Each licensee shall participate in a program of learning
59.17 designed to maintain professional competency. The program of learning must comply with
59.18 rules adopted by the board. The board may by rule create an exception to this requirement
59.19 for licensees who do not perform or offer to perform for the public one or more kinds of
59.20 services involving the use of ~~accounting or~~ auditing skills, including issuance of reports on
59.21 ~~financial statements or of one or more kinds of:~~ attest or compilation engagements,
59.22 management advisory services, financial advisory services, or consulting services; ~~or the~~
59.23 ~~preparation of tax returns or the furnishing of advice on tax matters.~~ A licensee granted such
59.24 an exception by the board must place the word "inactive" or "retired," if applicable, adjacent
59.25 to the CPA title on any business card, letterhead, or any other document or device, with the
59.26 exception of the licensee's certificate on which the CPA title appears.

59.27 Sec. 57. Minnesota Statutes 2018, section 326A.04, subdivision 5, is amended to read:

59.28 Subd. 5. **Fee.** (a) The board shall charge a fee for each application for initial issuance
59.29 or renewal of a certificate or temporary military certificate under this section as provided
59.30 in paragraph (b). ~~The fee for the temporary military certificate is \$100.~~

59.31 (b) The board shall charge the following fees:

- 60.1 (1) initial issuance of certificate, \$150;
- 60.2 (2) renewal of certificate with an active status, \$100 per year;
- 60.3 (3) initial CPA firm permits, except for sole practitioners, \$100;
- 60.4 (4) renewal of CPA firm permits, except for sole practitioners and those firms specified
- 60.5 in clause ~~(17)~~ (16), \$35 per year;
- 60.6 (5) initial issuance and renewal of CPA firm permits for sole practitioners, except for
- 60.7 those firms specified in clause ~~(17)~~ (16), \$35 per year;
- 60.8 (6) annual late processing delinquency fee for permit, certificate, or registration renewal
- 60.9 applications not received prior to expiration date, \$50;
- 60.10 (7) copies of records, per page, 25 cents;
- 60.11 (8) registration of noncertificate holders, nonlicensees, and nonregistrants in connection
- 60.12 with renewal of firm permits, \$45 per year;
- 60.13 (9) applications for reinstatement, \$20;
- 60.14 (10) initial registration of a registered accounting practitioner, \$50;
- 60.15 (11) initial registered accounting practitioner firm permits, \$100;
- 60.16 (12) renewal of registered accounting practitioner firm permits, except for sole
- 60.17 practitioners, \$100 per year;
- 60.18 (13) renewal of registered accounting practitioner firm permits for sole practitioners,
- 60.19 \$35 per year;
- 60.20 ~~(14) CPA examination application, \$40;~~
- 60.21 ~~(15)~~ (14) CPA examination, fee determined by third-party examination administrator;
- 60.22 ~~(16)~~ (15) renewal of certificates with an inactive status, \$25 per year; ~~and~~
- 60.23 ~~(17)~~ (16) renewal of CPA firm permits for firms that have one or more offices located
- 60.24 in another state, \$68 per year; and
- 60.25 (17) temporary military certificate, \$100.

60.26 Sec. 58. **[326A.045] RETIRED STATUS.**

60.27 Subdivision 1. Retired status requirements. The board shall grant retired status to a

60.28 person who meets the following criteria:

- 60.29 (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

62.1 and must state the reasons for the entry of the order. No order may be issued until an
62.2 investigation of the facts has been conducted pursuant to section 214.10.

62.3 (b) Service of the order is ~~effective when the order is served on the person, firm, or~~
62.4 ~~counsel of record personally, or by certified mail to the most recent address provided to the~~
62.5 ~~board for the person, firm, or counsel of record.~~ may be by first class United States mail,
62.6 including certified United States mail, or overnight express mail service, postage prepaid
62.7 and addressed to the party at the party's last known address. Service by United States mail,
62.8 including certified mail, is complete upon placing the order in the mail or otherwise delivering
62.9 the order to the United States mail service. Service by overnight express mail service is
62.10 complete upon delivering the order to an authorized agent of the express mail service.

62.11 (c) Unless otherwise agreed by the board, or the complaint committee if authorized by
62.12 the board, and the person or firm requesting the hearing, the hearing must be held no later
62.13 than 30 days after the request for the hearing is received by the board.

62.14 (d) The administrative law judge shall issue a report within 30 days of the close of the
62.15 contested case hearing record, notwithstanding Minnesota Rules, part 1400.8100, subpart
62.16 3. Within 30 days after receiving the report and any exceptions to it, the board shall issue
62.17 a further order vacating, modifying, or making permanent the cease and desist orders as the
62.18 facts require.

62.19 (e) If no hearing is requested within 30 days of service of the order, the order becomes
62.20 final and remains in effect until it is modified or vacated by the board.

62.21 (f) If the person or firm to whom a cease and desist order is issued fails to appear at the
62.22 hearing after being duly notified, the person or firm is in default and the proceeding may
62.23 be determined against that person or firm upon consideration of the cease and desist order,
62.24 the allegations of which may be considered to be true.

62.25 (g) In lieu of or in addition to the order provided in paragraph (a), the board may require
62.26 the person or firm to provide to the board a true and complete list of the person's or firm's
62.27 clientele so that they can, if deemed necessary, be notified of the board's action. Failure to
62.28 do so, or to provide an incomplete or inaccurate list, is an act discreditable.

62.29 Sec. 60. Minnesota Statutes 2018, section 326A.08, subdivision 5, is amended to read:

62.30 Subd. 5. **Actions against persons or firms.** (a) The board may, by order, deny, refuse
62.31 to renew, suspend, temporarily suspend, or revoke the application, or practice privileges,
62.32 registration or certificate of a person or firm; censure or reprimand the person or firm;
62.33 prohibit the person or firm from preparing tax returns or reporting on financial statements;

63.1 limit the scope of practice of any licensee; limit privileges under section 326A.14; refuse
63.2 to permit a person to sit for examination; or refuse to release the person's examination grades
63.3 if the board finds that the order is in the public interest and that, based on a preponderance
63.4 of the evidence presented, the person or firm:

63.5 (1) has violated a statute, rule, or order that the board has issued or is empowered to
63.6 enforce;

63.7 (2) has engaged in conduct or acts that are fraudulent, deceptive, or dishonest whether
63.8 or not the conduct or acts relate to performing or offering to perform professional services,
63.9 providing that the fraudulent, deceptive, or dishonest conduct or acts reflect adversely on
63.10 the person's or firm's ability or fitness to provide professional services;

63.11 (3) has engaged in conduct or acts that are negligent or otherwise in violation of the
63.12 standards established by board rule, where the conduct or acts relate to providing professional
63.13 services, including in the filing or failure to file the licensee's income tax returns;

63.14 (4) has been convicted of, has pled guilty or nolo contendere to, or has been sentenced
63.15 as a result of the commission of a felony or crime, an element of which is dishonesty or
63.16 fraud; has been shown to have or admitted to having engaged in acts or practices tending
63.17 to show that the person or firm is incompetent; or has engaged in conduct reflecting adversely
63.18 on the person's or firm's ability or fitness to provide professional services, whether or not
63.19 a conviction was obtained or a plea was entered or withheld and whether or not dishonesty
63.20 or fraud was an element of the conduct;

63.21 (5) employed fraud or deception in obtaining a certificate, permit, registration, practice
63.22 privileges, renewal, or reinstatement or in passing all or a portion of the examination;

63.23 (6) has had the person's or firm's permit, registration, practice privileges, certificate,
63.24 right to examine, or other similar authority revoked, suspended, canceled, limited, or not
63.25 renewed for cause, or has committed unprofessional acts for which the person or firm was
63.26 otherwise disciplined or sanctioned, including, but not limited to, being ordered to or agreeing
63.27 to cease and desist from prescribed conduct, in any state or any foreign country;

63.28 (7) has had the person's or firm's right to practice before any federal, state, other
63.29 government agency, or Public Company Accounting Oversight Board revoked, suspended,
63.30 canceled, limited, or not renewed for cause, or has committed unprofessional acts for which
63.31 the person or firm was otherwise disciplined or sanctioned, including, but not limited to,
63.32 being ordered to or agreeing to cease and desist from prescribed conduct;

64.1 (8) failed to meet any requirement for the issuance or renewal of the person's or firm's
64.2 certificate, registration or permit, or for practice privileges;

64.3 (9) with respect to temporary suspension orders, has committed an act, engaged in
64.4 conduct, or committed practices that may result or may have resulted, in the opinion of the
64.5 board or the complaint committee if authorized by the board, in an immediate threat to the
64.6 public;

64.7 (10) has engaged in any conduct reflecting adversely upon the person's or firm's fitness
64.8 to perform services while a licensee, individual granted privileges under section 326A.14,
64.9 or a person registered under section 326A.06, paragraph (b); or

64.10 (11) has, prior to a voluntary surrender of a certificate or permit to the board, engaged
64.11 in conduct which at any time resulted in the discipline or sanction described in clause (6)
64.12 or (7).

64.13 (b) In lieu of or in addition to any remedy provided in paragraph (a), the board, or the
64.14 complaint committee if authorized by the board, may require, as a condition of continued
64.15 possession of a certificate, a registration, or practice privileges, termination of suspension,
64.16 reinstatement of permit, registration of a person or firm or of practice privileges under
64.17 section 326A.14, a certificate, an examination, or release of examination grades, that the
64.18 person or firm:

64.19 (1) submit to a peer review of the person's or firm's ability, skills, or quality of work,
64.20 conducted in a fashion and by persons, entity, or entities as required by the board; and

64.21 (2) complete to the satisfaction of the board continuing professional education courses
64.22 specified by the board.

64.23 (c) ~~Service of the order is effective if the order is served on the person, firm, or counsel~~
64.24 ~~of record personally or by certified mail to the most recent address provided to the board~~
64.25 ~~for the person, firm, or counsel of record.~~ may be by first class United States mail, including
64.26 certified United States mail, or overnight express mail service, postage prepaid and addressed
64.27 to the party at the party's last known address. Service by United States mail, including
64.28 certified mail, is complete upon placing the order in the mail or otherwise delivering the
64.29 order to the United States mail service. Service by overnight express mail service is complete
64.30 upon delivering the order to an authorized agent of the express mail service. The order shall
64.31 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

66.1 or suspension order as of the last date on which the license, certificate, or permit was in
66.2 effect, or impose a civil penalty as provided for in subdivision 7.

66.3 Sec. 62. Minnesota Statutes 2018, section 326A.10, is amended to read:

66.4 **326A.10 UNLAWFUL ACTS.**

66.5 (a) Only a licensee and individuals who have been granted practice privileges under
66.6 section 326A.14 may issue a report on financial statements of any person, firm, organization,
66.7 or governmental unit that results from providing attest services, or offer to render or render
66.8 any attest service. Only a certified public accountant, an individual who has been granted
66.9 practice privileges under section 326A.14, a CPA firm, or, to the extent permitted by board
66.10 rule, a person registered under section 326A.06, paragraph (b), may issue a report on financial
66.11 statements of any person, firm, organization, or governmental unit that results from providing
66.12 compilation services or offer to render or render any compilation service. These restrictions
66.13 do not prohibit any act of a public official or public employee in the performance of that
66.14 person's duties or prohibit the performance by any nonlicensee of other services involving
66.15 the use of accounting skills, including the preparation of tax returns, management advisory
66.16 services, and the preparation of financial statements without the issuance of reports on them.
66.17 Nonlicensees may prepare financial statements and issue nonattest transmittals or information
66.18 on them which do not purport to be in compliance with the Statements on Standards for
66.19 Accounting and Review Services (SSARS). Nonlicensees registered under section 326A.06,
66.20 paragraph (b), may, to the extent permitted by board rule, prepare financial statements and
66.21 issue nonattest transmittals or information on them.

66.22 (b) Licensees and individuals who have been granted practice privileges under section
66.23 326A.14 performing attest or compilation services must provide those services in accordance
66.24 with professional standards. To the extent permitted by board rule, registered accounting
66.25 practitioners performing compilation services must provide those services in accordance
66.26 with standards specified in board rule.

66.27 (c) A person who does not hold a valid certificate issued under section 326A.04 or a
66.28 practice privilege granted under section 326A.14 shall not use or assume the title "certified
66.29 public accountant," the abbreviation "CPA," or any other title, designation, words, letters,
66.30 abbreviation, sign, card, or device tending to indicate that the person is a certified public
66.31 accountant.

66.32 (d) A firm shall not provide attest services or assume or use the title "certified public
66.33 accountants," the abbreviation "CPA's," or any other title, designation, words, letters,
66.34 abbreviation, sign, card, or device tending to indicate that the firm is a CPA firm unless (1)

67.1 the firm has complied with section 326A.05, and (2) ownership of the firm is in accordance
67.2 with this chapter and rules adopted by the board.

67.3 (e) A person or firm that does not hold a valid certificate or permit issued under section
67.4 326A.04 or 326A.05 or has not otherwise complied with section 326A.04 or 326A.05 as
67.5 required in this chapter shall not assume or use the title "certified accountant," "chartered
67.6 accountant," "enrolled accountant," "licensed accountant," "registered accountant,"
67.7 "accredited accountant," "accounting practitioner," "public accountant," "licensed public
67.8 accountant," or any other title or designation likely to be confused with the title "certified
67.9 public accountant," or use any of the abbreviations "CA," "LA," "RA," "AA," "PA," "AP,"
67.10 "LPA," or similar abbreviation likely to be confused with the abbreviation "CPA." The title
67.11 "enrolled agent" or "EA" may only be used by individuals so designated by the Internal
67.12 Revenue Service.

67.13 (f) Persons registered under section 326A.06, paragraph (b), may use the title "registered
67.14 accounting practitioner" or the abbreviation "RAP." A person who does not hold a valid
67.15 registration under section 326A.06, paragraph (b), shall not assume or use such title or
67.16 abbreviation.

67.17 (g) Except to the extent permitted in paragraph (a), nonlicensees may not use language
67.18 in any statement relating to the financial affairs of a person or entity that is conventionally
67.19 used by licensees in reports on financial statements or on an attest service. In this regard,
67.20 the board shall issue by rule safe harbor language that nonlicensees may use in connection
67.21 with such financial information. A person or firm that does not hold a valid certificate or
67.22 permit, or a registration issued under section 326A.04, 326A.05, or 326A.06, paragraph (b),
67.23 or has not otherwise complied with section 326A.04 or 326A.05 as required in this chapter
67.24 shall not assume or use any title or designation that includes the word "accountant" or
67.25 "accounting" in connection with any other language, including the language of a report, that
67.26 implies that the person or firm holds such a certificate, permit, or registration or has special
67.27 competence as an accountant. A person or firm that does not hold a valid certificate or
67.28 permit issued under section 326A.04 or 326A.05 or has not otherwise complied with section
67.29 326A.04 or 326A.05 as required in this chapter shall not assume or use any title or designation
67.30 that includes the word "auditor" in connection with any other language, including the
67.31 language of a report, that implies that the person or firm holds such a certificate or permit
67.32 or has special competence as an auditor. However, this paragraph does not prohibit any
67.33 officer, partner, member, manager, or employee of any firm or organization from affixing
67.34 that person's own signature to any statement in reference to the financial affairs of such firm
67.35 or organization with any wording designating the position, title, or office that the person

68.1 holds, nor prohibit any act of a public official or employee in the performance of the person's
68.2 duties as such.

68.3 (h)(1) No person holding a certificate or registration or firm holding a permit under this
68.4 chapter shall use a professional or firm name or designation that is misleading about the
68.5 legal form of the firm, or about the persons who are partners, officers, members, managers,
68.6 or shareholders of the firm, or about any other matter. However, names of one or more
68.7 former partners, members, managers, or shareholders may be included in the name of a firm
68.8 or its successor.

68.9 (2) A common brand name or network name part, including common initials, used by
68.10 a CPA firm in its name, is not misleading if the firm is a network firm as defined in the
68.11 American Institute of Certified Public Accountants (AICPA) Code of Professional Conduct
68.12 ~~in effect July 1, 2011~~ incorporated by reference in Minnesota Rules, part 1105.0250, and
68.13 when offering or rendering services that require independence under AICPA standards, the
68.14 firm must comply with the AICPA code's applicable standards on independence.

68.15 (i) Paragraphs (a) to (h) do not apply to a person or firm holding a certification,
68.16 designation, degree, or license granted in a foreign country entitling the holder to engage
68.17 in the practice of public accountancy or its equivalent in that country, if:

68.18 (1) the activities of the person or firm in this state are limited to the provision of
68.19 professional services to persons or firms who are residents of, governments of, or business
68.20 entities of the country in which the person holds the entitlement;

68.21 (2) the person or firm performs no attest or compilation services and issues no reports
68.22 with respect to the information of any other persons, firms, or governmental units in this
68.23 state; and

68.24 (3) the person or firm does not use in this state any title or designation other than the
68.25 one under which the person practices in the foreign country, followed by a translation of
68.26 the title or designation into English, if it is in a different language, and by the name of the
68.27 country.

68.28 (j) No holder of a certificate issued under section 326A.04 may perform attest services
68.29 through any business form that does not hold a valid permit issued under section 326A.05.

68.30 (k) No individual licensee may issue a report ~~in standard form~~ upon a compilation of
68.31 financial information through any form of business that does not hold a valid permit issued
68.32 under section 326A.05, unless the report discloses the name of the business through which
68.33 the individual is issuing the report, and the individual:

69.1 (1) signs the compilation report identifying the individual as a certified public accountant;
69.2 (2) meets the competency requirement provided in applicable standards; and
69.3 (3) undergoes no less frequently than once every three years, a peer review conducted
69.4 in a manner specified by the board in rule, and the review includes verification that the
69.5 individual has met the competency requirements set out in professional standards for such
69.6 services.

69.7 (l) No person registered under section 326A.06, paragraph (b), may issue a report ~~in~~
69.8 ~~standard form~~ upon a compilation of financial information unless the board by rule permits
69.9 the report and the person:

69.10 (1) signs the compilation report identifying the individual as a registered accounting
69.11 practitioner;

69.12 (2) meets the competency requirements in board rule; and

69.13 (3) undergoes no less frequently than once every three years a peer review conducted
69.14 in a manner specified by the board in rule, and the review includes verification that the
69.15 individual has met the competency requirements in board rule.

69.16 (m) Nothing in this section prohibits a practicing attorney or firm of attorneys from
69.17 preparing or presenting records or documents customarily prepared by an attorney or firm
69.18 of attorneys in connection with the attorney's professional work in the practice of law.

69.19 (n) The board shall adopt rules that place limitations on receipt by a licensee or a person
69.20 who holds a registration under section 326A.06, paragraph (b), of:

69.21 (1) contingent fees for professional services performed; and

69.22 (2) commissions or referral fees for recommending or referring to a client any product
69.23 or service.

69.24 (o) Anything in this section to the contrary notwithstanding, it shall not be a violation
69.25 of this section for a firm not holding a valid permit under section 326A.05 and not having
69.26 an office in this state to provide its professional services in this state so long as it complies
69.27 with the applicable requirements of section 326A.05, subdivision 1.

69.28 Sec. 63. Minnesota Statutes 2018, section 353.27, subdivision 3c, is amended to read:

69.29 Subd. 3c. **Former MERF members; member and employer contributions.** (a) For
69.30 the period July 1, ~~2015~~ 2019, through December 31, 2031, the member contributions for
69.31 former members of the Minneapolis Employees Retirement Fund and by the former

70.1 Minneapolis Employees Retirement Fund-covered employing units are governed by this
70.2 subdivision.

70.3 (b) The member contribution for a public employee who was a member of the former
70.4 Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of
70.5 the employee.

70.6 (c) The employer regular contribution with respect to a public employee who was a
70.7 member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75
70.8 percent of the salary of the employee.

70.9 (d) The annual employer supplemental contribution is the employing unit's share of
70.10 ~~\$31,000,000. For calendar years 2017 and 2018, the employer supplemental contribution~~
70.11 ~~is the employing unit's share of \$21,000,000.~~

70.12 (e) Each employing unit's share under paragraph (d) is the amount determined from an
70.13 allocation between each employing unit in the portion equal to the unit's employer
70.14 supplemental contribution paid or payable under Minnesota Statutes 2012, section 353.50,
70.15 during calendar year 2014.

70.16 (f) The employer supplemental contribution amount under paragraph (d) for calendar
70.17 year ~~2015~~ 2019 must be invoiced by the executive director of the Public Employees
70.18 Retirement Association by July 1, ~~2015~~. ~~The calendar year 2015 payment is payable in a~~
70.19 ~~single amount on or before September 30, 2015~~ 2019. For subsequent calendar years, the
70.20 employer supplemental contribution under paragraph (d) must be invoiced on January 31
70.21 of each year ~~and~~. The employer supplemental contribution is payable in two parts, with the
70.22 first half payable on or before July 31 and with the second half payable on or before
70.23 December 15. Late payments are payable with interest, compounded annually, at the
70.24 applicable rate or rates specified in section 356.59, subdivision 3, per month for each month
70.25 or portion of a month that has elapsed after the due date.

70.26 (g) The employer supplemental contribution under paragraph (d) terminates on December
70.27 31, 2031.

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

71.1 Sec. 64. Minnesota Statutes 2018, section 353.505, is amended to read:

71.2 **353.505 STATE CONTRIBUTIONS; FORMER MERF DIVISION.**

71.3 (a) On September 15, 2019, and annually thereafter, the state shall pay to the general
71.4 employees retirement plan of the Public Employees Retirement Association, with respect
71.5 to the former MERF division, ~~\$6,000,000~~ \$16,000,000.

71.6 ~~(b) On September 15, 2017, and September 15, 2018, the state shall pay to the general~~
71.7 ~~employees retirement plan of the Public Employees Retirement Association, with respect~~
71.8 ~~to the former MERF division, \$16,000,000.~~

71.9 ~~(e)~~ (b) State contributions under this section end on September 15, 2031.

71.10 (c) The commissioner of management and budget shall pay the contribution specified
71.11 in this section. The amount required is appropriated annually from the general fund to the
71.12 commissioner of management and budget.

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

71.14 Sec. 65. Minnesota Statutes 2018, section 375.08, is amended to read:

71.15 **375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

71.16 When a vacancy occurs in the office of an elected county auditor, county treasurer,
71.17 county recorder, sheriff, county attorney, county surveyor, or coroner, the county board
71.18 shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon
71.19 one day's notice from the chair or clerk, which shall be served personally upon each member
71.20 in the same manner as a district court summons. The person appointed shall give the bond
71.21 and take the oath required by law, and serve the remainder of the term, and until a successor
71.22 qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the
71.23 chief deputy or first assistant may perform all the duties and functions of the office until it
71.24 is filled by appointment by the county board.

71.25 Sec. 66. Minnesota Statutes 2018, section 375A.10, subdivision 5, is amended to read:

71.26 Subd. 5. **Auditor-treasurer.** In any county exercising the option provided in subdivision
71.27 2, clause (c), the office shall be known thereafter as the office of auditor-treasurer, if the
71.28 office is to remain elective. If the board chooses to make the office of auditor-treasurer
71.29 elective, and not require a referendum, it must act with the concurrence of at least 80 percent
71.30 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

73.1 the appointment is made pursuant to this section. A county board shall only use the authority
73.2 to appoint under the following circumstances:

73.3 (1) there is a vacancy in the office as provided in section 351.02;

73.4 (2) the current office holder has notified the county board that the officer will not file
73.5 for the office, as provided in subdivision 2; or

73.6 (3) there is a signed contract with the county board and the incumbent auditor, treasurer,
73.7 auditor-treasurer, or recorder that provides that the incumbent officer will be appointed to
73.8 the position and retain tenure, pay, and benefits equal to or greater than length of service.

73.9 Subd. 2. **Responsibility of county officer.** At least 104 days before the filing date for
73.10 office under section 204B.09, an elected county officer must notify the county board in
73.11 writing whether the officer will be filing for another term. If the officer indicates in writing
73.12 that the officer will not file for the office and the county board has passed a resolution under
73.13 subdivision 6, affidavits of candidacy will not be accepted for that office, and the office
73.14 will not be placed on the ballot.

73.15 Subd. 3. **Board controls; may change as long as duties done.** Upon adoption of a
73.16 resolution by the county board of commissioners and subject to subdivisions 5 and 6, the
73.17 duties of an elected official required by statute whose office is made appointive as authorized
73.18 by this section must be discharged by the county board of commissioners acting through a
73.19 department head appointed by the board for that purpose. Reorganization, reallocation,
73.20 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
73.21 the discharge of duties required by statute.

73.22 Subd. 4. **Discharge or demotion.** (a) A county auditor, county treasurer, county
73.23 auditor-treasurer, or county recorder who was elected at the most recent election for that
73.24 office prior to a county board resolution to make the office an appointed position, and the
73.25 elected official is subsequently appointed by the county board to the office, may not be
73.26 involuntarily demoted or discharged except for incompetency or misconduct.

73.27 (b) Prior to demoting or discharging an office holder under this subdivision, the board
73.28 must notify the office holder in writing and state its grounds for the proposed demotion or
73.29 discharge in reasonable detail. Within ten days after receipt of this notification, the office
73.30 holder may make a written request for a hearing before an arbitrator and the request must
73.31 be granted before final action is taken. Failure to request a hearing before an arbitrator
73.32 during this period is considered acquiescence to the board's action. The board may suspend
73.33 an office holder with pay pending the conclusion of the hearing and determination of the
73.34 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

76.1 the county voting on the question vote in favor of making the office an elected position, the
76.2 election for that office must be held at the next regular or special election.

76.3 Sec. 69. Minnesota Statutes 2018, section 382.01, is amended to read:

76.4 **382.01 OFFICERS ELECTED; TERMS.**

76.5 In every county in this state there shall be elected at the general election in 1918 a county
76.6 auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

76.7 The terms of office of these officers shall be four years and shall begin on the first
76.8 Monday in January next succeeding their election. They shall hold office until their successors
76.9 are elected and qualified. Each of these offices shall must be filled by election every four
76.10 years thereafter, unless an office is consolidated with another county office or made
76.11 appointive under chapter 375A or other general or special law.

76.12 Sec. 70. Minnesota Statutes 2018, section 382.02, is amended to read:

76.13 **382.02 VACANCIES, HOW FILLED.**

76.14 Any appointment made to fill a vacancy in any of the offices named in section 382.01
76.15 that has not been made appointive under chapter 375A or other general or special law shall
76.16 be for the balance of such entire term, and be made by the county board.

76.17 Sec. 71. Minnesota Statutes 2018, section 469.074, is amended by adding a subdivision
76.18 to read:

76.19 Subd. 3. **Meetings by telephone or other electronic means.** The port authority may
76.20 conduct meetings as provided by section 13D.015.

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

76.22 Sec. 72. Minnesota Statutes 2018, section 473.606, subdivision 5, is amended to read:

76.23 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation
76.24 shall have the power to appoint engineers and other consultants, attorneys, and such other
76.25 officers, agents, and employees as it may see fit, who shall perform such duties and receive
76.26 such compensation as the corporation may determine ~~notwithstanding the provisions of~~
76.27 ~~section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The
76.28 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
76.29 agency or office of the state for review and approval. The plan must include a yearly progress
76.30 report to the agency or office. Whenever the corporation performs any work within the

77.1 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
77.2 labor in the specifications or any contract for work within one of the cities, the rate of pay
77.3 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
77.4 city.

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

77.6 Sec. 73. **[504B.279] ACCESS TO MULTIUNIT FACILITIES BY UNITED STATES**
77.7 **CENSUS EMPLOYEES.**

77.8 Subdivision 1. **Access required.** It is unlawful for a person, either directly or indirectly,
77.9 to deny access to an apartment house, dormitory, nursing home, manufactured home park,
77.10 other multiple unit facility used as a residence, or an area in which two or more single-family
77.11 dwellings are located on private roadways, to an employee of the United States Census who
77.12 displays a current, valid census credential and who is engaged in official census business.
77.13 An employee granted access under this section must be permitted to leave census materials
77.14 for residents at their doors, except that the manager of a nursing home may direct that the
77.15 materials be left at a central location within the facility. The materials must be left in an
77.16 orderly manner.

77.17 Subd. 2. **Limitations.** This section does not prohibit:

77.18 (1) denial of admittance into a particular apartment, room, manufactured home, or
77.19 personal residential unit;

77.20 (2) in the case of a nursing home or a registered housing with services establishment
77.21 providing assisted living services meeting the requirements of Minnesota Statutes, section
77.22 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

77.23 (3) limiting visits to a reasonable number of census employees or reasonable hours;

77.24 (4) requiring a prior appointment to gain access to the facility; or

77.25 (5) denial of admittance to or expulsion of an individual employee from a multiple unit
77.26 dwelling for good cause.

77.27 Subd. 3. **Compliance with federal law.** A person in compliance with United States
77.28 Code, title 13, section 223, and any guidance or rules adopted by the United States
77.29 Department of Commerce, Bureau of the Census, governing access to a facility described
77.30 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

79.1 vendor or vendors offering comparable products and tools, or may award grants to support
79.2 the purchase of comparable communication and technology tools.

79.3 Subd. 2. **Engaging hard to reach households.** The census mobilization partnership
79.4 program must support:

79.5 (1) initiatives to increase census response rates among households outside of the
79.6 11-county metropolitan area who receive mail through a post office box; and

79.7 (2) initiatives to increase awareness among census employees, multiunit apartment
79.8 managers and owners, and renters on the laws governing access to multiunit apartment
79.9 buildings by census employees.

79.10 Subd. 3. **Adapting to the electronic census.** The census mobilization partnership program
79.11 must support:

79.12 (1) opportunities for Minnesotans to submit their census response electronically through
79.13 online portals provided in common gathering spaces within a community; and

79.14 (2) commit-to-the-census initiatives that organize Minnesotans to commit to participate
79.15 in the census and include electronic reminders to facilitate their participation.

79.16 Subd. 4. **Reaching historically undercounted communities.** The census mobilization
79.17 partnership program must support:

79.18 (1) job sourcing initiatives that encourage a sufficient pool of qualified candidates to
79.19 apply for positions with the Census Bureau, and efforts to ensure that the pool of candidates
79.20 reflects the diversity of Minnesota's communities, including those communities historically
79.21 undercounted in census reports; and

79.22 (2) initiatives that engage historically undercounted communities and reduce census
79.23 participation gaps in these communities compared to Minnesota's historically high overall
79.24 census response rate.

79.25 Subd. 5. **Shared services.** The census mobilization partnership program must support
79.26 efficiency in census mobilization efforts by providing shared services to support local and
79.27 community census outreach, including development of multilingual educational and
79.28 promotional materials and tools to reach respondents through a variety of communication
79.29 platforms and services.

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

80.1 Sec. 75. **LEGISLATIVE EMPLOYEE WORKING GROUP ON THE**
80.2 **LEGISLATURE'S ACCESSIBILITY MEASURES.**

80.3 Subdivision 1. **Membership.** The legislative employee working group on the legislature's
80.4 accessibility measures consists of 12 members. The senate majority leader and the speaker
80.5 of the house must each appoint four employees from among the following offices that serve
80.6 the respective bodies: media offices, information technology offices, legal and fiscal analysis
80.7 offices, the secretary of the senate, the chief clerk of the house of representatives, and other
80.8 offices considered appropriate. The chair of the Legislative Coordinating Commission must
80.9 appoint four members from among the employees who serve in the Office of the Revisor
80.10 of Statutes, the Legislative Reference Library, the Legislative Coordinating Commission,
80.11 and the Office of the Legislative Auditor. In conducting its work, the working group may
80.12 consult with the MN.IT Office of Accessibility; the Commission of Deaf, Deafblind and
80.13 Hard of Hearing; the Minnesota Council on Disability; State Services for the Blind; and
80.14 other groups that may be of assistance. Appointments to the working group must be made
80.15 by June 1, 2019.

80.16 Subd. 2. **Duties; report.** (a) The employee working group must submit a report to the
80.17 chairs and ranking minority members of the legislative committees with jurisdiction over
80.18 rules and to the chair and vice-chair of the Legislative Coordinating Commission by January
80.19 15, 2020. The report must:

80.20 (1) identify ways the legislature's accessibility measures do not meet accessibility
80.21 standards applicable to state agencies under Minnesota Statutes, section 16E.03, subdivision
80.22 9;

80.23 (2) identify issues and technologies that may present barriers to compliance;

80.24 (3) suggest a compliance exception process;

80.25 (4) describe a plan to update the legislature's accessibility measures to be comparable
80.26 to those required of state agencies under Minnesota Statutes, section 16E.03, subdivision
80.27 9; and

80.28 (5) estimate the costs for updates to the legislature's accessibility measures.

80.29 (b) For purposes of this report, the employee working group does not need to consider
80.30 making archived documents, recordings, or publications accessible.

80.31 Subd. 3. **First meeting; chair.** The executive director of the Legislative Coordinating
80.32 Commission must convene the first meeting of the working group by July 15, 2019. At the
80.33 first meeting, the members must elect a chair.

81.1 Subd. 4. **Compensation; reimbursement.** Members serve without compensation but
81.2 may be reimbursed for expenses.

81.3 Subd. 5. **Administrative support.** The Legislative Coordinating Commission must
81.4 provide administrative support to the working group.

81.5 Subd. 6. **Expiration.** The working group expires January 15, 2020, or a later date selected
81.6 by agreement of the appointing authorities in subdivision 1, but not later than January 15,
81.7 2025.

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

81.9 Sec. 76. **LEGISLATIVE BUDGET OFFICE ELIMINATED.**

81.10 All operations of the Legislative Budget Office established in Minnesota Statutes, section
81.11 3.8853, and the Legislative Budget Office Oversight Commission established in Minnesota
81.12 Statutes, section 3.8854, must be ended no later than July 1, 2019. Notwithstanding any
81.13 laws in effect at the time of their appointment, the term of employment of all Legislative
81.14 Budget Office employees is terminated effective July 1, 2019. The house of representatives,
81.15 senate, and Legislative Coordinating Commission must offer reasonable opportunities for
81.16 comparable employment in other offices of the legislature to employees whose positions
81.17 are terminated by this section, to the extent that is practical.

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

81.19 Sec. 77. **WORLD WAR I PLAQUE.**

81.20 Subdivision 1. **Purpose.** The state wishes to honor all Minnesota veterans who have
81.21 honorably and bravely served in the United States armed forces, both at home and abroad,
81.22 during World War I.

81.23 Subd. 2. **Replacement plaque authorized.** The commissioner of administration shall
81.24 place a memorial plaque in the court of honor on the Capitol grounds to recognize the valiant
81.25 service of Minnesota veterans who have honorably and bravely served in the United States
81.26 armed forces, both at home and abroad, during World War I. This plaque will replace the
81.27 current plaque honoring veterans who served abroad during World War I. The Capitol Area
81.28 Architectural and Planning Board shall solicit design submissions from the public. Each
81.29 design submission must include a commitment to furnish the plaque at no cost to the state.
81.30 The Capitol Area Architectural and Planning Board shall select a design from those submitted
81.31 to use as a basis for final production. The selected design must be approved by the

82.1 commissioner of veterans affairs and must be furnished by the person or group who submitted
82.2 the design at no cost to the state.

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

82.4 Sec. 78. **CAPITOL FLAG PROGRAM STUDY.**

82.5 (a) The commissioner of administration, in consultation with the Legislative Coordinating
82.6 Commission and the commissioners of veterans affairs, military affairs, and public safety,
82.7 must study and develop recommendations to implement a Capitol flag program consistent
82.8 with the program enacted in Minnesota Statutes, section 16B.276. The study must include
82.9 recommendations to address any expected challenges in implementing the program, including
82.10 the uncertainty of sufficient funding to serve all families that may be eligible for a flag, and
82.11 challenges in verifying a family member's eligibility.

82.12 (b) The commissioner must report the results of the study, including any
82.13 recommendations, to the chairs and ranking minority members of the legislative committees
82.14 with jurisdiction over state government finance and veterans affairs no later than January
82.15 15, 2020.

82.16 Sec. 79. **MAINTENANCE AND UPKEEP OF STATE OFFICE BUILDING.**

82.17 No later than January 1, 2020, the commissioner of administration must enter a contract
82.18 with the house of representatives for the regular maintenance and upkeep of space occupied
82.19 by the house of representatives in the State Office Building.

82.20 Sec. 80. **MINNESOTA LAW ENFORCEMENT ASSOCIATION LABOR**
82.21 **AGREEMENT.**

82.22 The labor agreement between the state of Minnesota and the Minnesota Law Enforcement
82.23 Association, submitted to the Legislative Coordinating Commission Subcommittee on
82.24 Employee Relations on April 5, 2019, is ratified.

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

82.26 Sec. 81. **REPEALER.**

82.27 Subdivision 1. **Hair braiding.** Minnesota Statutes 2018, section 155A.28, subdivisions
82.28 1, 3, and 4, are repealed.

82.29 Subd. 2. **Legislative Budget Office.** Minnesota Statutes 2018, sections 3.8853; and
82.30 3.8854, and Laws 2017, First Special Session chapter 4, article 2, sections 1, as amended

83.1 by Laws 2018, chapter 214, article 5, section 10; 3, as amended by Laws 2018, chapter 214,
83.2 article 5, section 11; 7; 8; 9, as amended by Laws 2018, chapter 214, article 5, section 12;
83.3 and 58, as amended by Laws 2018, chapter 214, article 5, section 13; and Laws 2018, chapter
83.4 214, article 5, sections 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; and 15, are repealed.

83.5 Subd. 3. **Local government compensation limits.** Minnesota Statutes 2018, section
83.6 43A.17, subdivision 9, is repealed, effective the day following final enactment.

83.7 ARTICLE 3

83.8 STATE PAYMENTS TERMINOLOGY

83.9 Section 1. Minnesota Statutes 2018, section 15.191, subdivision 1, is amended to read:

83.10 Subdivision 1. **Emergency disbursements.** Imprest cash funds for the purpose of making
83.11 minor disbursements, providing for change, and providing employees with travel advances
83.12 or a portion or all of their payroll ~~warrant~~ where the ~~warrant~~ payment has not been received
83.13 through the payroll system, may be established by state departments or agencies from
83.14 existing appropriations in the manner prescribed by this section.

83.15 Sec. 2. Minnesota Statutes 2018, section 15.191, subdivision 3, is amended to read:

83.16 Subd. 3. ~~Warrant~~ Payment against designated appropriation. Imprest cash funds
83.17 established under this section shall be created by ~~warrant drawn~~ payment issued against the
83.18 appropriation designated by the commissioner of management and budget.

83.19 Sec. 3. Minnesota Statutes 2018, section 16A.065, is amended to read:

83.20 **16A.065 PREPAY SOFTWARE, SUBSCRIPTIONS, UNITED STATES**
83.21 **DOCUMENTS.**

83.22 Notwithstanding section 16A.41, subdivision 1, the commissioner may allow an agency
83.23 to make advance deposits or payments for software or software maintenance services for
83.24 state-owned or leased electronic data processing equipment, for information technology
83.25 hosting services, for sole source maintenance agreements where it is not cost-effective to
83.26 pay in arrears, for exhibit booth space or boat slip rental when required by the renter to
83.27 guarantee the availability of space, for registration fees where advance payment is required
83.28 or advance payment discount is provided, ~~and~~ for newspaper, magazine, and other
83.29 subscription fees, and other costs where advance payment discount is provided or are
83.30 customarily paid for in advance. The commissioner may also allow advance deposits by
83.31 any department with the Library of Congress and federal Supervisor of Documents for items
83.32 to be purchased from those federal agencies.

84.1 Sec. 4. Minnesota Statutes 2018, section 16A.13, subdivision 2a, is amended to read:

84.2 Subd. 2a. **Procedure.** The commissioner shall see that the deduction for the withheld
84.3 tax is made from an employee's pay on the payroll abstract. The commissioner shall approve
84.4 one ~~warrant payable~~ payment to the commissioner for the total amount deducted on the
84.5 abstract. Deductions from the pay of an employee paid direct by an agency shall be made
84.6 by the employee's payroll authority. A later deduction must correct an error made on an
84.7 earlier deduction. The paying authority shall see that a ~~warrant or check~~ payment for the
84.8 deductions is promptly sent to the commissioner. The commissioner shall deposit the amount
84.9 of the ~~warrant or check~~ payment to the credit of the proper federal authority or other person
84.10 authorized by federal law to receive it.

84.11 Sec. 5. Minnesota Statutes 2018, section 16A.15, subdivision 3, is amended to read:

84.12 Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior
84.13 obligation. An obligation may not be incurred against any fund, allotment, or appropriation
84.14 unless the commissioner has certified a sufficient unencumbered balance or the accounting
84.15 system shows sufficient allotment or encumbrance balance in the fund, allotment, or
84.16 appropriation to meet it. The commissioner shall determine when the accounting system
84.17 may be used to incur obligations without the commissioner's certification of a sufficient
84.18 unencumbered balance. An expenditure or obligation authorized or incurred in violation of
84.19 this chapter is invalid and ineligible for payment until made valid. A payment made in
84.20 violation of this chapter is illegal. An employee authorizing or making the payment, or
84.21 taking part in it, and a person receiving any part of the payment, are jointly and severally
84.22 liable to the state for the amount paid or received. If an employee knowingly incurs an
84.23 obligation or authorizes or makes an expenditure in violation of this chapter or takes part
84.24 in the violation, the violation is just cause for the employee's removal by the appointing
84.25 authority or by the governor if an appointing authority other than the governor fails to do
84.26 so. In the latter case, the governor shall give notice of the violation and an opportunity to
84.27 be heard on it to the employee and to the appointing authority. A claim presented against
84.28 an appropriation without prior allotment or encumbrance may be made valid on investigation,
84.29 review, and approval by the agency head in accordance with the commissioner's policy, if
84.30 the services, materials, or supplies to be paid for were actually furnished in good faith
84.31 without collusion and without intent to defraud. The commissioner may then ~~draw a warrant~~
84.32 ~~to~~ pay the claim just as properly allotted and encumbered claims are paid.

84.33 (b) The commissioner may approve payment for materials and supplies in excess of the
84.34 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 1941, 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~~ payment register, the number, amount, date, and payee for every ~~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

86.1 of the collection of taxes levied for and other revenues appropriated to the general fund for
86.2 expenditure during each biennium; and (2) issue additional certificates to refund outstanding
86.3 certificates and interest on them, under the constitution, article XI, section 6.

86.4 Sec. 11. Minnesota Statutes 2018, section 16B.37, subdivision 4, is amended to read:

86.5 Subd. 4. **Work of department for another.** To avoid duplication and improve efficiency,
86.6 the commissioner may direct an agency to do work for another agency or may direct a
86.7 division or section of an agency to do work for another division or section within the same
86.8 agency and shall require reimbursement for the work. Reimbursements received by an
86.9 agency are reappropriated to the account making the original expenditure in accordance
86.10 with the transfer ~~warrant~~ procedure established by the commissioner of management and
86.11 budget.

86.12 Sec. 12. Minnesota Statutes 2018, section 16D.03, subdivision 2, is amended to read:

86.13 Subd. 2. **State agency reports.** State agencies shall report quarterly to the commissioner
86.14 of management and budget the debts owed to them. The commissioner of management and
86.15 budget, ~~in consultation with the commissioners of revenue and human services, and the~~
86.16 ~~attorney general,~~ shall establish internal guidelines for the recognition, tracking, and
86.17 ~~reporting, and collection~~ of debts owed the state. The internal guidelines must include
86.18 accounting standards, performance measurements, and uniform reporting requirements
86.19 applicable to all state agencies. The commissioner of management and budget shall require
86.20 a state agency to recognize, track, report, and attempt to collect debts according to the
86.21 internal guidelines. The commissioner, in consultation with the commissioner of management
86.22 and budget and the attorney general, shall establish internal guidelines for the collection of
86.23 debt owed to the state.

86.24 Sec. 13. Minnesota Statutes 2018, section 16D.09, subdivision 1, is amended to read:

86.25 Subdivision 1. **Generally.** (a) When a debt is determined by a state agency to be
86.26 uncollectible, the debt may be written off by the state agency from the state agency's financial
86.27 accounting records and no longer recognized as an account receivable for financial reporting
86.28 purposes. A debt is considered to be uncollectible when (1) all reasonable collection efforts
86.29 have been exhausted, (2) the cost of further collection action will exceed the amount
86.30 recoverable, (3) the debt is legally without merit or cannot be substantiated by evidence,
86.31 (4) the debtor cannot be located, (5) the available assets or income, current or anticipated,
86.32 that may be available for payment of the debt are insufficient, (6) the debt has been
86.33 discharged in bankruptcy, (7) the applicable statute of limitations for collection of the debt

87.1 has expired, or (8) it is not in the public interest to pursue collection of the debt. ~~The~~
87.2 ~~determination of the uncollectibility of a~~

87.3 (b) Uncollectible debt must be reported by the state agency along with the basis for that
87.4 ~~decision~~ as part of its quarterly reports to the commissioner of management and budget.
87.5 The basis for the determination of the uncollectibility of the debt must be maintained by
87.6 the state agency. If an uncollectible debt equals or exceeds \$100,000, the agency shall notify
87.7 the chairs and ranking minority members of the legislative committees with jurisdiction
87.8 over the state agency's budget at the time the debt is determined to be uncollectible. The
87.9 information reported shall contain the entity associated with the uncollected debt, the amount
87.10 of the debt, the revenue type, the reason the debt is considered uncollectible, and the duration
87.11 the debt has been outstanding. The commissioner of management and budget shall report
87.12 to the chairs and ranking minority members of the legislative committees with jurisdiction
87.13 over Minnesota Management and Budget an annual summary of the number and dollar
87.14 amount of debts determined to be uncollectible during the previous fiscal year by October
87.15 31 of each year. Determining that the debt is uncollectible does not cancel the legal obligation
87.16 of the debtor to pay the debt.

87.17 Sec. 14. Minnesota Statutes 2018, section 21.116, is amended to read:

87.18 **21.116 EXPENSES.**

87.19 All necessary expenses incurred in carrying out the provisions of sections 21.111 to
87.20 21.122 and the compensation of officers, inspectors, and employees appointed, designated,
87.21 or employed by the commissioner, as provided in such sections, together with their necessary
87.22 traveling expenses, together with the traveling expenses of the members of the advisory
87.23 seed potato certification committee, and other expenses necessary in attending committee
87.24 meetings, shall be paid from, and only from, the seed potato inspection account, on order
87.25 of the commissioner and commissioner of management and ~~budget's voucher warrant~~ budget.

87.26 Sec. 15. Minnesota Statutes 2018, section 80A.65, subdivision 9, is amended to read:

87.27 Subd. 9. **Generally.** No filing for which a fee is required shall be deemed to be filed or
87.28 given any effect until the proper fee is paid. All fees and charges collected by the
87.29 administrator shall be covered into the state treasury. When any person is entitled to a refund
87.30 under this section, the administrator shall certify to the commissioner of management and
87.31 budget the amount of the fee to be refunded to the applicant, and the commissioner of
87.32 management and budget shall issue a ~~warrant in~~ payment thereof out of the fund to which
87.33 such fee was credited in the manner provided by law. There is hereby appropriated to the

88.1 person entitled to such refunds from the fund in the state treasury to which such fees were
88.2 credited an amount to make such refunds and payments.

88.3 Sec. 16. Minnesota Statutes 2018, section 84A.23, subdivision 4, is amended to read:

88.4 Subd. 4. **Drainage ditch bonds; reports.** (a) Immediately after a project is approved
88.5 and accepted and then after each distribution of the tax collections on the June and November
88.6 tax settlements, the county auditor shall certify to the commissioner of management and
88.7 budget the following information relating to bonds issued to finance or refinance public
88.8 drainage ditches wholly or partly within the projects, and the collection of assessments
88.9 levied on account of the ditches:

88.10 (1) the amount of principal and interest to become due on the bonds before the next tax
88.11 settlement and distribution;

88.12 (2) the amount of money collected from the drainage assessments and credited to the
88.13 funds of the ditches; and

88.14 (3) the amount of the deficit in the ditch fund of the county chargeable to the ditches.

88.15 (b) On approving the certificate, the commissioner of management and budget shall
88.16 ~~draw a warrant~~ issue a payment, payable out of the fund pertaining to the project, for the
88.17 amount of the deficit in favor of the county.

88.18 (c) As to public drainage ditches wholly within a project, the amount of money paid to
88.19 or for the benefit of the county under paragraph (b) must never exceed the principal and
88.20 interest of the bonds issued to finance or refinance the ditches outstanding at the time of
88.21 the passage and approval of sections 84A.20 to 84A.30, less money on hand in the county
88.22 ditch fund to the credit of the ditches. The liabilities must be reduced from time to time by
88.23 the amount of all payments of assessments after April 25, 1931, made by the owners of
88.24 lands assessed before that date for benefits on account of the ditches.

88.25 (d) As to public drainage ditches partly within and partly outside a project, the amount
88.26 paid from the fund pertaining to the project to or for the benefit of the county must never
88.27 exceed a certain percentage of bonds issued to finance and refinance the ditches so
88.28 outstanding, less money on hand in the county ditch fund to the credit of the ditches on
88.29 April 25, 1931. The percentage must bear the same proportion to the whole amount of these
88.30 bonds as the original benefits assessed against lands within the project bear to the original
88.31 total benefits assessed to the entire system of the ditches. This liability shall be reduced
88.32 from time to time by the payments of all assessments extended after April 25, 1931, made

89.1 by the owners of lands within the project of assessments for benefits assessed before that
89.2 date on account of a ditch.

89.3 (e) The commissioner of management and budget may provide and prescribe forms for
89.4 reports required by sections 84A.20 to 84A.30 and require any additional information from
89.5 county officials that the commissioner of management and budget considers necessary for
89.6 the proper administration of sections 84A.20 to 84A.30.

89.7 Sec. 17. Minnesota Statutes 2018, section 84A.33, subdivision 4, is amended to read:

89.8 Subd. 4. **Ditch bonds; funds; payments to counties.** (a) Upon the approval and
89.9 acceptance of a project and after each distribution of the tax collections for the June and
89.10 November tax settlements, the county auditor shall certify to the commissioner of
89.11 management and budget the following information about bonds issued to finance or refinance
89.12 public drainage ditches wholly or partly within the projects, and the collection of assessments
89.13 levied for the ditches:

89.14 (1) the amount of principal and interest to become due on the bonds before the next tax
89.15 settlement and distribution;

89.16 (2) the amount of money collected from the drainage assessments and credited to the
89.17 funds of the ditches, not already sent to the commissioner of management and budget as
89.18 provided in sections 84A.31 to 84A.42; and

89.19 (3) the amount of the deficit in the ditch fund of the county chargeable to the ditches.

89.20 (b) On approving this certificate of the county auditor, the commissioner of management
89.21 and budget shall ~~draw a warrant~~ issue a payment, payable out of the fund provided for in
89.22 sections 84A.31 to 84A.42, and send it to the county treasurer of the county. These funds
89.23 must be credited to the proper ditch of the county and placed in the ditch bond fund of the
89.24 county, which is created, and used only to pay the ditch bonded indebtedness of the county
89.25 assumed by the state under sections 84A.31 to 84A.42. The total amount of ~~warrants drawn~~
89.26 payments issued must not exceed in any one year the total amount of the deficit provided
89.27 for under this section.

89.28 (c) The state is subrogated to all title, right, interest, or lien of the county in or on the
89.29 lands so certified within these projects.

89.30 (d) As to public drainage ditches wholly within a project, the amount paid to, or for the
89.31 benefit of, the county under this subdivision must never exceed the principal and interest
89.32 of the bonds issued to finance or refinance a ditch outstanding on April 22, 1933, less money
89.33 on hand in the county ditch fund to the credit of a ditch. These liabilities must be reduced

90.1 from time to time by the amount of any payments of assessments extended after April 22,
90.2 1933, made by the owners of lands assessed before that date for benefits on account of the
90.3 ditches.

90.4 As to public drainage ditches partly within and partly outside a project the amount paid
90.5 from the fund pertaining to the project to or for the benefit of the county must never exceed
90.6 a certain percentage of bonds issued to finance and refinance a ditch so outstanding, less
90.7 money on hand in the county ditch fund to the credit of a ditch on April 22, 1932. The
90.8 percentage must bear the same proportion to the whole amount of the bonds as the original
90.9 benefits assessed against these lands within the project bear to the original total benefits
90.10 assessed to the entire system for a ditch. This liability must be reduced from time to time
90.11 by the payments of all assessments extended after April 22, 1933, made by the owners of
90.12 lands within the project of assessments for benefits assessed before that date on account of
90.13 a ditch.

90.14 Sec. 18. Minnesota Statutes 2018, section 84A.52, is amended to read:

90.15 **84A.52 ACCOUNTS; EXAMINATION, APPROPRIATION, PAYMENT.**

90.16 (a) As a part of the examination provided for by section 6.481, of the accounts of the
90.17 several counties within a game preserve, area, or project established under section 84A.01,
90.18 84A.20, or 84A.31, the state auditor shall segregate the audit of the accounts reflecting the
90.19 receipt and disbursement of money collected or disbursed under this chapter or from the
90.20 sale of tax-forfeited lands held by the state under section 84A.07, 84A.26, or 84A.36. The
90.21 auditor shall also include in the reports required by section 6.481 summary statements as
90.22 of December 31 before the examination that set forth the proportionate amount of principal
90.23 and interest due from the state to the individual county and any money due the state from
90.24 the county remaining unpaid under this chapter, or from the sale of any tax-forfeited lands
90.25 referred to in this section, and other information required by the commissioner of management
90.26 and budget. On receiving a report, the commissioner of management and budget shall
90.27 determine the net amount due to the county for the period covered by the report and shall
90.28 ~~draw a warrant~~ issue a payment upon the state treasury payable out of the consolidated fund
90.29 for that amount. It must be paid to and received by the county as payment in full of all
90.30 amounts due for the period stated on the ~~warrants~~ payments from the state under any
90.31 provision of this chapter.

90.32 (b) Money to ~~pay the warrants~~ make the payments is appropriated to the counties entitled
90.33 to payment from the consolidated fund in the state treasury.

91.1 Sec. 19. Minnesota Statutes 2018, section 88.12, subdivision 1, is amended to read:

91.2 Subdivision 1. **Limitation.** The compensation and expenses of persons temporarily
91.3 employed in emergencies in suppression or control of wildfires shall be fixed by the
91.4 commissioner of natural resources or an authorized agent and paid as provided by law. Such
91.5 compensation shall not exceed the maximum rate for comparable labor established as
91.6 provided by law or rules, but shall not be subject to any minimum rate so established. The
91.7 commissioner is authorized to draw and expend from money appropriated for the purposes
91.8 of sections 88.03 to 88.22 a reasonable sum and through forest officers or other authorized
91.9 agent be used in paying emergency expenses, including just compensation for services
91.10 rendered by persons summoned and for private property used, damaged, or appropriated
91.11 under sections 88.03 to 88.22. The commissioner of management and budget is authorized
91.12 to ~~draw a warrant~~ issue a payment for this sum when duly approved by the commissioner.
91.13 The commissioner or agent in charge shall take proper subvouchers or receipts from all
91.14 persons to whom these moneys are paid, and after these subvouchers have been approved
91.15 they shall be filed with the commissioner of management and budget. Authorized funds as
91.16 herein provided at any time shall be deposited, subject to withdrawal or disbursement by
91.17 check or otherwise for the purposes herein prescribed, in a bank authorized and bonded to
91.18 receive state deposits; and the bond of this bank to the state shall cover and include this
91.19 deposit.

91.20 Sec. 20. Minnesota Statutes 2018, section 94.522, is amended to read:

91.21 **94.522 ~~WARRANTS~~ PAYMENTS TO COUNTY TREASURERS; USE OF**
91.22 **PROCEEDS.**

91.23 It shall be the duty of the commissioner of management and budget to transmit ~~warrants~~
91.24 ~~on~~ payments from the state treasury to the county treasurer of the respective counties for
91.25 the sums that may be due in accordance with section 94.521, which sums are hereby
91.26 appropriated out of the state treasury from the amounts received from the United States
91.27 government pursuant to the aforesaid acts of Congress, and such money shall be used by
91.28 the counties receiving the same for the purposes and in the proportions herein provided.

91.29 Sec. 21. Minnesota Statutes 2018, section 94.53, is amended to read:

91.30 **94.53 ~~WARRANTS~~ PAYMENTS TO COUNTY TREASURERS; FEDERAL**
91.31 **LOANS TO COUNTIES.**

91.32 It shall be the duty of the commissioner of management and budget to transmit ~~warrants~~
91.33 ~~on~~ payments from the state treasury to the county treasurers of the respective counties for

92.1 the sum that may be due in accordance with sections 94.52 to 94.54, which sum or sums
92.2 are hereby appropriated out of the state treasury from the amounts received from the United
92.3 States government pursuant to the aforesaid act of Congress. The commissioner of
92.4 management and budget, upon being notified by the federal government or any agencies
92.5 thereof that a loan has been made to any such county the repayment of which is to be made
92.6 from such fund, is authorized to transmit a ~~warrant or warrants~~ payment to the federal
92.7 government or any agency thereof sufficient to repay such loan out of any money apportioned
92.8 or due to such county under the provisions of such act of Congress, approved May 23, 1908
92.9 (Statutes at Large, volume 35, page 260).

92.10 Sec. 22. Minnesota Statutes 2018, section 116J.64, subdivision 7, is amended to read:

92.11 Subd. 7. **Processing.** (a) An Indian desiring a loan for the purpose of starting a business
92.12 enterprise or expanding an existing business shall make application to the appropriate tribal
92.13 government. The application shall be forwarded to the appropriate eligible organization, if
92.14 it is participating in the program, for consideration in conformity with the plans submitted
92.15 by said tribal governments. The tribal government may approve the application if it
92.16 determines that the loan would advance the goals of the Indian business loan program. If
92.17 the tribal government is not participating in the program, the agency may directly approve
92.18 or deny the loan application.

92.19 (b) If the application is approved, the tribal government shall forward the application,
92.20 together with all relevant documents pertinent thereto, to the commissioner of the agency,
92.21 who shall ~~cause a warrant~~ request a payment to be drawn in favor of issued to the applicant
92.22 or the applicable tribal government, or the agency, if it is administering the loan, with
92.23 appropriate notations identifying the borrower.

92.24 (c) The tribal government, eligible organization, or the agency, if it is administering the
92.25 loan, shall maintain records of transactions for each borrower in a manner consistent with
92.26 good accounting practice. The interest rate on a loan shall be established by the tribal
92.27 government or the agency, but may be no less than two percent per annum nor more than
92.28 ten percent per annum. When any portion of a debt is repaid, the tribal government, eligible
92.29 organization, or the agency, if it is administering the loan, shall remit the amount so received
92.30 plus interest paid thereon to the commissioner of management and budget through the
92.31 agency. The amount so received shall be credited to the Indian business loan account.

92.32 (d) On the placing of a loan, additional money equal to ten percent of the total amount
92.33 made available to any tribal government, eligible organization, or the agency, if it is
92.34 administering the loan, for loans during the fiscal year shall be paid to the tribal government,

93.1 eligible organization, or the agency, prior to December 31 for the purpose of financing
93.2 administrative costs.

93.3 Sec. 23. Minnesota Statutes 2018, section 127A.34, subdivision 1, is amended to read:

93.4 Subdivision 1. **Copy to commissioner of management and budget; appropriation.** The
93.5 commissioner shall furnish a copy of the apportionment of the school endowment fund to
93.6 the commissioner of management and budget, who thereupon shall ~~draw warrants on~~ issue
93.7 payments from the state treasury, payable to the several districts, for the amount due each
93.8 district. There is hereby annually appropriated from the school endowment fund the amount
93.9 of such apportionments.

93.10 Sec. 24. Minnesota Statutes 2018, section 127A.40, is amended to read:

93.11 **127A.40 MANNER OF PAYMENT OF STATE AIDS.**

93.12 It shall be the duty of the commissioner to deliver to the commissioner of management
93.13 and budget a certificate for each district entitled to receive state aid under the provisions of
93.14 this chapter. Upon the receipt of such certificate, it shall be the duty of the commissioner
93.15 of management and budget to ~~draw a warrant in favor of~~ issue a payment to the district for
93.16 the amount shown by each certificate to be due to the district. The commissioner of
93.17 management and budget shall transmit such ~~warrants~~ payments to the district together with
93.18 a copy of the certificate prepared by the commissioner.

93.19 Sec. 25. Minnesota Statutes 2018, section 136F.70, subdivision 3, is amended to read:

93.20 Subd. 3. **Refunds.** The board may make refunds to students for tuition, activity fees,
93.21 union fees, and any other fees from imprest cash funds. The imprest cash fund shall be
93.22 reimbursed periodically by ~~checks or warrants drawn on~~ payments issued from the funds
93.23 and accounts to which the refund should ultimately be charged. The amounts necessary to
93.24 pay the refunds are appropriated from the funds and accounts to which they are charged.

93.25 Sec. 26. Minnesota Statutes 2018, section 176.181, subdivision 2, is amended to read:

93.26 Subd. 2. **Compulsory insurance; self-insurers.** (a) Every employer, except the state
93.27 and its municipal subdivisions, liable under this chapter to pay compensation shall insure
93.28 payment of compensation with some insurance carrier authorized to insure workers'
93.29 compensation liability in this state, or obtain a written order from the commissioner of
93.30 commerce exempting the employer from insuring liability for compensation and permitting
93.31 self-insurance of the liability. The terms, conditions and requirements governing

94.1 self-insurance shall be established by the commissioner pursuant to chapter 14. The
94.2 commissioner of commerce shall also adopt, pursuant to paragraph (d), rules permitting
94.3 two or more employers, whether or not they are in the same industry, to enter into agreements
94.4 to pool their liabilities under this chapter for the purpose of qualifying as group self-insurers.
94.5 With the approval of the commissioner of commerce, any employer may exclude medical,
94.6 chiropractic and hospital benefits as required by this chapter. An employer conducting
94.7 distinct operations at different locations may either insure or self-insure the other portion
94.8 of operations as a distinct and separate risk. An employer desiring to be exempted from
94.9 insuring liability for compensation shall make application to the commissioner of commerce,
94.10 showing financial ability to pay the compensation, whereupon by written order the
94.11 commissioner of commerce, on deeming it proper, may make an exemption. An employer
94.12 may establish financial ability to pay compensation by providing financial statements of
94.13 the employer to the commissioner of commerce. Upon ten days' written notice the
94.14 commissioner of commerce may revoke the order granting an exemption, in which event
94.15 the employer shall immediately insure the liability. As a condition for the granting of an
94.16 exemption the commissioner of commerce may require the employer to furnish security the
94.17 commissioner of commerce considers sufficient to insure payment of all claims under this
94.18 chapter, consistent with subdivision 2b. If the required security is in the form of currency
94.19 or negotiable bonds, the commissioner of commerce shall deposit it with the commissioner
94.20 of management and budget. In the event of any default upon the part of a self-insurer to
94.21 abide by any final order or decision of the commissioner of labor and industry directing and
94.22 awarding payment of compensation and benefits to any employee or the dependents of any
94.23 deceased employee, then upon at least ten days' notice to the self-insurer, the commissioner
94.24 of commerce may by written order to the commissioner of management and budget require
94.25 the commissioner of management and budget to sell the pledged and assigned securities or
94.26 a part thereof necessary to pay the full amount of any such claim or award with interest
94.27 thereon. This authority to sell may be exercised from time to time to satisfy any order or
94.28 award of the commissioner of labor and industry or any judgment obtained thereon. When
94.29 securities are sold the money obtained shall be deposited in the state treasury to the credit
94.30 of the commissioner of commerce and awards made against any such self-insurer by the
94.31 commissioner of commerce shall be paid to the persons entitled thereto by the commissioner
94.32 of management and budget upon ~~warrants prepared~~ payments requested by the commissioner
94.33 of commerce out of the proceeds of the sale of securities. Where the security is in the form
94.34 of a surety bond or personal guaranty the commissioner of commerce, at any time, upon at
94.35 least ten days' notice and opportunity to be heard, may require the surety to pay the amount
94.36 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~~ warrant request prepared by the commissioner of administration, and in accordance with the terms of the order awarding compensation, the commissioner of

96.1 management and budget shall pay compensation to the employee or the employee's
96.2 dependent. These payments shall be made from money appropriated for this purpose.

96.3 Sec. 28. Minnesota Statutes 2018, section 176.591, subdivision 3, is amended to read:

96.4 Subd. 3. **Compensation payments upon ~~warrants~~ request.** The commissioner of
96.5 management and budget shall make compensation payments from the fund only as authorized
96.6 by this chapter upon ~~warrants~~ request of the commissioner of administration.

96.7 Sec. 29. Minnesota Statutes 2018, section 192.55, is amended to read:

96.8 **192.55 PAYMENTS TO BE MADE THROUGH ADJUTANT GENERAL.**

96.9 All pay and allowances and necessary expenses for any of the military forces shall, when
96.10 approved by the adjutant general, be paid by commissioner of management and ~~budget's~~
96.11 ~~warrants issued~~ budget to the several officers and enlisted members entitled thereto; provided,
96.12 that upon the request of the adjutant general, approved by the governor, the sum required
96.13 for any such pay or allowances and necessary expenses shall be paid by commissioner of
96.14 management and ~~budget's warrant~~ budget to the adjutant general, who shall immediately
96.15 pay and distribute the same to the several officers or enlisted members entitled thereto or
96.16 to their commanding officers or to a finance officer designated by the adjutant general. The
96.17 receipt of any such commanding officer or finance officer for any such payment shall
96.18 discharge the adjutant general from liability therefor. Every commanding officer or finance
96.19 officer receiving any such payment shall, as soon as practicable, pay and distribute the same
96.20 to the several officers or enlisted members entitled thereto. The officer making final payment
96.21 shall, as evidence thereof, secure the signature of the person receiving the same upon a
96.22 payroll or other proper voucher.

96.23 Sec. 30. Minnesota Statutes 2018, section 237.30, is amended to read:

96.24 **237.30 TELEPHONE INVESTIGATION FUND; APPROPRIATION.**

96.25 A Minnesota Telephone Investigation Fund shall exist for the use of the Department of
96.26 Commerce and of the attorney general in investigations, valuations, and revaluations under
96.27 section 237.295. All sums paid by the telephone companies to reimburse the department
96.28 for its expenses pursuant to section 237.295 shall be credited to the revolving fund and shall
96.29 be deposited in a separate bank account and not commingled with any other state funds or
96.30 moneys, but any balance in excess of \$25,000 in the revolving fund at the end of each fiscal
96.31 year shall be paid into the state treasury and credited to the general fund. All subsequent
96.32 credits to said revolving fund shall be paid ~~upon the warrant of~~ by the commissioner of

97.1 management and budget upon application of the department or of the attorney general to
97.2 an aggregate amount of not more than one-half of such sums to each of them, which
97.3 proportion shall be constantly maintained in all credits and withdrawals from the revolving
97.4 fund.

97.5 Sec. 31. Minnesota Statutes 2018, section 244.19, subdivision 7, is amended to read:

97.6 Subd. 7. **Certificate of counties entitled to state aid.** On or before January 1 of each
97.7 year, until 1970 and on or before April 1 thereafter, the commissioner of corrections shall
97.8 deliver to the commissioner of management and budget a certificate in duplicate for each
97.9 county of the state entitled to receive state aid under the provisions of this section. Upon
97.10 the receipt of such certificate, the commissioner of management and budget shall ~~draw a~~
97.11 ~~warrant in favor of~~ issue a payment to the county treasurer for the amount shown by each
97.12 certificate to be due to the county specified. The commissioner of management and budget
97.13 shall transmit such ~~warrant~~ payment to the county treasurer together with a copy of the
97.14 certificate prepared by the commissioner of corrections.

97.15 Sec. 32. Minnesota Statutes 2018, section 256B.20, is amended to read:

97.16 **256B.20 COUNTY APPROPRIATIONS.**

97.17 The providing of funds necessary to carry out the provisions hereof on the part of the
97.18 counties and the manner of administering the funds of the counties and the state shall be as
97.19 follows:

97.20 (1) The board of county commissioners of each county shall annually set up in its budget
97.21 an item designated as the county medical assistance fund and levy taxes and fix a rate
97.22 therefor sufficient to produce the full amount of such item, in addition to all other tax levies
97.23 and tax rate, however fixed or determined, sufficient to carry out the provisions hereof and
97.24 sufficient to pay in full the county share of assistance and administrative expense for the
97.25 ensuing year; and annually on or before October 10 shall certify the same to the county
97.26 auditor to be entered by the auditor on the tax rolls. Such tax levy and tax rate shall make
97.27 proper allowance and provision for shortage in tax collections.

97.28 (2) Any county may transfer surplus funds from any county fund, except the sinking or
97.29 ditch fund, to the general fund or to the county medical assistance fund in order to provide
97.30 money necessary to pay medical assistance awarded hereunder. The money so transferred
97.31 shall be used for no other purpose, but any portion thereof no longer needed for such purpose
97.32 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,

99.1 upon discovery and verification by the department making the deduction, be refunded to
99.2 the employee.

99.3 (b) If a deduction for the retirement fund is taken from a salary ~~warrant or check~~ payment,
99.4 and the ~~check~~ payment is canceled or the amount of the ~~warrant or check~~ payment returned
99.5 to the funds of the department making the payment, the sum deducted, or the part of it
99.6 required to adjust the deductions, must be refunded to the department or institution if the
99.7 department applies for the refund on a form furnished by the director. The department's
99.8 payments must likewise be refunded to the department.

99.9 (c) If erroneous employee deductions and employer contributions are caused by an error
99.10 in plan coverage involving the plan and any other plans specified in section 356.99, that
99.11 section applies. If the employee should have been covered by the plan governed by chapter
99.12 352D, 353D, 354B, or 354D, the employee deductions and employer contributions taken
99.13 in error must be directly transferred to the applicable employee's account in the correct
99.14 retirement plan, with interest at the applicable monthly rate or rates specified in section
99.15 356.59, subdivision 2, compounded annually, from the first day of the month following the
99.16 month in which coverage should have commenced in the correct defined contribution plan
99.17 until the end of the month in which the transfer occurs.

99.18 Sec. 35. Minnesota Statutes 2018, section 353.05, is amended to read:

99.19 **353.05 CUSTODIAN OF FUNDS.**

99.20 The commissioner of management and budget shall be ex officio treasurer of the
99.21 retirement funds of the association and the general bond of the commissioner of management
99.22 and budget to the state must be so conditioned as to cover all liability for acts as treasurer
99.23 of these funds. All money of the association received by the commissioner of management
99.24 and budget must be set aside in the state treasury to the credit of the proper fund or account.
99.25 The commissioner of management and budget shall transmit monthly to the executive
99.26 director a detailed statement of all amounts so received and credited to the funds. Payments
99.27 out of the funds may only be made ~~on warrants~~ as payments issued by the commissioner of
99.28 management and budget, upon abstracts signed by the executive director; provided that
99.29 abstracts for investment may be signed by the executive director of the State Board of
99.30 Investment.

99.31 Sec. 36. Minnesota Statutes 2018, section 354.42, subdivision 7, is amended to read:

99.32 Subd. 7. **Erroneous salary deductions or direct payments.** (a) Any deductions taken
99.33 from the salary of an employee for the retirement fund in excess of amounts required must

100.1 be refunded to the employee upon the discovery of the error and after the verification of
100.2 the error by the employing unit making the deduction. The corresponding excess employer
100.3 contribution and excess additional employer contribution amounts attributable to the
100.4 erroneous salary deduction must be refunded to the employing unit.

100.5 (b) If salary deductions and employer contributions were erroneously transmitted to the
100.6 retirement fund and should have been transmitted to the plan covered by chapter 352D,
100.7 353D, 354B, or 354D, the executive director must transfer these salary deductions and
100.8 employer contributions to the account of the appropriate person under the applicable plan.
100.9 The transfer to the applicable defined contribution plan account must include interest at the
100.10 rate of 0.71 percent per month, compounded annually, from the first day of the month
100.11 following the month in which coverage should have commenced in the defined contribution
100.12 plan until the end of the month in which the transfer occurs.

100.13 (c) A potential transfer under paragraph (b) that would cause the plan to fail to be a
100.14 qualified plan under section 401(a) of the Internal Revenue Code, as amended, must not be
100.15 made by the executive director. Within 30 days after being notified by the Teachers
100.16 Retirement Association of an unmade potential transfer under this paragraph, the employer
100.17 of the affected person must transmit an amount representing the applicable salary deductions
100.18 and employer contributions, without interest, to the account of the applicable person under
100.19 the appropriate plan. The retirement association must provide a credit for the amount of the
100.20 erroneous salary deductions and employer contributions against future contributions from
100.21 the employer.

100.22 (d) If a salary ~~warrant or check~~ payment from which a deduction for the retirement fund
100.23 was taken has been canceled or the amount of the ~~warrant or if a check~~ payment has been
100.24 returned to the funds of the employing unit making the payment, a refund of the amount
100.25 deducted, or any portion of it that is required to adjust the salary deductions, must be made
100.26 to the employing unit.

100.27 (e) Erroneous direct payments of member-paid contributions or erroneous salary
100.28 deductions that were not refunded during the regular payroll cycle processing must be
100.29 refunded to the member, plus interest computed using the rate and method specified in
100.30 section 354.49, subdivision 2.

100.31 (f) Any refund under this subdivision that would cause the plan to fail to be a qualified
100.32 plan under section 401(a) of the Internal Revenue Code, as amended, may not be refunded
100.33 and instead must be credited against future contributions payable by the employer. The
100.34 employer is responsible for refunding to the applicable employee any amount that was

101.1 erroneously deducted from the salary of the employee, with interest as specified in paragraph
101.2 (e).

101.3 (g) If erroneous employee deductions and employer contributions are caused by an error
101.4 in plan coverage involving the plan and any other plan specified in section 356.99, that
101.5 section applies.

101.6 Sec. 37. Minnesota Statutes 2018, section 401.15, subdivision 1, is amended to read:

101.7 Subdivision 1. **Certified statements; determinations; adjustments.** Within 60 days
101.8 of the end of each calendar quarter, participating counties which have received the payments
101.9 authorized by section 401.14 shall submit to the commissioner certified statements detailing
101.10 the amounts expended and costs incurred in furnishing the correctional services provided
101.11 in sections 401.01 to 401.16. Upon receipt of certified statements, the commissioner shall,
101.12 in the manner provided in sections 401.10 and 401.12, determine the amount each
101.13 participating county is entitled to receive, making any adjustments necessary to rectify any
101.14 disparity between the amounts received pursuant to the estimate provided in section 401.14
101.15 and the amounts actually expended. If the amount received pursuant to the estimate is greater
101.16 than the amount actually expended during the quarter, the commissioner may withhold the
101.17 difference from any subsequent monthly payments made pursuant to section 401.14. Upon
101.18 certification by the commissioner of the amount a participating county is entitled to receive
101.19 under the provisions of section 401.14 or of this subdivision the commissioner of
101.20 management and budget shall thereupon issue a state-warrant payment to the chief fiscal
101.21 officer of each participating county for the amount due together with a copy of the certificate
101.22 prepared by the commissioner.

101.23 Sec. 38. Minnesota Statutes 2018, section 446A.16, subdivision 1, is amended to read:

101.24 Subdivision 1. **Functions of commissioner of management and budget.** Except as
101.25 otherwise provided in this section, money of the authority must be paid to the commissioner
101.26 of management and budget as agent of the authority and the commissioner shall not
101.27 commingle the money with other money. The money in the accounts of the authority must
101.28 be paid out only ~~on warrants drawn~~ by the commissioner of management and budget on
101.29 requisition of the chair of the authority or of another officer or employee as the authority
101.30 authorizes. Deposits of the authority's money must, if required by the commissioner or the
101.31 authority, be secured by obligations of the United States or of the state of a market value
101.32 equal at all times to the amount of the deposit and all banks and trust companies are
101.33 authorized to give security for the deposits.

102.1 Sec. 39. Minnesota Statutes 2018, section 462A.18, subdivision 1, is amended to read:

102.2 Subdivision 1. **Functions of commissioner of management and budget.** All moneys
102.3 of the agency, except as otherwise authorized or provided in this section, shall be paid to
102.4 the commissioner of management and budget as agent of the agency, who shall not
102.5 commingle such moneys with any other moneys. The moneys in such accounts shall be
102.6 paid out ~~on warrants drawn~~ by the commissioner on requisition of the chair of the agency
102.7 or of such other officer or employee as the agency shall authorize to make such requisition.
102.8 All deposits of such moneys shall, if required by the commissioner or the agency, be secured
102.9 by obligations of the United States or of the state of a market value equal at all times to the
102.10 amount of the deposit and all banks and trust companies are authorized to give such security
102.11 for such deposits.

102.12 Sec. 40. Minnesota Statutes 2018, section 525.841, is amended to read:

102.13 **525.841 ESCHEAT RETURNED.**

102.14 In all such cases the commissioner of management and budget shall be furnished with
102.15 a certified copy of the court's order assigning the escheated property to the persons entitled
102.16 thereto, and upon notification of payment of the estate tax, the commissioner of management
102.17 and budget shall ~~draw a warrant~~ issue a payment or execute a proper conveyance to the
102.18 persons designated in such order. In the event any escheated property has been sold pursuant
102.19 to sections 11A.04, clause (9), and 11A.10, subdivision 2, or 16B.281 to 16B.287, then the
102.20 ~~warrant~~ payment shall be for the appraised value as established during the administration
102.21 of the decedent's estate. There is hereby annually appropriated from any moneys in the state
102.22 treasury not otherwise appropriated an amount sufficient to make payment to all such
102.23 designated persons. No interest shall be allowed on any amount paid to such persons.

102.24 Sec. 41. **REVISOR INSTRUCTION.**

102.25 The revisor of statutes shall replace, as the context requires, "warrant," "warrants," or
102.26 "warrant or check" with "payment" or "payments" in the following sections and subdivisions
102.27 of Minnesota Statutes: 15.0596; 16A.134; 16A.17, subdivision 5; 16A.42, subdivision 4;
102.28 16A.56; 43A.30, subdivision 2; 43A.49; 49.24, subdivisions 13 and 16; 69.031, subdivision
102.29 1; 84A.40; 126C.55, subdivisions 2 and 9; 126C.68, subdivision 3; 126C.69, subdivision
102.30 14; 136F.46, subdivision 1; 162.08, subdivisions 10 and 11; 162.14, subdivisions 4 and 5;
102.31 162.18, subdivision 4; 162.181, subdivision 4; 163.051, subdivision 3; 196.052; 198.16;
102.32 241.13, subdivision 1; 260B.331, subdivision 2; 260C.331, subdivision 2; 273.121,
102.33 subdivision 1; 287.08; 297I.10, subdivision 1; 348.05; 352.05; 352.115, subdivision 12;

103.1 352.12, subdivision 13; 353.27, subdivision 7; 354.52, subdivisions 4 and 4b; 446A.086,
103.2 subdivision 4; and 475A.04, subdivision 1.

103.3 ARTICLE 4

103.4 ELECTIONS AND VOTING RIGHTS

103.5 Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision
103.6 to read:

103.7 Subd. 9. **Data derived from driver's license applications.** Data on an application for
103.8 a driver's license, a Minnesota identification card, or a learner's permit transferred to the
103.9 secretary of state that are provided by a person whom the secretary of state determines is
103.10 not eligible to vote are governed by section 201.161.

103.11 Sec. 2. Minnesota Statutes 2018, section 123B.09, subdivision 5b, is amended to read:

103.12 Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the
103.13 board, other than a vacancy described in subdivision 4, must be filled by board appointment
103.14 at a regular or special meeting. The appointment shall be evidenced by a resolution entered
103.15 in the minutes and shall be effective 30 days following adoption of the resolution, subject
103.16 to paragraph (b). If the appointment becomes effective, ~~it shall continue until an election is~~
103.17 ~~held under this subdivision. All elections to fill vacancies shall be for the unexpired term.~~
103.18 ~~A special election to fill the vacancy must be held no later than the first Tuesday after the~~
103.19 ~~first Monday in November following the vacancy. If the vacancy occurs less than 90 days~~
103.20 ~~prior to the first Tuesday after the first Monday in November in the year in which the vacancy~~
103.21 ~~occurs, the special election must be held no later than the first Tuesday after the first Monday~~
103.22 ~~in November of the following calendar year. If the vacancy occurs less than 90 days prior~~
103.23 ~~to the first Tuesday after the first Monday in November in the third year of the term, no~~
103.24 ~~special election is required. If the vacancy is filled by a special election, the person elected~~
103.25 ~~at that election for the ensuing term shall take office immediately after receiving the~~
103.26 ~~certificate of election, filing the bond, and taking the oath of office~~ the appointee shall serve
103.27 for the remainder of the unexpired term.

103.28 (b) An appointment made under paragraph (a) shall not be effective if a petition to reject
103.29 the appointee is filed with the school district clerk. To be valid, a petition to reject an
103.30 appointee must be signed by a number of eligible voters residing in the district equal to at
103.31 least five percent of the total number of voters voting in the district at the most recent state
103.32 general election, and must be filed within 30 days of the board's adoption of the resolution
103.33 making the appointment. If a valid petition is filed according to the requirements of this

104.1 paragraph, the appointment by the school board is ineffective and the board must name a
104.2 new appointee as provided in paragraph (a).

104.3 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies
104.4 created on or after that date.

104.5 Sec. 3. Minnesota Statutes 2018, section 174.24, is amended by adding a subdivision to
104.6 read:

104.7 Subd. 7a. **Transit service on election day.** An eligible recipient of operating assistance
104.8 under this section who contracts or has contracted to provide fixed route public transit shall
104.9 provide fixed route public transit service free of charge on a day a state general election is
104.10 held.

104.11 **EFFECTIVE DATE.** This section is effective July 1, 2020.

104.12 Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to
104.13 read:

104.14 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted
104.15 of a felony has the civil right to vote restored when the individual completes any incarceration
104.16 imposed and executed by the court for the offense or upon sentencing if no incarceration is
104.17 imposed. If the individual is later incarcerated for the same offense, the individual's civil
104.18 right to vote is lost only during the period of incarceration.

104.19 Sec. 5. Minnesota Statutes 2018, section 201.022, subdivision 1, is amended to read:

104.20 Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter
104.21 registration system to facilitate voter registration and to provide a central database containing
104.22 voter registration information from around the state. The system must be accessible to the
104.23 county auditor of each county in the state. The system must also:

104.24 (1) provide for voters to submit their voter registration applications to any county auditor,
104.25 the secretary of state, or the Department of Public Safety;

104.26 (2) provide for the definition, establishment, and maintenance of a central database for
104.27 all voter registration information;

104.28 (3) provide for entering data into the statewide registration system;

104.29 (4) provide for electronic transfer of completed voter registration applications from the
104.30 Department of Public Safety to the secretary of state or the county auditor;

- 105.1 (5) assign a unique identifier to each legally registered voter in the state;
- 105.2 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state
105.3 identification number, and last four digits of the Social Security number for each voter
105.4 record;
- 105.5 (7) coordinate with other agency databases within the state;
- 105.6 (8) allow county auditors and the secretary of state to add or modify information in the
105.7 system to provide for accurate and up-to-date records;
- 105.8 (9) allow county auditors, municipal and school district clerks, and the secretary of state
105.9 to have electronic access to the statewide registration system for review and search
105.10 capabilities;
- 105.11 (10) provide security and protection of all information in the statewide registration
105.12 system and ensure that unauthorized access is not allowed;
- 105.13 (11) provide access to municipal clerks to use the system;
- 105.14 (12) provide a system for each county to identify the precinct to which a voter should
105.15 be assigned for voting purposes;
- 105.16 (13) provide daily reports accessible by county auditors on the driver's license numbers,
105.17 state identification numbers, or last four digits of the Social Security numbers submitted on
105.18 voter registration applications that have been verified as accurate by the secretary of state;
105.19 ~~and~~
- 105.20 (14) provide reports on the number of absentee ballots transmitted to and returned and
105.21 cast by voters under section 203B.16; and
- 105.22 (15) provide reports necessary for early voting.
- 105.23 The appropriate state or local official shall provide security measures to prevent
105.24 unauthorized access to the computerized list established under section 201.021.
- 105.25 Sec. 6. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:
- 105.26 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
105.27 contain the same information unless otherwise provided by law. A voter registration
105.28 application must contain spaces for the following required information: voter's first name,
105.29 middle name, and last name; voter's previous name, if any; voter's current address; voter's
105.30 previous address, if any; voter's date of birth; voter's municipality and county of residence;
105.31 voter's telephone number, if provided by the voter; date of registration; current and valid

106.1 Minnesota driver's license number or Minnesota state identification number, or if the voter
106.2 has no current and valid Minnesota driver's license or Minnesota state identification, the
106.3 last four digits of the voter's Social Security number; and voter's signature. The paper
106.4 registration application may include the voter's e-mail address, if provided by the voter. The
106.5 electronic voter registration application must include the voter's e-mail address. The
106.6 registration application may include the voter's interest in serving as an election judge, if
106.7 indicated by the voter. The application must also contain the following certification of voter
106.8 eligibility:

106.9 "I certify that I:

106.10 (1) will be at least 18 years old on election day;

106.11 (2) am a citizen of the United States;

106.12 (3) will have resided in Minnesota for 20 days immediately preceding election day;

106.13 (4) maintain residence at the address given on the registration form;

106.14 (5) am not under court-ordered guardianship in which the court order revokes my right
106.15 to vote;

106.16 (6) have not been found by a court to be legally incompetent to vote;

106.17 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~
106.18 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently
106.19 incarcerated for a felony offense; and

106.20 (8) have read and understand the following statement: that giving false information is a
106.21 felony punishable by not more than five years imprisonment or a fine of not more than
106.22 \$10,000, or both."

106.23 The certification must include boxes for the voter to respond to the following questions:

106.24 "(1) Are you a citizen of the United States?" and

106.25 "(2) Will you be 18 years old on or before election day?"

106.26 And the instruction:

106.27 "If you checked 'no' to either of these questions, do not complete this form."

106.28 The form of the voter registration application and the certification of voter eligibility
106.29 must be as provided in this subdivision and approved by the secretary of state. Voter
106.30 registration forms authorized by the National Voter Registration Act must also be accepted

107.1 as valid. The federal postcard application form must also be accepted as valid if it is not
107.2 deficient and the voter is eligible to register in Minnesota.

107.3 An individual may use a voter registration application to apply to register to vote in
107.4 Minnesota or to change information on an existing registration.

107.5 Sec. 7. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:

107.6 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
107.7 a public information list which must contain the name, address, year of birth, and voting
107.8 history of each registered voter in the county. The list must not include the party choice of
107.9 any voter who voted in ~~the most recent~~ a presidential nomination primary. The telephone
107.10 number must be included on the list if provided by the voter. The public information list
107.11 may also include information on voting districts. The county auditor may adopt reasonable
107.12 rules governing access to the list. No individual inspecting the public information list shall
107.13 tamper with or alter it in any manner. No individual who inspects the public information
107.14 list or who acquires a list of registered voters prepared from the public information list may
107.15 use any information contained in the list for purposes unrelated to elections, political
107.16 activities, or law enforcement. The secretary of state may provide copies of the public
107.17 information lists and other information from the statewide registration system for uses
107.18 related to elections, political activities, or in response to a law enforcement inquiry from a
107.19 public official concerning a failure to comply with any criminal statute or any state or local
107.20 tax statute.

107.21 Before inspecting the public information list or obtaining a list of voters or other
107.22 information from the list, the individual shall provide identification to the public official
107.23 having custody of the public information list and shall state in writing that any information
107.24 obtained from the list will not be used for purposes unrelated to elections, political activities,
107.25 or law enforcement. Requests to examine or obtain information from the public information
107.26 lists or the statewide registration system must be made and processed in the manner provided
107.27 in the rules of the secretary of state.

107.28 Upon receipt of a statement signed by the voter that withholding the voter's name from
107.29 the public information list is required for the safety of the voter or the voter's family, the
107.30 secretary of state and county auditor must withhold from the public information list the
107.31 name of a registered voter.

107.32 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential
107.33 nomination primaries conducted on or after that date.

108.1 Sec. 8. Minnesota Statutes 2018, section 201.091, is amended by adding a subdivision to
108.2 read:

108.3 Subd. 4a. **Presidential primary political party list.** For each major political party that
108.4 participated in the presidential nomination primary, the secretary of state must maintain a
108.5 list of the voters who voted in the presidential nomination primary and selected that political
108.6 party. Information maintained on the lists is private data on individuals as defined under
108.7 section 13.02, subdivision 12, except that the secretary of state must provide to the chair of
108.8 each major political party a list of voters who selected the chair's party for the most recent
108.9 presidential nomination primary.

108.10 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential
108.11 nomination primaries conducted on or after that date.

108.12 Sec. 9. Minnesota Statutes 2018, section 201.161, is amended to read:

108.13 **201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE,**
108.14 **INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS**
108.15 **APPLICANTS.**

108.16 Subdivision 1. **Automatic registration.** An individual who properly completes an
108.17 application for a new or renewed Minnesota driver's license, instruction permit, or
108.18 identification card, and who is eligible to vote under section 201.014, must be registered to
108.19 vote as provided in this section, unless the applicant declines to be registered.

108.20 Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation
108.21 with the secretary of state, shall change its the applications for an original, duplicate, or
108.22 change of address driver's license, instruction permit, or identification card so that the forms
108.23 may also serve as voter registration applications. The forms must contain spaces for all
108.24 information collected by voter registration applications prescribed by the secretary of state.
108.25 ~~Applicants for driver's licenses or identification cards must be asked if they want to register~~
108.26 ~~to vote at the same time and that~~ and a box for the applicant to decline to be registered to
108.27 vote. The form must clearly state that it is a felony for a person who is not eligible to vote
108.28 to register to vote or cast a ballot. Unless the applicant has declined to be registered to vote
108.29 or has provided an address other than the applicant's address of residence under section
108.30 171.12, subdivision 7, paragraph (d), the commissioner shall transmit the information ~~must~~
108.31 ~~be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant
108.32 to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's
108.33 license record containing the voter's name, address, date of birth, citizenship, driver's license
108.34 number or state identification number, county, ~~town~~, and city or town must be made available

109.1 for access by the secretary of state and interaction with the statewide voter registration
109.2 system.

109.3 Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant
109.4 is currently registered in the statewide voter registration system. For each currently registered
109.5 voter whose registration is not changed, the secretary of state shall update the voter's
109.6 registration date in the statewide voter registration system. For each currently registered
109.7 voter whose registration is changed, the secretary of state shall transmit the registration
109.8 daily by electronic means to the county auditor of the county where the voter resides.

109.9 (b) If the applicant is not currently registered in the statewide voter registration system,
109.10 the secretary of state shall determine whether the applicant is 18 years of age or older and
109.11 a citizen of the United States and compare the voter registration information received under
109.12 section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less
109.13 than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years
109.14 of age to determine whether the applicant is eligible to vote. For each applicant the secretary
109.15 of state determines is an eligible voter, the secretary of state shall transmit the registration
109.16 daily by electronic means to the county auditor of the county where the voter resides.

109.17 (c) Any data on applicants who the secretary determines are not eligible to vote are
109.18 private data on individuals as defined in section 13.02, subdivision 12.

109.19 Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the
109.20 voter the notice of registration required by section 201.121, subdivision 2.

109.21 Subd. 5. **Registering 20 days before election.** An application for registration that is
109.22 dated during the 20 days before an election in any jurisdiction within which the voter resides
109.23 is not effective until the day after the election.

109.24 Subd. 6. **System certification.** An applicant for a Minnesota driver's license, instruction
109.25 permit, or identification card must not be registered to vote until the commissioner of public
109.26 safety has certified that the department's systems have been tested and can accurately provide
109.27 the necessary data, and the secretary of state has certified that the system for automatic
109.28 registration of those applicants has been tested and is capable of properly determining
109.29 whether an applicant is eligible to vote.

109.30 Subd. 7. **Implementation costs.** The secretary of state and commissioner of public safety
109.31 must absorb any costs associated with implementation of this section using existing
109.32 appropriations provided to the secretary or commissioner by law.

110.1 Sec. 10. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
110.2 **VOTING RIGHTS.**

110.3 The secretary of state shall develop accurate and complete information in a single
110.4 publication about the voting rights of people who have been charged with or convicted of
110.5 a crime. This publication must be made available electronically to the state court administrator
110.6 for distribution to judges, court personnel, probation officers, and the commissioner of
110.7 corrections for distribution to corrections officials, parole and supervised release agents,
110.8 and the public.

110.9 Sec. 11. Minnesota Statutes 2018, section 203B.001, is amended to read:

110.10 **203B.001 ELECTION LAW APPLICABILITY.**

110.11 The Minnesota Election Law is applicable to voting by absentee ballot and early voting
110.12 unless otherwise provided in this chapter.

110.13 Sec. 12. Minnesota Statutes 2018, section 203B.01, is amended by adding a subdivision
110.14 to read:

110.15 Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the
110.16 office of the county auditor or designated municipal clerk within the time period provided
110.17 in section 203B.31.

110.18 Sec. 13. Minnesota Statutes 2018, section 203B.03, subdivision 1, is amended to read:

110.19 Subdivision 1. **Violation.** (a) No individual shall intentionally:

110.20 (1) make or sign any false certificate required by this chapter;

110.21 (2) make any false or untrue statement in any application for absentee ballots;

110.22 (3) apply for absentee ballots more than once in any election with the intent to cast an
110.23 illegal ballot;

110.24 (4) exhibit a ballot marked by that individual to any other individual;

110.25 (5) do any act in violation of the provisions of this chapter for the purpose of casting an
110.26 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

110.27 (6) use information from absentee ballot or early voting materials or records for purposes
110.28 unrelated to elections, political activities, or law enforcement;

110.29 (7) provide assistance to an absentee or early voter except in the manner provided by
110.30 section 204C.15, subdivision 1;

111.1 (8) solicit the vote of an absentee or early voter while in the immediate presence of the
111.2 voter during the time the individual knows the absentee or early voter is voting; or

111.3 (9) alter an absentee ballot application after it has been signed by the voter, except by
111.4 an election official for administrative purposes.

111.5 (b) Before inspecting information from absentee ballot or early voting materials or
111.6 records, an individual shall provide identification to the public official having custody of
111.7 the material or information.

111.8 Sec. 14. Minnesota Statutes 2018, section 203B.04, subdivision 5, is amended to read:

111.9 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county
111.10 auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before
111.11 each election, other than an election by mail conducted under section 204B.45, and to have
111.12 the status as a permanent absentee voter indicated on the voter's registration record. The
111.13 secretary of state must prescribe a form for this purpose. An eligible voter listed as an
111.14 ongoing absentee voter as of July 31, 2013, pursuant to laws in effect on that date, shall be
111.15 treated as if the voter applied for status as a permanent absentee voter pursuant to this
111.16 subdivision.

111.17 (b) A voter who applies under paragraph (a) must automatically be provided an absentee
111.18 ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and
111.19 automatic ballot ~~application~~ delivery must be terminated on:

111.20 (1) the voter's written request;

111.21 (2) the voter's death;

111.22 (3) return of an absentee ballot as undeliverable; or

111.23 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
111.24 registration system.

111.25 (c) The secretary of state shall adopt rules governing procedures under this subdivision.

111.26 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections
111.27 conducted on or after that date.

111.28 Sec. 15. **[203B.045] VOTERS WITH A DISABILITY.**

111.29 **Subdivision 1. Transmitting ballot and certificate of voter eligibility.** (a) A voter with
111.30 a temporary or permanent disability may include in an application for absentee ballots a
111.31 request that the ballots, instructions, and a certificate of voter eligibility meeting the

112.1 requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically
112.2 in an accessible format, including ballots with the ability to be marked by accessible software
112.3 or devices. Upon receipt of a properly completed application requesting accessible electronic
112.4 transmission, the county auditor shall electronically transmit the requested materials to the
112.5 voter.

112.6 (b) Electronic materials provided by a county auditor to a voter under this subdivision
112.7 must comply with the accessibility standards developed under section 16E.03, subdivision
112.8 9.

112.9 (c) The county auditor or municipal clerk must provide a return envelope containing
112.10 first class postage to a voter requesting a ballot and ballot materials under this subdivision.

112.11 Subd. 2. **Marking ballots.** The voter may electronically mark the ballot using accessible
112.12 software or devices.

112.13 Subd. 3. **Returning voted ballots.** The voter must return the voted ballots and the
112.14 certificate of voter eligibility to the county auditor in a sealed envelope.

112.15 Sec. 16. Minnesota Statutes 2018, section 203B.05, subdivision 1, is amended to read:

112.16 Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the
112.17 provisions of sections 203B.04 to 203B.15 if:

112.18 (1) the county auditor of that county has designated the clerk to administer them; or

112.19 (2) the clerk has given the county auditor of that county notice of intention to administer
112.20 them.

112.21 The designation or notice must specify whether the clerk will be responsible for the
112.22 administration of a ballot board as provided in section 203B.121.

112.23 A clerk of a city that is located in more than one county may only administer the
112.24 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been
112.25 designated by each of the county auditors or has provided notice to each of the county
112.26 auditors that the city will administer absentee voting. A clerk may only administer the
112.27 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the
112.28 statewide voter registration system in the secure manner prescribed by the secretary of state.
112.29 The secretary of state must identify hardware, software, security, or other technical
112.30 prerequisites necessary to ensure the security, access controls, and performance of the
112.31 statewide voter registration system. A clerk must receive training approved by the secretary
112.32 of state on the use of the statewide voter registration system before administering this section.

113.1 A clerk may not use the statewide voter registration system until the clerk has received the
113.2 required training. The county auditor must notify the secretary of state of any municipal
113.3 clerk who will be administering the provisions of this section and the duties that the clerk
113.4 will administer.

113.5 Sec. 17. Minnesota Statutes 2018, section 203B.06, subdivision 1, is amended to read:

113.6 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
113.7 clerk shall prepare and print a sufficient number of blank application forms for absentee
113.8 ballots. The county auditor or municipal clerk shall deliver a blank application form to any
113.9 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~
113.10 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~
113.11 ~~5, at least 60 days before:~~

113.12 ~~(1) each regularly scheduled primary for federal, state, county, city, or school board~~
113.13 ~~office;~~

113.14 ~~(2) each regularly scheduled general election for city or school board office for which~~
113.15 ~~a primary is not held; and~~

113.16 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~
113.17 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~
113.18 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

113.19 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~
113.20 ~~or at least 45 days before any other primary or other election for which a primary is not~~
113.21 ~~held.~~

113.22 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections
113.23 conducted on or after that date.

113.24 Sec. 18. Minnesota Statutes 2018, section 203B.06, subdivision 3, is amended to read:

113.25 Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time
113.26 clerk of any city or town administering an election pursuant to section 203B.05, shall mail
113.27 absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04,
113.28 subdivision 5, at least 45 days before:

113.29 (1) each regularly scheduled primary or general election for federal, state, county, city,
113.30 or school board office;

114.1 (2) each special primary or special election to fill a federal, state, county, city, or school
114.2 board vacancy; except

114.3 (3) town clerks administering absentee ballots for a town general election held in March
114.4 shall deliver absentee ballots at least 30 days before the election.

114.5 (b) The commissioner of corrections must provide the secretary of state with a list of
114.6 the names and mailing addresses of state adult correctional facilities. An application for an
114.7 absentee ballot that provides an address included on the list provided by the commissioner
114.8 of corrections must not be accepted and an absentee ballot must not be provided to the
114.9 applicant. The county auditor or municipal clerk must promptly transmit a copy of the
114.10 application to the county attorney. The Department of Corrections must implement procedures
114.11 to ensure that absentee ballots issued under this chapter are not received or mailed by
114.12 offenders incarcerated at state adult correctional facilities.

114.13 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots
114.14 are not yet available for distribution, the county auditor, or municipal clerk accepting the
114.15 application shall file it and as soon as absentee ballots are available for distribution shall
114.16 mail them to the address specified in the application. If an application for absentee ballots
114.17 is accepted when absentee ballots are available for distribution, the county auditor or
114.18 municipal clerk accepting the application shall promptly:

114.19 (1) mail the ballots to the voter whose signature appears on the application if the
114.20 application is submitted by mail and does not request commercial shipping under clause
114.21 (2);

114.22 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the
114.23 voter's expense;

114.24 (3) deliver the absentee ballots directly to the voter if the application is submitted in
114.25 person; or

114.26 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been
114.27 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter
114.28 who would have difficulty getting to the polls because of incapacitating health reasons, or
114.29 who is disabled, or who is a patient in a health care facility, a resident of a facility providing
114.30 assisted living services governed by chapter 144G, a participant in a residential program
114.31 for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for
114.32 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;

117.1 (4) the voter is registered and eligible to vote in the precinct or has included a properly
117.2 completed voter registration application in the return envelope;

117.3 (5) the certificate has been completed as prescribed in the directions for casting an
117.4 absentee ballot; and

117.5 (6) the voter has not already voted at that election, either in person or, if it is after the
117.6 close of business on the seventh day before the election, by absentee ballot.

117.7 The return envelope from accepted ballots must be preserved and returned to the county
117.8 auditor.

117.9 (c)(1) If a majority of the members of the ballot board examining a return envelope find
117.10 that an absentee voter has failed to meet one of the requirements provided in paragraph (b),
117.11 they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected,"
117.12 list the reason for the rejection on the envelope, and return it to the county auditor. There
117.13 is no other reason for rejecting an absentee ballot beyond those permitted by this section.
117.14 Failure to place the ballot within the security envelope before placing it in the outer white
117.15 envelope is not a reason to reject an absentee ballot.

117.16 (2) If an envelope has been rejected at least five days before the election, the envelope
117.17 must remain sealed and the official in charge of the ballot board shall provide the voter with
117.18 a replacement absentee ballot and return envelope in place of the rejected ballot.

117.19 (3) If an envelope is rejected within five days of the election, the envelope must remain
117.20 sealed and the official in charge of the ballot board must attempt to contact the voter by
117.21 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
117.22 must document the attempts made to contact the voter.

117.23 (d) The official in charge of the absentee ballot board must mail the voter a written notice
117.24 of absentee ballot rejection between six and ten weeks following the election. If the official
117.25 determines that the voter has otherwise cast a ballot in the election, no notice is required.
117.26 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
117.27 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
117.28 absentee ballot rejection must contain the following information:

117.29 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
117.30 the required deadline for submission, the date on which the ballot was received;

117.31 (2) the reason for rejection; and

117.32 (3) the name of the appropriate election official to whom the voter may direct further
117.33 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 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.

119.1 Sec. 25. Minnesota Statutes 2018, section 203B.121, subdivision 4, is amended to read:

119.2 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before
119.3 the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated
119.4 as needed in the manner provided in section 206.86, subdivision 5, initialed by the members
119.5 of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot
119.6 is enclosed in the ballot envelope, the ballots must be returned in the manner provided by
119.7 section 204C.25 for return of spoiled ballots, and may not be counted.

119.8 Sec. 26. Minnesota Statutes 2018, section 203B.121, subdivision 5, is amended to read:

119.9 Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on
119.10 which absentee or early voting ballots are inserted into a ballot box, two members of the
119.11 ballot board must:

119.12 (1) remove the ballots from the ballot box at the end of the day;

119.13 (2) without inspecting the ballots, ensure that the number of ballots removed from the
119.14 ballot box is equal to the number of voters who cast early votes and whose absentee ballots
119.15 were accepted that day; and

119.16 (3) seal and secure all voted and unvoted ballots present in that location at the end of
119.17 the day.

119.18 (b) After the polls have closed on election day, two members of the ballot board must
119.19 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and
119.20 the total votes cast for each candidate or question. In state primary and state general elections,
119.21 the results must indicate the total votes cast for each candidate or question in each precinct
119.22 and report the vote totals tabulated for each precinct. The count must be recorded on a
119.23 summary statement in substantially the same format as provided in section 204C.26. The
119.24 ballot board shall submit at least one completed summary statement to the county auditor
119.25 or municipal clerk. The county auditor or municipal clerk may require the ballot board to
119.26 submit a sufficient number of completed summary statements to comply with the provisions
119.27 of section 204C.27, or the county auditor or municipal clerk may certify reports containing
119.28 the details of the ballot board summary statement to the recipients of the summary statements
119.29 designated in section 204C.27.

119.30 In state primary and state general elections, these vote totals shall be added to the vote
119.31 totals on the summary statements of the returns for the appropriate precinct. In other elections,
119.32 these vote totals may be added to the vote totals on the summary statement of returns for
119.33 the appropriate precinct or may be reported as a separate total.

120.1 The count shall be public. No vote totals from ballots may be made public before the
120.2 close of voting on election day.

120.3 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been
120.4 completed previously, the members of the ballot board must verify as soon as possible, but
120.5 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots
120.6 arrived after the rosters were marked or supplemental reports were generated and whose
120.7 ballots were accepted did not vote in person on election day. An absentee ballot submitted
120.8 by a voter who has voted in person on election day must be rejected. All other accepted
120.9 absentee ballots must be opened, duplicated if necessary, and counted by members of the
120.10 ballot board. The vote totals from these ballots must be incorporated into the totals with the
120.11 other absentee ballots and handled according to paragraph (b).

120.12 Sec. 27. **[203B.30] EARLY VOTING; APPLICABILITY.**

120.13 (a) Any eligible voter may vote in person in a federal, state, or county election prior to
120.14 the date of the election, in the manner provided in sections 203B.31 to 203B.35.

120.15 (b)(1) Subject to clause (2), for city elections not held in conjunction with a federal,
120.16 state, or county election, the city may authorize eligible voters to vote in the manner provided
120.17 in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted
120.18 prior to the first day for filing affidavits of candidacy for the election. In the case of a home
120.19 rule charter city, authorization may alternatively be made by amendment to the city's charter
120.20 for this purpose.

120.21 (2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal
120.22 clerk has the technical capacity to access the statewide voter registration system in the secure
120.23 manner prescribed by the secretary of state. The secretary of state must identify hardware,
120.24 software, security, or other technical prerequisites necessary to ensure the security, access
120.25 controls, and performance of the statewide voter registration system. The clerk must receive
120.26 training approved by the secretary of state on the use of the statewide voter registration
120.27 system before administering voting authorized under this paragraph. The clerk may not use
120.28 the statewide voter registration system until the clerk has received the required training.

120.29 Sec. 28. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

120.30 Early voting must be available to any eligible voter as provided in section 203B.32 for
120.31 every primary, general, and special election subject to early voting under section 203B.30
120.32 from 30 days before the election through 5:00 p.m. on the third day before the election. All

121.1 voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in
121.2 the same manner as provided in section 204C.05, subdivision 2.

121.3 Sec. 29. **[203B.32] HOURS FOR EARLY VOTING.**

121.4 Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each
121.5 weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m.
121.6 on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the
121.7 election.

121.8 Sec. 30. **[203B.33] LOCATIONS FOR EARLY VOTING.**

121.9 (a) Early voting must be made available at polling places designated in the county
121.10 auditor's offices in county-owned or operated buildings, at the municipal clerk's office in
121.11 every municipality that has been delegated the responsibility to administer absentee voting
121.12 as provided in section 203B.05 or which is conducting an election that includes early voting,
121.13 as authorized in section 203B.30, and at any other county or city-owned or operated buildings
121.14 designated by the county auditor or municipal clerk. At least one voting station and one
121.15 ballot marking device for disabled voters must be made available in each polling place.

121.16 (b) The county auditor or municipal clerk must make an electronic ballot counter available
121.17 in each polling place.

121.18 Sec. 31. **[203B.34] NOTICE TO VOTERS.**

121.19 The county auditor or municipal clerk must prepare a notice to the voters of the days,
121.20 times, and locations for early voting. This notice must be posted on the county's website,
121.21 if applicable, and the website for each municipality in the county where an early voting
121.22 location is designated for the election at least 14 days before the first day for early voting.
121.23 If a county or municipality does not have a website, the county auditor or municipal clerk
121.24 must publish the notice at least once in the jurisdiction's official newspaper at least seven
121.25 days and not more than 14 days before the first day for early voting.

121.26 Sec. 32. **[203B.35] PROCEDURES FOR EARLY VOTING.**

121.27 Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in
121.28 section 204C.10. An individual who is not registered to vote must register in the manner
121.29 provided in section 201.061, subdivision 3.

121.30 After the voter has signed the certification, a member of the ballot board must provide
121.31 a ballot to the voter. Ballots must be prepared and distributed by members of the ballot

122.1 board in the manner provided in section 204C.09. The voter must mark the ballot and deposit
122.2 it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling
122.3 place with the ballot.

122.4 Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35
122.5 must be processed and counted by a ballot board.

122.6 Sec. 33. Minnesota Statutes 2018, section 204B.28, subdivision 2, is amended to read:

122.7 Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as
122.8 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision
122.9 4, the county auditor shall complete the preparation of the election materials for which the
122.10 auditor is responsible at least four days before every state primary and state general election.
122.11 At any time after all election materials are available from the county auditor but not later
122.12 than four days before the election each municipal clerk shall secure from the county auditor:

122.13 ~~(a)~~ (1) the forms that are required for the conduct of the election;

122.14 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

122.15 ~~(c)~~ (3) any other instructions for election officers; and

122.16 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot
122.17 returns, and other supplies and materials required for each precinct in order to comply with
122.18 the provisions of the Minnesota Election Law. The county auditor may furnish the election
122.19 supplies to the municipal clerks in the same manner as the supplies are furnished to precincts
122.20 in unorganized territory pursuant to section 204B.29, subdivision 1.

122.21 (b) The county auditor must prepare and make available election materials for early
122.22 voting to city clerks designated to administer early voting under section 203B.05 at least
122.23 one day prior to the beginning of the early voting period as provided in section 203B.31.

122.24 Sec. 34. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision
122.25 to read:

122.26 Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and
122.27 chapter 204D, a jurisdiction may employ an electronic voting system provided by section
122.28 206.80, paragraph (b), clause (3), displaying the required ballot information on an electronic
122.29 device in a format that substantially meets the requirements of law.

123.1 Sec. 35. Minnesota Statutes 2018, section 204B.45, subdivision 1, is amended to read:

123.2 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~
123.3 ~~as defined by section 473.121~~, or a city having fewer than 400 registered voters on June 1
123.4 of an election year ~~and not located in a metropolitan county as defined by section 473.121~~,
123.5 may provide balloting by mail at any municipal, county, or state election with no polling
123.6 place other than the office of the auditor or clerk or other locations designated by the auditor
123.7 or clerk. The governing body may apply to the county auditor for permission to conduct
123.8 balloting by mail. The county board may provide for balloting by mail in unorganized
123.9 territory. The governing body of any municipality may designate for mail balloting any
123.10 precinct having fewer than 100 registered voters, subject to the approval of the county
123.11 auditor.

123.12 Voted ballots may be returned in person to any location designated by the county auditor
123.13 or municipal clerk.

123.14 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections
123.15 conducted on or after that date.

123.16 Sec. 36. Minnesota Statutes 2018, section 204B.45, subdivision 2, is amended to read:

123.17 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given
123.18 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before
123.19 a regularly scheduled election and not more than 30 days nor later than 14 days before any
123.20 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered
123.21 in the city, town, or unorganized territory. No later than 14 days before the election, the
123.22 auditor must make a subsequent mailing of ballots to those voters who register to vote after
123.23 the initial mailing but before the 20th day before the election. Eligible voters not registered
123.24 at the time the ballots are mailed and eligible voters with a temporary or permanent disability
123.25 may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return
123.26 postage provided, must be preaddressed to the auditor or clerk and the voter may return the
123.27 ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must
123.28 appoint a ballot board to examine the mail and absentee ballot return envelopes and mark
123.29 them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days
123.30 before election day, or within five days of receipt if there are more than 14 days before
123.31 election day. The board may consist of deputy county auditors or deputy municipal clerks
123.32 who have received training in the processing and counting of mail ballots, who need not be
123.33 affiliated with a major political party. Election judges performing the duties in this section
123.34 must be of different major political parties, unless they are exempt from that requirement

124.1 under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected
124.2 at least five days before the election, the ballots in the envelope must remain sealed and the
124.3 auditor or clerk shall provide the voter with a replacement ballot and return envelope in
124.4 place of the spoiled ballot. If the ballot is rejected within five days of the election, the
124.5 envelope must remain sealed and the official in charge of the ballot board must attempt to
124.6 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been
124.7 rejected. The official must document the attempts made to contact the voter.

124.8 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
124.9 indicate that the voter has already cast a ballot in that election. After the close of business
124.10 on the seventh day before the election, the ballots from return envelopes marked "Accepted"
124.11 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision
124.12 5, initialed by the members of the ballot board, and deposited in the ballot box.

124.13 In all other respects, the provisions of the Minnesota Election Law governing deposit
124.14 and counting of ballots apply.

124.15 The mail and absentee ballots for a precinct must be counted together and reported as
124.16 one vote total. No vote totals from mail or absentee ballots may be made public before the
124.17 close of voting on election day.

124.18 The costs of the mailing shall be paid by the election jurisdiction in which the voter
124.19 resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

124.20 Sec. 37. Minnesota Statutes 2018, section 204C.03, is amended by adding a subdivision
124.21 to read:

124.22 Subd. 5. **Transit service.** Certain requirements for transit service on the date of a state
124.23 general election are as provided in sections 174.24, subdivision 7a, and 473.408, subdivision
124.24 11.

124.25 **EFFECTIVE DATE.** This section is effective July 1, 2020.

124.26 Sec. 38. Minnesota Statutes 2018, section 204C.10, is amended to read:

124.27 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
124.28 **VOTER RECEIPT.**

124.29 (a) An individual seeking to vote shall sign a polling place roster or voter signature
124.30 certificate which states that the individual:

124.31 (1) is at least 18 years of age;

- 125.1 (2) a citizen of the United States;₂
- 125.2 (3) has resided in Minnesota for 20 days immediately preceding the election;₂
- 125.3 (4) maintains residence at the address shown;₂
- 125.4 (5) is not under a guardianship in which the court order revokes the individual's right to
- 125.5 vote;₂
- 125.6 (6) has not been found by a court of law to be legally incompetent to vote ~~or~~₂
- 125.7 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~
- 125.8 ~~sentence has expired or been completed~~ or the individual has ~~been discharged from the~~
- 125.9 ~~sentence,~~ completed the term of incarceration, if any, for the felony offense;
- 125.10 (8) is registered; and
- 125.11 (9) has not already voted in the election.
- 125.12 The roster must also state: "I understand that deliberately providing false information
- 125.13 is a felony punishable by not more than five years imprisonment and a fine of not more than
- 125.14 \$10,000, or both."
- 125.15 (b) At the presidential nomination primary, the polling place roster must also state: "I
- 125.16 am in general agreement with the principles of the party for whose candidate I intend to
- 125.17 vote, ~~and I understand that my choice of a party's ballot will be public information.~~" This
- 125.18 statement must appear separately from the statements required in paragraph (a). The felony
- 125.19 penalty provided for in paragraph (a) does not apply to this paragraph.
- 125.20 ~~(e)~~ (b) A judge may, before the applicant signs the roster or voter signature certificate,
- 125.21 confirm the applicant's name, address, and date of birth.
- 125.22 ~~(d)~~ (c) After the applicant signs the roster or voter signature certificate, the judge shall
- 125.23 give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge
- 125.24 in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand
- 125.25 to the voter the ballot. The voters' receipts must be maintained during the time for notice
- 125.26 of filing an election contest.
- 125.27 ~~(e)~~ (d) Whenever a challenged status appears on the polling place roster, an election
- 125.28 judge must ensure that the challenge is concealed or hidden from the view of any voter other
- 125.29 than the voter whose status is challenged.

126.1 Sec. 39. Minnesota Statutes 2018, section 204C.15, subdivision 1, is amended to read:

126.2 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
126.3 assistance because of inability to read English or physical inability to mark a ballot may
126.4 obtain the aid of two election judges who are members of different major political parties.
126.5 The election judges shall mark the ballots as directed by the voter and in as secret a manner
126.6 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
126.7 of any individual the voter chooses. Only the following persons may not provide assistance
126.8 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
126.9 voter's union, or a candidate for election. The person who assists the voter shall,
126.10 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
126.11 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
126.12 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
126.13 are deposited, the voter may show them privately to an election judge to ascertain that they
126.14 are marked as the voter directed. An election judge or other individual assisting a voter shall
126.15 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
126.16 vote for any particular political party or candidate. The election judges or other individuals
126.17 who assist the voter shall not reveal to anyone the name of any candidate for whom the
126.18 voter has voted or anything that took place while assisting the voter.

126.19 Sec. 40. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

126.20 Subdivision 1. **Information requirements.** Precinct summary statements shall be
126.21 submitted by the election judges in every precinct. For all elections, the election judges
126.22 shall complete three or more copies of the summary statements, and each copy shall contain
126.23 the following information for each kind of ballot:

126.24 (1) the number of ballots delivered to the precinct as adjusted by the actual count made
126.25 by the election judges, the number of unofficial ballots made, and the number of absentee
126.26 ballots delivered to the precinct;

126.27 (2) the number of votes each candidate received or the number of yes and no votes on
126.28 each question, the number of undervotes, the number of overvotes, and the number of
126.29 defective ballots with respect to each office or question;

126.30 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of
126.31 absentee ballots rejected, and the number of unused ballots, presuming that the total count
126.32 provided on each package of unopened prepackaged ballots is correct;

127.1 (4) the number of voted ballots indicating only a voter's choices as provided by section
127.2 206.80, paragraph (b), clause (3);

127.3 ~~(4)~~ (5) the number of individuals who voted at the election in the precinct which must
127.4 equal the total number of ballots cast in the precinct, as required by sections 204C.20 and
127.5 206.86, subdivision 1;

127.6 ~~(5)~~ (6) the number of voters registering on election day in that precinct; and

127.7 ~~(6)~~ (7) the signatures of the election judges who counted the ballots certifying that all
127.8 of the ballots cast were properly piled, checked, and counted; and that the numbers entered
127.9 by the election judges on the summary statements correctly show the number of votes cast
127.10 for each candidate and for and against each question.

127.11 At least two copies of the summary statement must be prepared for elections not held
127.12 on the same day as the state elections.

127.13 Sec. 41. Minnesota Statutes 2018, section 204D.19, subdivision 2, is amended to read:

127.14 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
127.15 the legislature which occur at any time between the last day of session in an odd-numbered
127.16 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
127.17 even-numbered year, when a vacancy occurs and the legislature will be in session so that
127.18 the individual elected as provided by this section could take office and exercise the duties
127.19 of the office immediately upon election, the governor shall issue within five days after the
127.20 vacancy occurs a writ calling for a special election. The special election shall be held as
127.21 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
127.22 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
127.23 ~~must not be held during the four days before or the four days after a holiday as defined in~~
127.24 ~~section 645.44, subdivision 5.~~

127.25 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies
127.26 occurring on or after that date.

127.27 Sec. 42. Minnesota Statutes 2018, section 204D.195, is amended to read:

127.28 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

127.29 Notwithstanding any other provision of law, a special primary and special general election
127.30 may not be held;

128.1 (1) for a period beginning the day following the date of the state primary election and
128.2 ending the day prior to the date of the state general election; or

128.3 (2) on a holiday, or during the four days before or the four days after a holiday, as defined
128.4 in section 645.44, subdivision 5.

128.5 **EFFECTIVE DATE.** This section is effective the day following final enactment and
128.6 applies to special elections for vacancies in office occurring on or after that date.

128.7 Sec. 43. Minnesota Statutes 2018, section 204D.22, subdivision 3, is amended to read:

128.8 Subd. 3. **Notice of special election.** The county auditor of a county in which a special
128.9 election is to be held shall direct the clerk of each municipality in which the election is to
128.10 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days
128.11 before the special primary and at least ~~14~~ 21 days before the special election in the manner
128.12 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days
128.13 before the special election, a single notice of both elections may be posted seven days before
128.14 the primary.

128.15 When the special primary or special election is to be held on the same day as any other
128.16 election, notice of the special primary or special election may be included in the notice of
128.17 the other election, if practicable.

128.18 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies
128.19 occurring on or after that date.

128.20 Sec. 44. Minnesota Statutes 2018, section 204D.23, subdivision 2, is amended to read:

128.21 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions
128.22 shall be filed no later than ~~14~~ 21 days before the special primary.

128.23 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies
128.24 occurring on or after that date.

128.25 Sec. 45. **[204D.275] LOCAL REIMBURSEMENT FOR SPECIAL ELECTIONS.**

128.26 Subdivision 1. **Reimbursement authorized.** Each county and municipality shall be
128.27 reimbursed for the cost of conducting a special election as defined in section 200.02,
128.28 subdivision 4, for a federal or state office.

128.29 Subd. 2. **Expenses eligible for reimbursement.** The secretary of state shall reimburse
128.30 each county and municipality for the cost of:

- 129.1 (1) preparation and printing of ballots and other election materials for the special election;
129.2 (2) postage for absentee ballots;
129.3 (3) publication of the sample ballot;
129.4 (4) preparation of polling places;
129.5 (5) preparation of electronic voting systems;
129.6 (6) compensation paid to the county canvassing board members;
129.7 (7) election judge salaries; and
129.8 (8) other reasonable costs of administering the election, as approved by the secretary of
129.9 state.

129.10 Reimbursable costs do not include salaries of permanent local officials or the cost of reusable
129.11 supplies and equipment.

129.12 Subd. 3. **Reimbursement requests.** (a) Not more than 90 days after the special election,
129.13 the county auditor must submit a request for reimbursement of the costs incurred by the
129.14 county for conducting the special election and the municipal clerk must submit a request
129.15 for reimbursement of the costs incurred by the municipality for conducting the special
129.16 election. The request for reimbursement must be submitted to the secretary of state and
129.17 must be accompanied by an itemized description of actual county or municipal expenditures
129.18 including copies of invoices. In addition, the county auditor or municipal clerk must certify
129.19 that the request for reimbursement is based on actual costs incurred by the county or
129.20 municipality in the special election. The secretary of state shall provide each county and
129.21 municipality with the appropriate forms for requesting payment and certifying expenses
129.22 under this subdivision.

129.23 (b) The secretary of state must not reimburse expenses unless the request for payment
129.24 and certification of costs has been submitted as provided in this subdivision. The secretary
129.25 of state must complete the issuance of reimbursements to the counties and municipalities
129.26 for qualifying claims no later than 120 days after the special election. Amounts necessary
129.27 to pay qualifying claims are appropriated from the general fund to the secretary of state for
129.28 that purpose.

129.29 Sec. 46. **[204E.01] APPLICABILITY.**

129.30 This chapter applies to all elections expressly authorized by law to use ranked-choice
129.31 voting. All other provisions of the Minnesota Election Law also apply, to the extent they
129.32 are not inconsistent with this chapter.

130.1 Sec. 47. **[204E.02] DEFINITIONS.**

130.2 **Subdivision 1. Scope.** The definitions in this section apply to this chapter.

130.3 **Subd. 2. Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple
130.4 continuing candidates that have no mathematical chance of being elected.

130.5 **Subd. 3. Chief election official.** "Chief election official" means the principal officer in
130.6 the jurisdiction charged with duties relating to elections.

130.7 **Subd. 4. Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same
130.8 candidate at multiple rankings for the office being counted.

130.9 **Subd. 5. Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be
130.10 advanced under the procedures in section 204E.06.

130.11 **Subd. 6. Highest continuing ranking.** "Highest continuing ranking" means the ranking
130.12 on a voter's ballot with the lowest numerical value for a continuing candidate.

130.13 **Subd. 7. Mathematically impossible to be elected.** "Mathematically impossible to be
130.14 elected" means either:

130.15 (1) the candidate cannot be elected because the candidate's current vote total plus all
130.16 votes that could possibly be transferred to the candidate in future rounds from candidates
130.17 with fewer votes or an equal number of votes and surplus votes would not be enough to
130.18 surpass the candidate with the next higher current vote total; or

130.19 (2) the candidate has a lower current vote total than a candidate who is described by
130.20 clause (1).

130.21 **Subd. 8. Overvote.** "Overvote" means a voter has ranked more than one candidate at
130.22 the same ranking.

130.23 **Subd. 9. Partially defective ballot.** "Partially defective ballot" means a ballot that is
130.24 defective to the extent that the election judges are unable to determine the voter's intent with
130.25 respect to the office being counted.

130.26 **Subd. 10. Ranked-choice voting.** "Ranked-choice voting" means an election method
130.27 in which voters rank candidates for an office in order of their preference, with each vote
130.28 counting for the highest-ranked continuing candidate on each ballot until that candidate has
130.29 been elected or defeated by the method established in this chapter.

130.30 **Subd. 11. Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation
130.31 center" means the place selected for the automatic or manual processing and tabulation of
130.32 ballots.

131.1 Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to
131.2 express the voter's preference for that candidate. Ranking number one is the highest ranking.
131.3 A ranking of lower numerical value indicates a greater preference for a candidate than a
131.4 ranking of higher numerical value.

131.5 Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps
131.6 established in section 204E.06.

131.7 Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank
131.8 and ranks a candidate at a subsequent ranking.

131.9 Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected
131.10 candidate in excess of the threshold.

131.11 Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion
131.12 of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated
131.13 by dividing the surplus by the total votes cast for the elected candidate, calculated to four
131.14 decimal places, ignoring any remainder.

131.15 Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate
131.16 to be elected. In any given election, the threshold equals the total votes counted in the first
131.17 round after removing defective ballots, divided by the sum of one plus the number of offices
131.18 to be filled and adding one to the quotient, disregarding any fractions.

131.19 Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred
131.20 ballot will contribute to the next ranked continuing candidate on that ballot. The transfer
131.21 value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction
131.22 of each vote by its current value, calculated to four decimal places, ignoring any remainder.
131.23 The transfer value of a vote cast for a defeated candidate is the same as its current value.

131.24 Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote
131.25 for a candidate who has been either elected or defeated.

131.26 Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is
131.27 defective to the extent that election judges are unable to determine the voter's intent for any
131.28 office on the ballot.

131.29 Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an
131.30 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.

133.1 (b) A ballot must:

133.2 (1) include instructions to voters that clearly indicate how to mark the ballot;

133.3 (2) include instructions to voters that clearly indicate how to rank candidates in order
133.4 of the voter's preference; and

133.5 (3) indicate the number of seats to be elected for each office.

133.6 (c) A jurisdiction may use ballots compatible with alphanumeric character recognition
133.7 voting equipment.

133.8 Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice
133.9 voting is used in addition to other methods of voting, the ranked-choice voting and
133.10 non-ranked-choice voting elections must be on the same ballot card if possible, with
133.11 ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot
133.12 card. A separate ballot card may be used if necessary. A jurisdiction may deviate from the
133.13 standard ballot order of offices to allow separation of ranked-choice voting and
133.14 non-ranked-choice voting elections.

133.15 Subd. 3. **Ballot format rules.** The chief election official shall establish administrative
133.16 rules for ballot format after a voting mechanism has been selected, consistent with this
133.17 section.

133.18 Sec. 50. **[204E.05] RANKED-CHOICE VOTING TABULATION CENTER.**

133.19 Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate
133.20 one location to serve as the ranked-choice voting tabulation center. The center must be
133.21 accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes
133.22 must be conducted as described in section 204E.06.

133.23 Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has
133.24 concluded, the election judges in each precinct shall record and publicly declare the number
133.25 of first choices cast for each candidate in that precinct. The election judges must then securely
133.26 transfer all electronic voting data and ballots from the precinct to the ranked-choice voting
133.27 tabulation center designated under this section. Upon receipt at the ranked-choice voting
133.28 tabulation center, all electronic voting data and ballots shall be secured.

133.29 Subd. 3. **Notice of recess in count.** At any time following receipt of materials under
133.30 subdivision 1, the chief election official may declare a recess. Notice of the recess must
133.31 include the date, time, and location at which the process of recording and tabulating votes

134.1 will resume and the reason for the recess. Notice must be posted on the city's official bulletin
134.2 board and on the door of the ranked-choice voting tabulation center.

134.3 Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the
134.4 election judges shall convene at the ranked-choice voting tabulation center to examine
134.5 ballots on which voters have indicated a write-in choice, and record the names and number
134.6 of votes received by each write-in candidate. In the event that votes cast for the write-in
134.7 category are not eliminated as provided in section 204E.06, the results must be entered into
134.8 the ranked-choice voting tabulation software.

134.9 Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a
134.10 time set by the chief election official, the process of tabulating votes cast for offices to be
134.11 elected using the ranked-choice method must begin. The counting must continue until
134.12 preliminary results for all races are determined, subject to subdivision 3.

134.13 Sec. 51. **[204E.06] TABULATION OF VOTES.**

134.14 (a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in
134.15 rounds for each office to be counted. The threshold must be calculated and publicly declared.
134.16 Each round must proceed sequentially as follows:

134.17 (1) the number of votes cast for each candidate for the current round must be counted.
134.18 If the number of candidates whose vote totals equal or exceed the threshold are equal to the
134.19 number of seats to be filled, those candidates who are continuing candidates are elected and
134.20 the tabulation is complete. If the number of candidates whose vote totals are equal to or
134.21 greater than the threshold is not equal to the number of seats to be filled, a new round begins
134.22 and the tabulation must continue as provided in the remainder of this paragraph;

134.23 (2) surplus votes for any candidates whose vote totals are equal to or greater than the
134.24 threshold must be calculated;

134.25 (3) after any surplus votes are calculated but not yet transferred, all candidates for whom
134.26 it is mathematically impossible to be elected must be defeated by batch elimination. Votes
134.27 for the defeated candidates must be transferred to each ballot's next-ranked continuing
134.28 candidate, and the tabulation process reiterates beginning with clause (2). If no candidate
134.29 can be defeated mathematically, the tabulation must continue as described in clause (4);

134.30 (4) the transfer value of each vote cast for an elected candidate must be transferred to
134.31 the next continuing candidate on that ballot. Of the candidates whose vote totals reach or
134.32 exceed the threshold, the candidate with the largest surplus is declared elected and that
134.33 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.

136.1 (c) The election abstract must include the information required in the ranked-choice
136.2 voting tabulation center summary statement, with the addition of the number of registered
136.3 voters by precinct, the number of same-day voter registrations, and the number of absentee
136.4 voters.

136.5 Sec. 53. **[204E.08] RECOUNTS.**

136.6 (a) A candidate defeated in the final round of tabulation may request a recount as provided
136.7 in section 204C.36.

136.8 (b) A candidate defeated in the final round of tabulation when the vote difference is
136.9 greater than that provided in section 204C.36 may request a recount at the candidate's own
136.10 expense. A candidate defeated in an earlier round of tabulation may request a recount at the
136.11 candidate's own expense. The candidate is responsible for all expenses associated with the
136.12 recount, regardless of the vote difference between the candidates in the round in which the
136.13 requesting candidate was defeated. The requesting candidate shall file with the filing officer
136.14 a bond, cash, or surety in an amount set by the filing officer for the payment of the recount
136.15 expenses. Expenses must be determined as provided in section 204C.36, subdivision 4.

136.16 (c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to
136.17 recounts conducted under this section.

136.18 Sec. 54. **[204E.09] RULES.**

136.19 The secretary of state may adopt rules necessary to implement the requirements and
136.20 procedures established by this chapter.

136.21 Sec. 55. Minnesota Statutes 2018, section 205.13, subdivision 2, is amended to read:

136.22 Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits
136.23 of candidacy, the municipal clerk shall publish a notice stating the first and last dates on
136.24 which affidavits of candidacy may be filed in the clerk's office and the closing time for
136.25 filing on the last day for filing. The clerk shall post a similar notice at least ten days before
136.26 the first day to file affidavits of candidacy. The notice must indicate the method of election
136.27 to be used for the offices on the ballot. The notice must separately list any office for which
136.28 affidavits of candidacy may be filed to fill the unexpired portion of a term when a special
136.29 election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.

137.1 Sec. 56. Minnesota Statutes 2018, section 206.58, subdivision 1, is amended to read:

137.2 Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular
137.3 meeting or at a special meeting called for the purpose, may provide for the use of an
137.4 electronic voting system in one or more precincts and at all elections in the precincts, subject
137.5 to approval by the county auditor. The governing body shall disseminate information to the
137.6 public about the use of a new voting system at least 60 days prior to the election and shall
137.7 provide for instruction of voters with a demonstration voting system in a public place for
137.8 the six weeks immediately prior to the first election at which the new voting system will be
137.9 used.

137.10 (b) No system may be adopted or used unless it has been approved by the secretary of
137.11 state pursuant to section 206.57.

137.12 (c) The governing body of a municipality may provide for the use of an electronic voting
137.13 system that has been approved by the secretary of state under section 206.57 but includes
137.14 an automatic tabulating equipment reallocation feature that has not been approved by the
137.15 secretary of state if the municipal clerk certifies to the secretary of state, within 30 days
137.16 from the date of adoption under paragraph (a), that the reallocation feature:

137.17 (1) has been certified as required under section 206.57, subdivision 6; and

137.18 (2) meets the municipality's ordinance requirements for electronic voting systems.

137.19 Sec. 57. Minnesota Statutes 2018, section 206.61, is amended by adding a subdivision to
137.20 read:

137.21 Subd. 1a. **Availability of alternate ballot formats.** In precincts using a ballot format
137.22 authorized by section 206.80, paragraph (b), clause (3), voters must be provided the option
137.23 of voting a regularly printed optical scan ballot.

137.24 Sec. 58. Minnesota Statutes 2018, section 206.80, is amended to read:

137.25 **206.80 ELECTRONIC VOTING SYSTEMS.**

137.26 (a) An electronic voting system may not be employed unless it:

137.27 (1) permits every voter to vote in secret;

137.28 (2) permits every voter to vote for all candidates and questions for whom or upon which
137.29 the voter is legally entitled to vote;

137.30 (3) provides for write-in voting when authorized;

138.1 (4) automatically rejects, except as provided in section 206.84 with respect to write-in
138.2 votes, all votes for an office or question when the number of votes cast on it exceeds the
138.3 number which the voter is entitled to cast;

138.4 (5) permits a voter at a primary election to select secretly the party for which the voter
138.5 wishes to vote;

138.6 (6) automatically rejects all votes cast in a primary election by a voter when the voter
138.7 votes for candidates of more than one party; and

138.8 (7) provides every voter an opportunity to verify votes recorded on the permanent paper
138.9 ballot, either visually or using assistive voting technology, and to change votes or correct
138.10 any error before the voter's ballot is cast and counted, produces an individual, discrete,
138.11 permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record
138.12 available for use in any recount.

138.13 (b) An electronic voting system purchased on or after June 4, 2005, may not be employed
138.14 unless it:

138.15 (1) accepts and tabulates, in the polling place or at a counting center, a marked optical
138.16 scan ballot; ~~or~~

138.17 (2) creates a marked optical scan ballot that can be tabulated in the polling place or at a
138.18 counting center by automatic tabulating equipment certified for use in this state; or

138.19 (3) creates a marked paper ballot indicating, at a minimum, the date of the election, the
138.20 name of the precinct, an electronically readable precinct identifier or ballot style indicator,
138.21 and the voter's votes for each office or question, generated from the voter's use of a touch
138.22 screen or other electronic device on which a complete ballot meeting the information
138.23 requirements of any applicable law was displayed electronically.

138.24 (c) Jurisdictions using multiple ballot formats must not record the ballot formats of
138.25 electronic voting system used by a particular voter.

138.26 Sec. 59. **[206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.**

138.27 Any new voting equipment purchased for use in Minnesota for the purpose of replacing
138.28 a voting system must have the ability to:

138.29 (1) capture and store ballot data;

138.30 (2) keep data anonymous;

138.31 (3) accept ranked or cumulative voting data under a variety of tabulation rules;

139.1 (4) be programmable to follow all other specifications of the ranked-choice voting system
139.2 as provided in chapter 204E;

139.3 (5) provide a minimum of three rankings for ranked-choice voting elections;

139.4 (6) notify voters of the following errors: overvotes, skipped rankings, and duplicate
139.5 rankings in a ranked-choice voting election; and

139.6 (7) be programmable to print a zero tape indicating all rankings for all candidates in a
139.7 ranked-choice voting election.

139.8 **EFFECTIVE DATE.** This section is effective upon certification by the secretary of
139.9 state that equipment meeting the standards required by this section is available for purchase
139.10 and implementation.

139.11 Sec. 60. Minnesota Statutes 2018, section 206.82, subdivision 1, is amended to read:

139.12 Subdivision 1. **Program.** A program or programs for use in an election conducted by
139.13 means of an electronic voting system or using an electronic ballot marker shall be prepared
139.14 at the direction of the county auditor or municipal clerk who is responsible for the conduct
139.15 of the election and shall be independently verified by a competent person designated by
139.16 that official. The term "competent person" as used in this section means a person who can
139.17 demonstrate knowledge as a computer programmer and who is other than and wholly
139.18 independent of any person operating or employed by the counting center or the corporation
139.19 or other preparer of the program. A test deck prepared by a competent person shall be used
139.20 for independent verification of the program; it shall test the maximum digits used in totaling
139.21 the returns and shall be usable by insertion during the tabulation process as well as prior to
139.22 tabulation. A test deck must also be prepared using the electronic ballot marker program
139.23 and must also be used to verify that all valid votes counted by the vote tabulator may be
139.24 selected using the electronic ballot marker. The computer program for any election and an
139.25 exact duplicate of the program for use as backup must be completed and delivered to the
139.26 election jurisdiction or the county auditor in charge of a common central counting center
139.27 at least 40 days prior to the election. The secretary of state shall adopt rules further specifying
139.28 test procedures.

139.29 Sec. 61. Minnesota Statutes 2018, section 206.83, is amended to read:

139.30 **206.83 TESTING OF VOTING SYSTEMS.**

139.31 (a) Within ~~14~~ 37 days before election day, the official in charge of elections shall have
139.32 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

141.1 by the county auditor at least 30 days before the election. The postelection review must not
141.2 begin before the 11th day after the state general election and must be complete no later than
141.3 the 18th day after the state general election.

141.4 At the canvass of the state general election, the county canvassing boards must select
141.5 the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both
141.6 the ballots counted at the polling place for that precinct and the absentee ballots counted
141.7 centrally by a ballot board for that precinct. The county canvassing board of a county with
141.8 fewer than 50,000 registered voters must conduct a postelection review of a total of at least
141.9 two precincts. The county canvassing board of a county with between 50,000 and 100,000
141.10 registered voters must conduct a review of a total of at least three precincts. The county
141.11 canvassing board of a county with over 100,000 registered voters must conduct a review
141.12 of a total of at least four precincts, or three percent of the total number of precincts in the
141.13 county, whichever is greater. At least one precinct selected in each county must have had
141.14 more than 150 votes cast at the general election.

141.15 The county auditor must notify the secretary of state of the precincts that have been
141.16 chosen for review and the time and place the postelection review for that county will be
141.17 conducted, as soon as the decisions are made. If the selection of precincts has not resulted
141.18 in the selection of at least four precincts in each congressional district, the secretary of state
141.19 may require counties to select by lot additional precincts to meet the congressional district
141.20 requirement. The secretary of state must post this information on the office website.

141.21 Sec. 64. Minnesota Statutes 2018, section 206.89, subdivision 3, is amended to read:

141.22 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the
141.23 postelection review official as defined in subdivision 1. The postelection review must be
141.24 conducted of the votes cast for president or governor; United States senator; and United
141.25 States representative. In jurisdictions where ranked-choice voting is used, the review must
141.26 also include at least one single-seat ranked-choice voting election and at least one
141.27 multiple-seat ranked-choice voting election, if such an election occurred. A postelection
141.28 review of a ranked-choice voting election must be conducted for elections decided most
141.29 closely in the final round, by percentage. The postelection review official may conduct
141.30 postelection review of the votes cast for additional offices.

141.31 The postelection review must be conducted in public at the location where the voted
141.32 ballots have been securely stored after the state general election or at another location chosen
141.33 by the county canvassing board. The postelection review official for each precinct selected
141.34 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;

143.1 (8) whether the political subdivision has previously applied for a grant under this
143.2 subdivision and the disposition of that application;

143.3 (9) a certified statement by the political subdivision that the grant will be used only for
143.4 purposes authorized under subdivision 2; and

143.5 (10) any other information required by the secretary of state.

143.6 Subd. 4. **Legislative report.** No later than January 15, 2020, and annually thereafter
143.7 until the appropriations provided for grants under this section have been exhausted, the
143.8 secretary of state must submit a report to the chairs and ranking minority members of the
143.9 legislative committees with jurisdiction over elections policy on grants awarded by this
143.10 section. The report must detail each grant awarded, including the jurisdiction, the amount
143.11 of the grant, and how the grant was used.

143.12 Sec. 66. Minnesota Statutes 2018, section 207A.11, is amended to read:

143.13 **207A.11 PRESIDENTIAL NOMINATION PRIMARY ESTABLISHED.**

143.14 (a) A presidential nomination primary must be held each year in which a president and
143.15 vice president of the United States are to be nominated and elected.

143.16 (b) The party chairs must jointly submit to the secretary of state, no later than March 1
143.17 in a year prior to a presidential election year, the single date on which the parties have agreed
143.18 to conduct the presidential nomination primary in the next year. The date selected must not
143.19 be the date of the town general election provided in section 205.075, subdivision 1. If a date
143.20 is not jointly submitted by the deadline, the presidential nomination primary must be held
143.21 on the first Tuesday in March in the year of the presidential election. No other election may
143.22 be conducted on the date of the presidential nomination primary.

143.23 (c) The secretary of state must adopt rules to implement the provisions of this chapter.
143.24 The secretary of state shall consult with the party chairs throughout the rulemaking process,
143.25 including seeking advice about possible rules before issuing a notice of intent to adopt rules,
143.26 consultation before the notice of comment is published, consultation on the statement of
143.27 need and reasonableness, consultation in drafting and revising the rules, and consultation
143.28 regarding any modifications to the rule being considered.

143.29 (d) This chapter only applies to a major political party that selects delegates at the
143.30 presidential nomination primary to send to a national convention. A major political party
143.31 that does not participate in a national convention is not eligible to participate in the
143.32 presidential nomination primary.

144.1 (e) For purposes of this chapter, "political party" or "party" means a major political party
144.2 as defined in section 200.02, subdivision 7, that is eligible to participate in the presidential
144.3 nomination primary.

144.4 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential
144.5 nomination primaries conducted on or after that date.

144.6 Sec. 67. Minnesota Statutes 2018, section 207A.12, is amended to read:

144.7 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

144.8 (a) Except as otherwise provided by law, the presidential nomination primary must be
144.9 conducted, and the results canvassed and returned, in the manner provided by law for the
144.10 state primary.

144.11 (b) An individual seeking to vote at the presidential nomination primary must be
144.12 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
144.13 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
144.14 204C.18, subdivision 1, the election judge must record in the polling place roster the name
144.15 of the political party whose ballot the voter requested. When posting voter history pursuant
144.16 to section 201.171, the county auditor must include the name of the political party whose
144.17 ballot the voter requested. ~~The voter instruction posters, pamphlets, and other informational~~
144.18 ~~materials prepared for a presidential primary by the secretary of state pursuant to section~~
144.19 ~~204B.27 must include information about the requirements of this paragraph, including a~~
144.20 ~~notice that the voter's choice of a political party's ballot will be recorded and is public~~
144.21 ~~information~~ The political party ballot selected by a voter is private data on individuals as
144.22 defined under section 13.02, subdivision 12, except as provided in section 201.091,
144.23 subdivision 4a.

144.24 (c) Immediately after the state canvassing board declares the results of the presidential
144.25 nomination primary, the secretary of state must notify the chair of each party of the results.

144.26 (d) The results of the presidential nomination primary must bind the election of delegates
144.27 in each party.

144.28 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential
144.29 nomination primaries conducted on or after that date.

144.30 Sec. 68. Minnesota Statutes 2018, section 207A.14, subdivision 2, is amended to read:

144.31 Subd. 2. **Sample Example ballots.** No later than 70 days before the presidential
144.32 nomination primary, the secretary of state must supply each county auditor with ~~sample~~

145.1 example ballots to be used at the presidential nomination primary. The ~~sample~~ example
145.2 ballots must illustrate the format required for the ballots used in the presidential nomination
145.3 primary.

145.4 Sec. 69. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:

145.5 Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the
145.6 counties and municipalities for expenses incurred in the administration of the presidential
145.7 nomination primary from money contained in the presidential nomination primary elections
145.8 account. The following expenses are eligible for reimbursement: preparation and printing
145.9 of ballots; postage for absentee ballots; publication of the sample ballot; preparation of
145.10 polling places in an amount not to exceed \$150 per polling place; preparation of electronic
145.11 voting systems in an amount not to exceed \$100 per precinct; compensation for temporary
145.12 staff or overtime payments; salaries of election judges; ~~and~~ compensation of county
145.13 canvassing board members; and other expenses as approved by the secretary of state.

145.14 (b) Within 60 days after the results of a presidential nomination primary are certified
145.15 by the State Canvassing Board, the county auditor must submit a request for payment of
145.16 the costs incurred by the county for conducting the presidential nomination primary, and
145.17 the municipal clerk must submit a request for payment of the costs incurred by the
145.18 municipality for conducting the presidential nomination primary. The request for payment
145.19 must be submitted to the secretary of state, and must be accompanied by an itemized
145.20 description of actual county or municipal expenditures, including copies of invoices. In
145.21 addition, the county auditor or municipal clerk must certify that the request for reimbursement
145.22 is based on actual costs incurred by the county or municipality in the presidential nomination
145.23 primary.

145.24 (c) The secretary of state shall provide each county and municipality with the appropriate
145.25 forms for requesting payment and certifying expenses under this subdivision. The secretary
145.26 of state must not reimburse expenses unless the request for payment and certification of
145.27 costs has been submitted as provided in this subdivision. The secretary of state must complete
145.28 the issuance of reimbursements to the counties and municipalities no later than 90 days after
145.29 the results of the presidential nomination primary have been certified by the State Canvassing
145.30 Board.

145.31 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential
145.32 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

147.1 number of presidential electors nominated in a member state in association with the national
147.2 popular vote winner is less than or greater than that state's number of electoral votes, the
147.3 presidential candidate on the presidential slate that has been designated as the national
147.4 popular vote winner shall have the power to nominate the presidential electors for that state
147.5 and that state's presidential elector certifying official shall certify the appointment of such
147.6 nominees. The chief election official of each member state shall immediately release to the
147.7 public all vote counts or statements of votes as they are determined or obtained. This article
147.8 shall govern the appointment of presidential electors in each member state in any year in
147.9 which this agreement is, on July 20, in effect in states cumulatively possessing a majority
147.10 of the electoral votes.

147.11 Article IV - Other Provisions

147.12 This agreement shall take effect when states cumulatively possessing a majority of the
147.13 electoral votes have enacted this agreement in substantially the same form and the enactments
147.14 by such states have taken effect in each state. Any member state may withdraw from this
147.15 agreement, except that a withdrawal occurring six months or less before the end of a
147.16 president's term shall not become effective until a president or vice president shall have
147.17 been qualified to serve the next term. The chief executive of each member state shall promptly
147.18 notify the chief executive of all other states of when this agreement has been enacted and
147.19 has taken effect in that official's state, when the state has withdrawn from this agreement,
147.20 and when this agreement takes effect generally. This agreement shall terminate if the electoral
147.21 college is abolished. If any provision of this agreement is held invalid, the remaining
147.22 provisions shall not be affected.

147.23 Article V - Definitions

147.24 For purposes of this agreement,

147.25 "chief executive" means the governor of a state of the United States or the mayor of the
147.26 District of Columbia;

147.27 "elector slate" means a slate of candidates who have been nominated in a state for the
147.28 position of presidential elector in association with a presidential slate;

147.29 "chief election official" means the state official or body that is authorized to certify the
147.30 total number of popular votes for each presidential slate;

147.31 "presidential elector" means an elector for president and vice president of the United
147.32 States;

148.1 "presidential elector certifying official" means the state official or body that is authorized
148.2 to certify the appointment of the state's presidential electors;

148.3 "presidential slate" means a slate of two persons, the first of whom has been nominated
148.4 as a candidate for president of the United States and the second of whom has been nominated
148.5 as a candidate for vice president of the United States, or any legal successors to such persons,
148.6 regardless of whether both names appear on the ballot presented to the voter in a particular
148.7 state;

148.8 "state" means a state of the United States and the District of Columbia; and

148.9 "statewide popular election" means a general election in which votes are cast for
148.10 presidential slates by individual voters and counted on a statewide basis.

148.11 Sec. 71. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

148.12 Subdivision 1. **Correctional facilities; designation of official.** The chief executive
148.13 officer of each state and local correctional facility shall designate an official within the
148.14 facility to provide the notice and application required under this section to persons to whom
148.15 the civil right to vote is restored by reason of the persons' release from actual incarceration.
148.16 The official shall maintain an adequate supply of voter registration applications and
148.17 informational materials for this purpose.

148.18 Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a
148.19 voter registration application must be provided as follows:

148.20 (1) the chief executive officer of each state and local correctional facility shall provide
148.21 the notice and application to a person being released from the facility following incarceration
148.22 for a felony-level offense; and

148.23 (2) a probation officer or supervised release agent shall provide the notice and application
148.24 to all individuals under correctional supervision for a felony-level offense.

148.25 Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially
148.26 as follows:

148.27 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

148.28 Your receipt of this notice today means that your right to vote in Minnesota has been
148.29 restored. Before you can vote on election day, you still need to register to vote. To register,
148.30 you may complete a voter registration application and return it to the Office of the Minnesota
148.31 Secretary of State. You may also register to vote in your polling place on election day. You
148.32 will not be permitted to cast a ballot until you register to vote. The first time you appear at

149.1 your polling place to cast a ballot, you may be required to provide proof of your current
149.2 residence."

149.3 Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by
149.4 this section does not prevent the restoration of the person's civil right to vote.

149.5 Sec. 72. Minnesota Statutes 2018, section 473.408, is amended by adding a subdivision
149.6 to read:

149.7 Subd. 11. **Transit service on election day.** (a) The Metropolitan Council shall provide
149.8 regular route transit, as defined under section 473.385, subdivision 1, paragraph (b), free
149.9 of charge on a day a state general election is held.

149.10 (b) The requirements under this subdivision apply to operators of regular route transit
149.11 (1) receiving financial assistance under section 473.388, or (2) operating under section
149.12 473.405, subdivision 12.

149.13 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2020, and
149.14 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

149.15 Sec. 73. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

149.16 Subdivision 1. **Restoration.** Except as provided in section 201.014, subdivision 2a,
149.17 when a person has been deprived of civil rights by reason of conviction of a crime and is
149.18 thereafter discharged, such discharge shall restore the person to all civil rights and to full
149.19 citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not
149.20 taken place, and the order of discharge shall so provide.

149.21 Sec. 74. **REPEALER; EARLY VOTING.**

149.22 Minnesota Statutes 2018, section 203B.081, subdivision 3, is repealed.

149.23 Sec. 75. **EFFECTIVE DATE; EARLY VOTING.**

149.24 The provisions of this article related to early voting are effective when the secretary of
149.25 state has certified that:

149.26 (1) the statewide voter registration system has been tested and shown to properly allow
149.27 for the tracking of the information required to conduct early voting, and can handle the
149.28 expected volume of use; and

149.29 (2) precinct voting equipment that can tabulate at least 30 different ballot styles has been
149.30 certified for use in this state. Upon certification pursuant to this section, the provisions of

150.1 this act related to early voting apply to all federal, state, and county elections held on August
150.2 1, 2019, and thereafter. A jurisdiction may implement the requirements of this act prior to
150.3 the date provided in this section, if the secretary of state has made the required certifications
150.4 at least 90 days prior to the date of the election at which early voting will be used.

150.5 ARTICLE 5

150.6 CAMPAIGN FINANCE

150.7 Section 1. Minnesota Statutes 2018, section 10A.01, subdivision 4, is amended to read:

150.8 Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made
150.9 on behalf of a candidate or a local candidate by an entity other than the candidate's principal
150.10 campaign committee ~~of the candidate~~ or the local candidate, if the expenditure is made with
150.11 the authorization or expressed or implied consent of, or in cooperation or in concert with,
150.12 or at the request or suggestion of the candidate or local candidate, the candidate's principal
150.13 campaign committee, or the candidate's or local candidate's agent. An approved expenditure
150.14 is a contribution to that candidate or local candidate.

150.15 Sec. 2. Minnesota Statutes 2018, section 10A.01, subdivision 7, is amended to read:

150.16 Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed
150.17 on the ballot and that may be voted on by:

150.18 (1) all voters of the state;

150.19 (2) all voters of Hennepin County;

150.20 (3) all voters of any home rule charter city or statutory city located wholly within
150.21 Hennepin County and having a population of 75,000 or more; or

150.22 (4) all voters of Special School District No. 1.

150.23 "Promoting or defeating a ballot question" includes activities, other than lobbying
150.24 activities, related to qualifying the question for placement on the ballot.

150.25 Sec. 3. Minnesota Statutes 2018, section 10A.01, subdivision 9, is amended to read:

150.26 Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a
150.27 purchase or payment of money or anything of value, or an advance of credit, made or
150.28 incurred for the purpose of influencing the nomination or election of a candidate or a local
150.29 candidate or for the purpose of promoting or defeating a ballot question.

151.1 An expenditure is considered to be made in the year in which the candidate made the
151.2 purchase of goods or services or incurred an obligation to pay for goods or services.

151.3 An expenditure made for the purpose of defeating a candidate or a local candidate is
151.4 considered made for the purpose of influencing the nomination or election of that candidate
151.5 or local candidate or any opponent of that candidate or local candidate.

151.6 Except as provided in clause (1), "expenditure" includes the dollar value of a donation
151.7 in kind.

151.8 "Expenditure" does not include:

151.9 (1) noncampaign disbursements as defined in subdivision 26;

151.10 (2) services provided without compensation by an individual volunteering personal time
151.11 on behalf of a candidate or a local candidate, ballot question, political committee, political
151.12 fund, principal campaign committee, or party unit;

151.13 (3) the publishing or broadcasting of news items or editorial comments by the news
151.14 media; or

151.15 (4) an individual's unreimbursed personal use of an automobile owned by the individual
151.16 and used by the individual while volunteering personal time.

151.17 Sec. 4. Minnesota Statutes 2018, section 10A.01, is amended by adding a subdivision to
151.18 read:

151.19 Subd. 10d. **Local candidate.** "Local candidate" means an individual who seeks
151.20 nomination or election to:

151.21 (1) any county office in Hennepin County;

151.22 (2) any city office in any home rule charter city or statutory city located wholly within
151.23 Hennepin County and having a population of 75,000 or more; or

151.24 (3) the school board in Special School District No. 1.

151.25 Sec. 5. Minnesota Statutes 2018, section 10A.01, subdivision 11, is amended to read:

151.26 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or
151.27 a donation in kind that is given to a political committee, political fund, principal campaign
151.28 committee, local candidate, or party unit. An allocation by an association of general treasury
151.29 money to be used for activities that must be or are reported through the association's political
151.30 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.

153.1 Sec. 8. Minnesota Statutes 2018, section 10A.01, subdivision 18, is amended to read:

153.2 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure
153.3 expressly advocating the election or defeat of a clearly identified candidate or local candidate,
153.4 if the expenditure is made without the express or implied consent, authorization, or
153.5 cooperation of, and not in concert with or at the request or suggestion of, any candidate or
153.6 any candidate's principal campaign committee or agent or any local candidate or local
153.7 candidate's agent. An independent expenditure is not a contribution to that candidate or
153.8 local candidate. An independent expenditure does not include the act of announcing a formal
153.9 public endorsement of a candidate or local candidate for public office, unless the act is
153.10 simultaneously accompanied by an expenditure that would otherwise qualify as an
153.11 independent expenditure under this subdivision.

153.12 Sec. 9. Minnesota Statutes 2018, section 10A.01, subdivision 20, is amended to read:

153.13 Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a
153.14 political committee, political fund, principal campaign committee, local candidate, or party
153.15 unit.

153.16 Sec. 10. Minnesota Statutes 2018, section 10A.01, subdivision 26, is amended to read:

153.17 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a
153.18 purchase or payment of money or anything of value made, or an advance of credit incurred,
153.19 or a donation in kind received, by a principal campaign committee for any of the following
153.20 purposes:

153.21 (1) payment for accounting and legal services;

153.22 (2) return of a contribution to the source;

153.23 (3) repayment of a loan made to the principal campaign committee by that committee;

153.24 (4) return of a public subsidy;

153.25 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,
153.26 and facility rental for a fund-raising event;

153.27 (6) services for a constituent by a member of the legislature or a constitutional officer
153.28 in the executive branch as provided in section 10A.173, subdivision 1;

153.29 (7) payment for food and beverages consumed by a candidate or volunteers while they
153.30 are engaged in campaign activities;

- 154.1 (8) payment for food or a beverage consumed while attending a reception or meeting
154.2 directly related to legislative duties;
- 154.3 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus
154.4 in carrying out their leadership responsibilities;
- 154.5 (10) payment by a principal campaign committee of the candidate's expenses for serving
154.6 in public office, other than for personal uses;
- 154.7 (11) costs of child care for the candidate's children when campaigning;
- 154.8 (12) fees paid to attend a campaign school;
- 154.9 (13) costs of a postelection party during the election year when a candidate's name will
154.10 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 154.11 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 154.12 (15) filing fees;
- 154.13 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements
154.14 in the news media mailed or published prior to the end of the election cycle;
- 154.15 (17) the cost of campaign material purchased to replace defective campaign material, if
154.16 the defective material is destroyed without being used;
- 154.17 (18) contributions to a party unit;
- 154.18 (19) payments for funeral gifts or memorials;
- 154.19 (20) the cost of a magnet less than six inches in diameter containing legislator contact
154.20 information and distributed to constituents;
- 154.21 (21) costs associated with a candidate attending a political party state or national
154.22 convention in this state;
- 154.23 (22) other purchases or payments specified in board rules or advisory opinions as being
154.24 for any purpose other than to influence the nomination or election of a candidate or to
154.25 promote or defeat a ballot question;
- 154.26 (23) costs paid to a third party for processing contributions made by a credit card, debit
154.27 card, or electronic check;
- 154.28 (24) a contribution to a fund established to support a candidate's participation in a recount
154.29 of ballots affecting that candidate's election;

155.1 (25) costs paid by a candidate's principal campaign committee for a single reception
155.2 given in honor of the candidate's retirement from public office after the filing period for
155.3 affidavits of candidacy for that office has closed;

155.4 (26) a donation from a terminating principal campaign committee to the state general
155.5 fund; ~~and~~

155.6 (27) a donation from a terminating principal campaign committee to a county obligated
155.7 to incur special election expenses due to that candidate's resignation from state office; and

155.8 (28) payment of expenses for home security cameras, an electronic home security system,
155.9 and identity theft monitoring services for a candidate and any immediate family members
155.10 of the candidate residing in the candidate's household.

155.11 (b) The board must determine whether an activity involves a noncampaign disbursement
155.12 within the meaning of this subdivision.

155.13 (c) A noncampaign disbursement is considered to be made in the year in which the
155.14 candidate made the purchase of goods or services or incurred an obligation to pay for goods
155.15 or services.

155.16 Sec. 11. Minnesota Statutes 2018, section 10A.01, subdivision 27, is amended to read:

155.17 Subd. 27. **Political committee.** "Political committee" means an association whose major
155.18 purpose is to influence the nomination or election of one or more candidates or local
155.19 candidates or to promote or defeat a ballot question, other than a principal campaign
155.20 committee, local candidate, or a political party unit.

155.21 Sec. 12. Minnesota Statutes 2018, section 10A.01, subdivision 28, is amended to read:

155.22 Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary
155.23 contributions by an association other than a political committee, principal campaign
155.24 committee, or party unit, if the accumulation is collected or expended to influence the
155.25 nomination or election of one or more candidates or local candidates or to promote or defeat
155.26 a ballot question. The term political fund as used in this chapter may also refer to the
155.27 association acting through its political fund.

155.28 Sec. 13. Minnesota Statutes 2018, section 10A.12, subdivision 1, is amended to read:

155.29 Subdivision 1. **When required for contributions and approved expenditures.** An
155.30 association other than a political committee or party unit may not contribute more than \$750
155.31 in aggregate in any calendar year to candidates, local candidates, political committees, or

156.1 party units or make approved expenditures of more than \$750 in aggregate in any calendar
156.2 year unless the contribution or expenditure is made through a political fund.

156.3 Sec. 14. Minnesota Statutes 2018, section 10A.12, subdivision 2, is amended to read:

156.4 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may
156.5 not be commingled with other funds or with the personal funds of an officer or member of
156.6 the association or the fund. It is not commingling for an association that uses only its own
156.7 general treasury money to make expenditures and disbursements permitted under section
156.8 10A.121, subdivision 1, directly from the depository used for its general treasury money.
156.9 An association that accepts more than \$1,500 in aggregate in contributions to influence the
156.10 nomination or election of candidates or local candidates or more than \$5,000 in contributions
156.11 to promote or defeat a ballot question must establish a separate depository for those
156.12 contributions.

156.13 Sec. 15. Minnesota Statutes 2018, section 10A.121, subdivision 1, is amended to read:

156.14 Subdivision 1. **Permitted disbursements.** An independent expenditure political
156.15 committee or fund, or a ballot question political committee or fund, may:

156.16 (1) pay costs associated with its fund-raising and general operations;

156.17 (2) pay for communications that do not constitute contributions or approved expenditures;

156.18 (3) make contributions to independent expenditure or ballot question political committees
156.19 or funds;

156.20 (4) make independent expenditures;

156.21 (5) make expenditures to promote or defeat ballot questions;

156.22 (6) return a contribution to its source;

156.23 (7) for a political fund, record bookkeeping entries transferring the association's general
156.24 treasury money allocated for political purposes back to the general treasury of the association;
156.25 ~~and~~

156.26 (8) for a political fund, return general treasury money transferred to a separate depository
156.27 to the general depository of the association-; and

156.28 (9) make disbursements for electioneering communications.

156.29 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to
156.30 expenditures and electioneering communications made on or after that date.

157.1 Sec. 16. Minnesota Statutes 2018, section 10A.121, subdivision 2, is amended to read:

157.2 Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent
157.3 expenditure political fund is subject to a civil penalty of up to four times the amount of the
157.4 contribution or approved expenditure if it does the following:

157.5 (1) makes a contribution to a candidate, local candidate, party unit, political committee,
157.6 or political fund other than an independent expenditure political committee or an independent
157.7 expenditure political fund; or

157.8 (2) makes an approved expenditure.

157.9 (b) No other penalty provided in law may be imposed for conduct that is subject to a
157.10 civil penalty under this section.

157.11 Sec. 17. Minnesota Statutes 2018, section 10A.13, subdivision 1, is amended to read:

157.12 Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund,
157.13 principal campaign committee, or party unit must keep an account of:

157.14 (1) the sum of all contributions, except any donation in kind valued at \$20 or less, made
157.15 to the committee, fund, or party unit;

157.16 (2) the name and address of each source of a contribution made to the committee, fund,
157.17 or party unit in excess of \$20, together with the date and amount of each;

157.18 (3) each expenditure made by the committee, fund, or party unit, together with the date
157.19 and amount;

157.20 (4) each approved expenditure made on behalf of the committee, fund, or party unit,
157.21 together with the date and amount; and

157.22 (5) the name and address of each political committee, political fund, principal campaign
157.23 committee, local candidate, or party unit to which contributions in excess of \$20 have been
157.24 made, together with the date and amount.

157.25 Any individual who knowingly violates this subdivision is subject to a civil penalty
157.26 imposed by the board of up to \$1,000.

157.27 Sec. 18. Minnesota Statutes 2018, section 10A.17, subdivision 4, is amended to read:

157.28 Subd. 4. **Independent expenditures.** An individual, political committee, political fund,
157.29 principal campaign committee, or party unit that independently solicits or accepts
157.30 contributions or makes independent expenditures on behalf of a candidate or local candidate

158.1 must publicly disclose that the expenditure is an independent expenditure. All written and
158.2 broadcast communications with those from whom contributions are independently solicited
158.3 or accepted or to whom independent expenditures are made on behalf of a candidate or local
158.4 candidate must contain a statement in substantially the form provided in section 211B.04,
158.5 subdivision 2. The statement must be on the front page of all written communications and
158.6 at the end of all broadcast communications made by that individual, political committee,
158.7 political fund, principal campaign committee, or party unit on the candidate's or local
158.8 candidate's behalf.

158.9 Sec. 19. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to
158.10 read:

158.11 Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee,
158.12 political fund, or political party unit that during a nongeneral election year:

158.13 (1) spends in aggregate more than \$200 to influence the nomination or election of local
158.14 candidates;

158.15 (2) spends in aggregate more than \$200 to make independent expenditures on behalf of
158.16 local candidates; or

158.17 (3) spends in aggregate more than \$200 to promote or defeat ballot questions defined
158.18 in section 10A.01, subdivision 7, clause (2), (3), or (4).

158.19 (b) In addition to the reports required under subdivision 2, the entities listed in paragraph
158.20 (a) must file the following reports in each nongeneral election year:

158.21 (1) a first-quarter report covering the calendar year through March 31, which is due
158.22 April 14;

158.23 (2) a report covering the calendar year through May 31, which is due June 14;

158.24 (3) a pre-primary-election report due 15 days before the local primary election date
158.25 specified in section 205.065;

158.26 (4) a pre-general-election report due 42 days before the local general election; and

158.27 (5) a pre-general-election report due ten days before a local general election.

158.28 The reporting obligations in this paragraph begin with the first report due after the
158.29 reporting period in which the entity reaches the spending threshold specified in paragraph
158.30 (a).

159.1 Sec. 20. Minnesota Statutes 2018, section 10A.20, subdivision 3, is amended to read:

159.2 Subd. 3. **Contents of report.** (a) The report required by this section must include each
159.3 of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall
159.4 prescribe forms based on filer type indicating which of those items must be included on the
159.5 filer's report.

159.6 (b) The report must disclose the amount of liquid assets on hand at the beginning of the
159.7 reporting period.

159.8 (c) The report must disclose the name, address, employer, or occupation if self-employed,
159.9 and registration number if registered with the board, of each individual or association that
159.10 has made one or more contributions to the reporting entity, including the purchase of tickets
159.11 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or
159.12 statewide candidates or more than \$500 for ballot questions, together with the amount and
159.13 date of each contribution, and the aggregate amount of contributions within the year from
159.14 each source so disclosed. A donation in kind must be disclosed at its fair market value. An
159.15 approved expenditure must be listed as a donation in kind. A donation in kind is considered
159.16 consumed in the reporting period in which it is received. The names of contributors must
159.17 be listed in alphabetical order. Contributions from the same contributor must be listed under
159.18 the same name. When a contribution received from a contributor in a reporting period is
159.19 added to previously reported unitemized contributions from the same contributor and the
159.20 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and
159.21 employer, or occupation if self-employed, of the contributor must then be listed on the
159.22 report.

159.23 (d) The report must disclose the sum of contributions to the reporting entity during the
159.24 reporting period.

159.25 (e) The report must disclose each loan made or received by the reporting entity within
159.26 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,
159.27 together with the name, address, occupation, principal place of business, if any, and
159.28 registration number if registered with the board of the lender and any endorser and the date
159.29 and amount of the loan. If a loan made to the principal campaign committee of a candidate
159.30 is forgiven or is repaid by an entity other than that principal campaign committee, it must
159.31 be reported as a contribution for the year in which the loan was made.

159.32 (f) The report must disclose each receipt over \$200 during the reporting period not
159.33 otherwise listed under paragraphs (c) to (e).

160.1 (g) The report must disclose the sum of all receipts of the reporting entity during the
160.2 reporting period.

160.3 (h) The report must disclose the following:

160.4 (1) the name, address, and registration number if registered with the board of each
160.5 individual or association to whom aggregate expenditures, approved expenditures,
160.6 independent expenditures, and ballot question expenditures, and disbursements for
160.7 electioneering communications have been made by or on behalf of the reporting entity
160.8 within the year in excess of \$200, ~~together with;~~

160.9 (2) the amount, date, and purpose of each expenditure, including an explanation of how
160.10 the expenditure was used, ~~and;~~

160.11 (3) the name and address of, and office sought by, each candidate or local candidate on
160.12 whose behalf the expenditure was made; or, in the case of electioneering communications,
160.13 each candidate identified positively in the communication;

160.14 (4) identification of the ballot question that the expenditure was intended to promote or
160.15 defeat and an indication of whether the expenditure was to promote or to defeat the ballot
160.16 question; and

160.17 (5) in the case of independent expenditures made in opposition to a candidate, local
160.18 candidate, or electioneering communications in which a candidate is identified negatively,
160.19 the candidate's or local candidate's name, address, and office sought. A reporting entity
160.20 making an expenditure on behalf of more than one candidate for state or legislative office
160.21 must allocate the expenditure among the candidates or local candidates on a reasonable cost
160.22 basis and report the allocation for each candidate or local candidate. The report must list
160.23 on separate schedules any independent expenditures made on behalf of local candidates and
160.24 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,
160.25 clause (2), (3), or (4).

160.26 (i) The report must disclose the sum of all expenditures made by or on behalf of the
160.27 reporting entity during the reporting period.

160.28 (j) The report must disclose the amount and nature of an advance of credit incurred by
160.29 the reporting entity, continuously reported until paid or forgiven. If an advance of credit
160.30 incurred by the principal campaign committee of a candidate is forgiven by the creditor or
160.31 paid by an entity other than that principal campaign committee, it must be reported as a
160.32 donation in kind for the year in which the advance of credit was made.

161.1 (k) The report must disclose the name, address, and registration number if registered
161.2 with the board of each political committee, political fund, principal campaign committee,
161.3 local candidate, or party unit to which contributions have been made that aggregate in excess
161.4 of \$200 within the year and the amount and date of each contribution. The report must list
161.5 on separate schedules any contributions made to state candidates' principal campaign
161.6 committees and any contributions made to local candidates.

161.7 (l) The report must disclose the sum of all contributions made by the reporting entity
161.8 during the reporting period and must separately disclose the sum of all contributions made
161.9 to local candidates by the reporting entity during the reporting period.

161.10 (m) The report must disclose the name, address, and registration number if registered
161.11 with the board of each individual or association to whom noncampaign disbursements have
161.12 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting
161.13 entity and the amount, date, and purpose of each noncampaign disbursement, including an
161.14 explanation of how the expenditure was used.

161.15 (n) The report must disclose the sum of all noncampaign disbursements made within
161.16 the year by or on behalf of the reporting entity.

161.17 (o) The report must disclose the name and address of a nonprofit corporation that provides
161.18 administrative assistance to a political committee or political fund as authorized by section
161.19 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate
161.20 fair market value of each type of assistance provided to the political committee or political
161.21 fund during the reporting period.

161.22 (p) Legislative, statewide, and judicial candidates, party units, and political committees
161.23 and funds must itemize contributions that in aggregate within the year exceed \$200 for
161.24 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted
161.25 to the board. The itemization must include the date on which the contribution was received,
161.26 the individual or association that provided the contribution, and the address of the contributor.
161.27 Additionally, the itemization for a donation in kind must provide a description of the item
161.28 or service received. Contributions that are less than the itemization amount must be reported
161.29 as an aggregate total.

161.30 (q) Legislative, statewide, and judicial candidates, party units, political committees and
161.31 funds, and committees to promote or defeat a ballot question must itemize expenditures and
161.32 noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports
161.33 submitted to the board. The itemization must include the date on which the committee made
161.34 or became obligated to make the expenditure or disbursement, the name and address of the

162.1 vendor that provided the service or item purchased, and a description of the service or item
162.2 purchased, including an explanation of how the expenditure was used. Expenditures and
162.3 noncampaign disbursements must be listed on the report alphabetically by vendor.

162.4 **EFFECTIVE DATE.** The amendments related to electioneering communications are
162.5 effective January 1, 2020, and apply to expenditures and electioneering communications
162.6 made on or after that date.

162.7 Sec. 21. Minnesota Statutes 2018, section 10A.20, subdivision 6a, is amended to read:

162.8 Subd. 6a. **Statement of independence.** An individual, political committee, political
162.9 fund, or party unit filing a report or statement disclosing an independent expenditure under
162.10 subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures
162.11 were not made with the authorization or expressed or implied consent of, or in cooperation
162.12 or in concert with, or at the request or suggestion of any candidate or any candidate's
162.13 principal campaign committee or agent; or any local candidate or any local candidate's
162.14 agent.

162.15 Sec. 22. **[10A.201] ELECTIONEERING COMMUNICATIONS.**

162.16 Subdivision 1. **Electioneering communication.** (a) "Electioneering communication"
162.17 means a communication distributed by television, radio, satellite, the Internet, or cable
162.18 broadcasting system; by means of printed material, signs, or billboards; through the use of
162.19 telephone communications; or by electronic communication, including electronic mail or
162.20 electronic text messaging that:

162.21 (1) refers to a clearly identified candidate;

162.22 (2) is made within:

162.23 (i) 30 days before a primary election or special primary election for the office sought
162.24 by the candidate; or

162.25 (ii) 60 days before a general election or special election for the office sought by the
162.26 candidate;

162.27 (3) is targeted to the relevant electorate; and

162.28 (4) is made without the express or implied consent, authorization, or cooperation of, and
162.29 not in concert with or at the request or suggestion of, a candidate or a candidate's principal
162.30 campaign committee or agent.

162.31 (b) Electioneering communication does not include:

163.1 (1) the publishing or broadcasting of news items or editorial comments by the news
163.2 media;

163.3 (2) a communication that constitutes an approved expenditure or an independent
163.4 expenditure;

163.5 (3) a voter guide, which is a pamphlet or similar printed material, intended to help voters
163.6 compare candidates' positions on a set of issues, as long as each of the following is true:

163.7 (i) the guide does not focus on a single issue or a narrow range of issues, but includes
163.8 questions and subjects sufficient to encompass major issues of interest to the entire electorate;

163.9 (ii) the questions and any other description of the issues are clear and unbiased in both
163.10 their structure and content;

163.11 (iii) the questions posed and provided to the candidates are identical to those included
163.12 in the guide;

163.13 (iv) each candidate included in the guide is given a reasonable amount of time and the
163.14 same opportunity as other candidates to respond to the questions;

163.15 (v) if the candidate is given limited choices for an answer to a question, for example:
163.16 "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to
163.17 reasonable limits, to explain the candidate's position in the candidate's own words; the fact
163.18 that a candidate provided an explanation is clearly indicated in the guide; and the guide
163.19 clearly indicates that the explanations will be made available for public inspection, subject
163.20 to reasonable conditions;

163.21 (vi) answers included in the guide are those provided by the candidates in response to
163.22 questions, the candidates' answers are unedited, and the answers appear in close proximity
163.23 to the question to which they respond;

163.24 (vii) if the guide includes candidates' positions based on information other than responses
163.25 provided directly by the candidate, the positions are based on recorded votes or public
163.26 statements of the candidates and are presented in an unedited and unbiased manner; and

163.27 (viii) the guide includes all major party candidates for each office listed in the guide;

163.28 (4) a candidate forum or debate hosted by one or more nonprofit organizations that does
163.29 not endorse, support, or oppose candidates, as long as each of the following is true:

163.30 (i) the forum or debate includes the participation of at least two candidates for each
163.31 office featured;

164.1 (ii) the forum or debate is structured so that it does not promote one candidate or one
164.2 candidate's issues of interest over another; and

164.3 (iii) candidates are selected for participation in the forum or debate based on
164.4 preestablished, objective criteria;

164.5 (5) any other communication specified in board rules or advisory opinions as being
164.6 excluded from the definition of electioneering communication; or

164.7 (6) a communication that:

164.8 (i) refers to a clearly identified candidate who is an incumbent member of the legislature
164.9 or a constitutional officer;

164.10 (ii) refers to a clearly identified issue that is or was before the legislature in the form of
164.11 an introduced bill; and

164.12 (iii) is made when the legislature is in session or within ten days after the last day of a
164.13 regular session of the legislature.

164.14 (c) A communication that meets the requirements of paragraph (a) but is made with the
164.15 authorization or express or implied consent of, or in cooperation or in concert with, or at
164.16 the request or suggestion of a candidate, a candidate's principal campaign committee, or a
164.17 candidate's agent is an approved expenditure.

164.18 (d) Distributing a voter guide questionnaire, survey, or similar document to candidates
164.19 and communications with candidates limited to obtaining their responses, without more, do
164.20 not constitute communications that would result in the voter guide being an approved
164.21 expenditure on behalf of the candidate.

164.22 Subd. 2. **Targeted to relevant electorate.** (a) For purposes of this section, a
164.23 communication that refers to a clearly identified candidate is targeted to the relevant electorate
164.24 if the communication is distributed to or can be received by more than 1,500 persons in the
164.25 district the candidate seeks to represent, in the case of a candidate for the house of
164.26 representatives, senate, or a district court judicial office or by more than 6,000 persons in
164.27 the state, in the case of a candidate for constitutional office or appellate court judicial office.
164.28 When determining the number of persons to whom a communication in the form of printed
164.29 material, telephone communication, electronic mail, or electronic text messaging is
164.30 distributed, an association may exclude communications distributed to its own members.

164.31 (b) A communication consisting of printed materials, other than signs, billboards, or
164.32 advertisements published in the print media, is targeted to the relevant electorate if it meets

165.1 the requirements of paragraph (a) and is distributed to voters by means of United States
165.2 mail or through direct delivery to a resident's home or business.

165.3 Subd. 3. **Disclosure of electioneering communications.** (a) Electioneering
165.4 communications made by a political committee, a party unit, or a principal campaign
165.5 committee must be disclosed on the periodic reports of receipts and expenditures filed by
165.6 the association on the schedule and in accordance with the terms of section 10A.20.

165.7 (b) An association other than a political committee, party unit, or principal campaign
165.8 committee may register a political fund with the board and disclose its electioneering
165.9 communications on the reports of receipts and expenditures filed by the political fund. If it
165.10 does so, it must disclose its disbursements for electioneering communications on the schedule
165.11 and in accordance with the terms of section 10A.20.

165.12 (c) An association that does not disclose its disbursements for electioneering
165.13 communications under paragraph (a) or (b) must disclose its electioneering communications
165.14 according to the requirements of subdivision 4.

165.15 Subd. 4. **Statement required for electioneering communications.** (a) Except for
165.16 associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every
165.17 person who makes a disbursement for the costs of producing or distributing electioneering
165.18 communications that aggregate more than \$1,500 in a calendar year must, within 24 hours
165.19 of each disclosure date, file with the board a disclosure statement containing the information
165.20 described in this subdivision.

165.21 (b) Each statement required to be filed under this section must contain the following
165.22 information:

165.23 (1) the names of: (i) the association making the disbursement; (ii) any person exercising
165.24 direction or control over the activities of the association with respect to the disbursement;
165.25 and (iii) the custodian of the financial records of the association making the disbursement;

165.26 (2) the address of the association making the disbursement;

165.27 (3) the amount of each disbursement of more than \$200 during the period covered by
165.28 the statement, a description of the purpose of the disbursement, and the identification of the
165.29 person to whom the disbursement was made;

165.30 (4) the names of the candidates identified or to be identified in the communication;

165.31 (5) if the disbursements were paid out of a segregated bank account that consists of funds
165.32 donated specifically for electioneering communications, the name and address of each
165.33 person who gave the association more than \$200 in aggregate to that account during the

166.1 period beginning on the first day of the preceding calendar year and ending on the disclosure
166.2 date; and

166.3 (6) if the disbursements for electioneering communications were made using general
166.4 treasury money of the association, an association that has paid more than \$5,000 in aggregate
166.5 for electioneering communications during the calendar year must file with its disclosure
166.6 statement a written statement that includes the name, address, and amount attributable to
166.7 each person that paid the association membership dues or fees, or made donations to the
166.8 association that, in total, aggregate more than \$5,000 of the money used by the association
166.9 for electioneering communications. The statement must also include the total amount of the
166.10 disbursements for electioneering communications attributable to persons not subject to
166.11 itemization under this clause. The statement must be certified as true by an officer of the
166.12 association that made the disbursements for the electioneering communications.

166.13 (c) To determine the amount of the membership dues or fees, or donations made by a
166.14 person to an association and attributable to the association's disbursements for electioneering
166.15 communications, the association must separately prorate the total disbursements made for
166.16 electioneering communications during the calendar year over all general treasury money
166.17 received during the calendar year.

166.18 (d) If the amount spent for electioneering communications exceeds the amount of general
166.19 treasury money received by the association during that year:

166.20 (1) the electioneering communications must be attributed first to all receipts of general
166.21 treasury money received during the calendar year in which the electioneering communications
166.22 were made;

166.23 (2) any amount of current year electioneering communications that exceeds the total of
166.24 all receipts of general treasury money during the current calendar year must be prorated
166.25 over all general treasury money received in the preceding calendar year; and

166.26 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject of
166.27 electioneering communications, no further allocation is required.

166.28 (e) After a portion of the general treasury money received by an association from a
166.29 person has been designated as the source of a disbursement for electioneering
166.30 communications, that portion of the association's general treasury money received from that
166.31 person may not be designated as the source of any other disbursement for electioneering
166.32 communications or as the source for any contribution to an independent expenditure political
166.33 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.

168.1 (b) The board must send notice by certified mail to a person who fails to file a statement
168.2 within ten business days after the statement was due that the person may be subject to a
168.3 civil penalty for failure to file the statement. A person who fails to file the statement within
168.4 seven days after the certified mail notice was sent by the board is subject to a civil penalty
168.5 imposed by the board of up to \$1,000.

168.6 (c) An association that provides disclosure under section 10A.20 rather than under this
168.7 section is subject to the late filing fee and civil penalty provisions of section 10A.20 and is
168.8 not subject to the penalties provided in this subdivision.

168.9 (d) An association that makes electioneering communications under this section and
168.10 willfully fails to provide the statement required by subdivision 4, paragraph (b), clause (6),
168.11 within the time specified is subject to an additional civil penalty of up to four times the
168.12 amount of the electioneering communications disbursements that should have been included
168.13 on the statement.

168.14 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to
168.15 expenditures and electioneering communications made on or after that date.

168.16 Sec. 23. Minnesota Statutes 2018, section 10A.244, is amended to read:

168.17 **10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

168.18 Subdivision 1. **Election of voluntary inactive status.** An association that has a political
168.19 fund registered under this chapter may elect to have the fund placed on voluntary inactive
168.20 status if the following conditions are met:

168.21 (1) the association makes a written request for inactive status;

168.22 (2) the association has filed all periodic reports required by this chapter and has received
168.23 no contributions into its political fund and made no expenditures or disbursements, including
168.24 disbursements for electioneering communications, through its political fund since the last
168.25 date included on the association's most recent report; and

168.26 (3) the association has satisfied all obligations to the state for late filing fees and civil
168.27 penalties imposed by the board or the board has waived this requirement.

168.28 Subd. 2. **Effect of voluntary inactive status.** After an association has complied with
168.29 the requirements of subdivision 1:

168.30 (1) the board must notify the association that its political fund has been placed in
168.31 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.~~

171.1 ~~(d) Dues, fees, or contributions from an individual or association must be identified in~~
171.2 ~~a contribution to an independent expenditure political committee or fund under paragraph~~
171.3 ~~(e), clause (2), if:~~

171.4 ~~(1) the individual or association has specifically authorized the donor association to use~~
171.5 ~~the individual's or association's dues, fees, or contributions for this purpose; or~~

171.6 ~~(2) the individual's or association's dues, fees, or contributions to the donor association~~
171.7 ~~are unrestricted and the donor association designates them as the source of the subject~~
171.8 ~~contribution to the independent expenditure political committee or fund.~~

171.9 (d) If the amount contributed to independent expenditure and ballot question political
171.10 committees or funds in a calendar year exceeds the amount of general treasury money
171.11 received by the association during that year:

171.12 (1) the contributions must be attributed first to all receipts of general treasury money
171.13 received during the calendar year in which the contributions were made;

171.14 (2) any amount of current-year contributions that exceeds the total of all receipts of
171.15 general treasury money during the current calendar year must be prorated over all general
171.16 treasury money received in the preceding calendar year; and

171.17 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject
171.18 independent expenditures and ballot question expenditures, no further allocation is required.

171.19 (e) After a portion of the general treasury money received by an association from a
171.20 person has been designated as the source of a contribution to an independent expenditure
171.21 or ballot question political committee or fund, that portion of the association's general
171.22 treasury money received from that person may not be designated as the source of any other
171.23 contribution to an independent expenditure or ballot question political committee or fund,
171.24 or as the source of funds for a disbursement for electioneering communications made by
171.25 that association.

171.26 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to
171.27 expenditures and electioneering communications made on or after that date.

171.28 Sec. 26. Minnesota Statutes 2018, section 383B.041, is amended to read:

171.29 **383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC**
171.30 **INTERESTS.**

171.31 Subdivision 1. **Hennepin County candidates.** Sections 383B.041 to 383B.058 apply
171.32 to the financing of campaigns for county elections in Hennepin County and for city elections

172.1 ~~in home rule charter cities and statutory cities located wholly within Hennepin County,~~
172.2 ~~having a population of 75,000 or more, and for school board elections in the Special School~~
172.3 ~~District No. 1, Minneapolis, and to disclosure of economic interests by candidates and~~
172.4 ~~elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07~~
172.5 ~~do not apply to the financing of campaigns for elections subject to the provisions of sections~~
172.6 ~~383B.041 to 383B.058.~~ Candidates for county commissioner, county attorney, and sheriff
172.7 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin
172.8 County. These candidates are subject to the provisions of chapter 211A.

172.9 Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board,
172.10 park commissioner, and other political subdivision offices within Hennepin County shall
172.11 file campaign disclosure forms with the filing officer for the political subdivision for which
172.12 the candidate is seeking office. These candidates are subject to the provisions of chapter
172.13 211A.

172.14 Subd. 3. **Political committees, political funds, and independent expenditures.** (a)
172.15 The provisions of chapter 10A apply to political committees as defined in section 10A.01,
172.16 subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent
172.17 expenditures as defined in section 10A.01, subdivision 18, related to:

172.18 (1) a campaign for the nomination or election of a candidate for:

172.19 (i) a county office in Hennepin County;

172.20 (ii) a city office in a home rule charter or statutory city located wholly within Hennepin
172.21 County with a population of 75,000 or more; or

172.22 (iii) the school board in Special School District No. 1; and

172.23 (2) a ballot question or proposition that may be voted on by:

172.24 (i) all voters in Hennepin County;

172.25 (ii) all voters of a home rule charter or statutory city located wholly within Hennepin
172.26 County and having a population of 75,000 or more; or

172.27 (iii) all voters in Special School District No. 1.

172.28 (b) The provisions of chapter 211A apply to a campaign for nomination or election for
172.29 an office in the following political subdivisions:

172.30 (1) a home rule or statutory city located wholly within Hennepin County and having a
172.31 population of less than 75,000; and

173.1 (2) a school district located wholly within Hennepin County other than Special School
173.2 District No. 1.

173.3 (c) The provisions of chapter 211A apply to a ballot question or proposition that may
173.4 be voted on by:

173.5 (1) all voters of a home rule or statutory city located wholly within Hennepin County
173.6 and having a population of less than 75,000; and

173.7 (2) all voters of a school district located wholly within Hennepin County other than
173.8 Special School District No. 1.

173.9 Subd. 4. **Local ordinances and charters superseded.** This section supersedes the
173.10 provisions of any ordinance or resolution of a political subdivision within Hennepin County
173.11 or any existing special law or home rule charter provision of a political subdivision within
173.12 Hennepin County requiring disclosure of information related to the financing of election
173.13 campaigns.

173.14 Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate
173.15 for school board in Special School District No. 1, Minneapolis, must file an original statement
173.16 of economic interest with the school district within 14 days of the filing of an affidavit or
173.17 petition to appear on the ballot. An elected official in Special School District No. 1,
173.18 Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with
173.19 the school district for every year that the individual serves in office. An original and annual
173.20 statement must contain the information listed in section 10A.09, subdivision 5. The provisions
173.21 of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this
173.22 subdivision.

173.23 Sec. 27. **REPEALER.**

173.24 Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044;
173.25 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052;
173.26 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

173.27 **ARTICLE 6**
173.28 **REDISTRICTING**

173.29 Section 1. **[2.032] REDISTRICTING COMMISSION.**

173.30 Subdivision 1. **Commission membership; duties.** In each year ending in one, a
173.31 redistricting commission is created to draw the boundaries of congressional and legislative
173.32 districts in accordance with the principles established in section 2.035. The commission

174.1 consists of 12 public members, to be appointed in the manner provided in subdivision 2,
174.2 and five retired judges of the appellate or district courts of this state who have not served
174.3 in a party-designated or party-endorsed position, such as legislator, to be appointed in the
174.4 manner provided in subdivision 3.

174.5 Subd. 2. **Public members; appointment.** (a) The secretary of state shall supervise the
174.6 appointment of public members to the redistricting commission.

174.7 (b) By January 15 of each year ending in zero, the secretary of state shall open a widely
174.8 publicized process that encourages eligible residents of this state to apply for membership
174.9 on the redistricting commission. The secretary of state shall solicit recommendations for
174.10 appointment to the redistricting commission from nongovernmental organizations with an
174.11 interest in the elections process.

174.12 (c) The secretary of state shall provide an application form which must be designed to
174.13 show: (1) that an applicant meets the requirements of this subdivision; (2) that the application
174.14 must be submitted under oath affirming the truthfulness of its contents under penalty of
174.15 perjury; and (3) the applicant's demographic information, such as gender, race, ethnicity,
174.16 and age.

174.17 (d) The following persons are not eligible to serve as a commissioner:

174.18 (1) a person who is not eligible to vote;

174.19 (2) a person under a contract with, or who serves as a consultant or staff to, or who has
174.20 an immediate family relationship with the governor, a member of the legislature, or a member
174.21 of congress; and

174.22 (3) a person, or member of the person's immediate family, who has done any of the
174.23 following during the ten years immediately preceding the date of application:

174.24 (i) has been appointed to, elected to, or a candidate for federal or state office;

174.25 (ii) served as an officer, employee, or paid consultant of a political party or of the
174.26 campaign committee of a candidate for elective federal or state office;

174.27 (iii) served as an elected or appointed member of a political party state central committee;

174.28 (iv) registered as a federal, state, or local lobbyist or principal;

174.29 (v) served as paid congressional or legislative staff; or

174.30 (vi) violated the candidate contribution limits in section 10A.27.

175.1 (e) For purposes of this subdivision, a member of a person's immediate family means a
175.2 sibling, spouse, parent or stepparent, child or stepchild, or in-law.

175.3 (f) The secretary of state shall process applications as they are received and remove from
175.4 the applicant pool any person not eligible to serve as a commissioner and notify the person
175.5 of the reason the person was removed. To be considered, applications must be received by
175.6 September 15 of the year ending in zero. An applicant must provide with the application
175.7 two positive references from community leaders or groups that promote civic engagement
175.8 with whom the applicant has worked and demonstrate that the applicant:

175.9 (1) has experience with outreach to community groups to encourage civic participation
175.10 with an emphasis on historically disenfranchised groups; or

175.11 (2) has an interest in or experience with government, elections, or civic life.

175.12 (g) The secretary of state shall, based on a review of the applications, prepare a list of
175.13 120 applicant finalists who have demonstrated based on their application an ability to be
175.14 impartial and respect the diversity of this state's many communities. The list must, to the
175.15 extent practicable, reflect the gender, socioeconomic, age, racial, language, ethnic, and
175.16 geographic diversity of the state.

175.17 (h) The list must include:

175.18 (1) 40 applicant finalists identifying with the largest major political party in Minnesota;

175.19 (2) 40 applicant finalists identifying with the second largest major political party in
175.20 Minnesota; and

175.21 (3) 40 applicant finalists identifying their political party preference as belonging to a
175.22 party not described in clause (1) or (2) or to no party.

175.23 For purposes of this paragraph, the two largest political parties are the parties whose
175.24 candidates received the greatest and second greatest number of votes at the most recent two
175.25 gubernatorial elections.

175.26 (i) By December 15 of the year ending in zero, the secretary of state shall give the list
175.27 of finalists and their applications to the majority and minority leaders of the senate, the
175.28 speaker of the house, and the minority leader of the house of representatives. At an open
175.29 meeting, each of the four leaders shall remove 21 applicant finalists from the list: seven
175.30 applicant finalists identifying their political party preference with the majority party in the
175.31 house of representatives, seven applicant finalists identifying their political party preference
175.32 with the minority party in the house of representatives, and seven applicant finalists who
175.33 identified their political party preference with a party different than the majority party in

176.1 the house of representatives and the minority party of the house of representatives or with
176.2 no party. The leaders shall remove applicants one at a time in the order listed above, unless
176.3 the leaders agree to a different order.

176.4 (j) By January 15 of each year ending in one, after the process of removing applicants
176.5 from the list is completed, each of the four leaders of the house of representatives and senate
176.6 shall give the list of finalists and their applications to the secretary of state. The secretary
176.7 of state shall randomly draw four names from the remaining applicants identifying their
176.8 political party preference as belonging to the majority party of the house of representatives,
176.9 four identifying their political party preference as belonging to the minority party of the
176.10 house of representatives, and four identifying their political party preference as belonging
176.11 to a different party than the majority party in the house of representatives and the minority
176.12 party of the house of representatives or to no party. These 12 persons shall serve as public
176.13 member commissioners.

176.14 (k) The secretary of state's actions under this subdivision are not subject to chapter 14.

176.15 Subd. 3. **Retired judges; appointment.** By January 15 of each year ending in one, the
176.16 four leaders of the house of representatives and senate shall each appoint one retired judge,
176.17 after consulting with each other in an effort to attain geographic balance in their
176.18 appointments. If the legislative leaders do not make the appointment by the deadline, the
176.19 chief justice of the supreme court shall make the appointment by January 22 of that year.
176.20 The director of the Legislative Coordinating Commission shall convene a meeting of the
176.21 four retired judges by January 29 of that year. The four retired judges shall then appoint the
176.22 fifth retired judge by a vote of at least three judges.

176.23 Subd. 4. **Code of conduct.** (a) In performing their duties, the five retired judges serving
176.24 as commissioners shall abide by the Code of Judicial Conduct and are considered judicial
176.25 officers as defined in section 609.415.

176.26 (b) Public members of the commission exercise the function of a public officer as defined
176.27 in section 609.415.

176.28 Subd. 5. **Removal; filling vacancies.** (a) A commissioner can be removed with two-thirds
176.29 vote of the commission after notice and a hearing for reasons that would justify recall of a
176.30 state official under section 211C.02.

176.31 (b) The commission must remove a commissioner who participates in a communication
176.32 that violates subdivision 8.

177.1 (c) Except for vacancies filled by the chief justice, vacancies on the commission must
177.2 be filled by the appointing authority that made the initial appointment within 30 days after
177.3 the vacancy occurs. The appointing authority for public members is the secretary of state
177.4 and must be filled by drawing from the same partisan pool as the vacant position. If no
177.5 applicants in the pool are available for service, the secretary of state shall establish a new
177.6 pool, as provided in subdivision 2.

177.7 Subd. 6. **Open records.** The commission is subject to chapter 13, except that a plan is
177.8 not public data until it has been submitted to the commission for its consideration.

177.9 Subd. 7. **Open meetings.** The commission is subject to chapter 13D.

177.10 Subd. 8. **Certain communications prohibited.** (a) Commissioners and commission
177.11 staff must not communicate with anyone except other commissioners or staff regarding the
177.12 content of a plan. The prohibition under this paragraph does not apply to open meetings of
177.13 the commission.

177.14 (b) A commissioner may not direct, request, suggest, or recommend an interpretation
177.15 of a districting principle or a change to a district boundary to commission staff except during
177.16 open meetings of the commission. Commission staff shall report to the commission attempts
177.17 made to exert influence over the staff's role in the drafting of plans.

177.18 Subd. 9. **Lobbyist registration.** Action of the commission to submit a redistricting plan
177.19 to the legislature is an administrative action for purposes of section 10A.01, subdivision
177.20 21, requiring certain persons to register as a lobbyist.

177.21 Subd. 10. **Compensation and expenses.** Commissioners must be compensated for their
177.22 commission activity as provided in section 15.059, subdivision 3.

177.23 Subd. 11. **Plans submitted to commission.** The commission shall adopt a schedule for
177.24 interested persons to submit proposed plans and to respond to plans proposed by others.
177.25 The commission shall also adopt standards to govern the format of plans submitted. The
177.26 schedule and standards adopted by the commission under this subdivision are not rules.
177.27 Chapter 14 and section 14.386 do not apply to this section.

177.28 Subd. 12. **Public hearings.** The commission shall hold at least one public hearing in
177.29 each congressional district before adopting the first congressional and legislative district
177.30 plans. The commission must ask for input on defining communities of interest for
177.31 consideration. The commission must publish on its website preliminary drafts of the
177.32 congressional and legislative district plans and each preliminary draft's accompanying

178.1 reports at least one week before a hearing required under this subdivision and allow the
178.2 public at least 30 days to submit comments after publication.

178.3 Subd. 13. **Deadlines.** (a) By April 30 of each year ending in one, the commission shall
178.4 submit plans to the legislature for congressional and legislative districts. Each plan must be
178.5 accompanied by a report summarizing information and testimony received by the commission
178.6 in the course of the hearings and including any comments and conclusions the commissioners
178.7 deem appropriate on the information and testimony received at the hearings or otherwise
178.8 presented. Any plan submitted to the legislature must be approved by an affirmative vote
178.9 of at least 13 members of the commission.

178.10 (b) The legislature intends that a bill be introduced to enact each plan and that the bill
178.11 be brought to a vote in either the senate or the house of representatives under a procedure
178.12 or rule permitting no amendments except those of a purely corrective nature, not less than
178.13 one week after the report of the commission was received and made available to the members
178.14 of the legislature. The legislature further intends that the bill be brought to a vote in the
178.15 second body within one week after final passage in the first body under a similar procedure
178.16 or rule. If either the senate or the house of representatives fails to approve a first plan
178.17 submitted by the commission, within one week after the failure the secretary of the senate
178.18 or the chief clerk of the house of representatives must notify the commission of the failure,
178.19 including any information that the senate or house of representatives may direct by resolution
178.20 regarding reasons why the plan was not approved. If the governor vetoes a plan, the veto
178.21 message serves as the notice.

178.22 (c) The commission shall submit a second plan within two weeks after the commission
178.23 received the notice, unless by then the legislature has adjourned the regular session in the
178.24 year ending in one, in which case the second plan must be submitted to the legislature at
178.25 the opening of its regular session in the year ending in two. The legislature intends that a
178.26 second plan be considered by the legislature under the same procedure as provided for a
178.27 first plan under paragraph (b).

178.28 (d) If the commission fails to submit a plan by either of these two deadlines, the legislature
178.29 may proceed to enact a plan in place of the missing plan without waiting for the commission
178.30 to submit a plan.

178.31 (e) If the secretary of the senate or the chief clerk of the house of representatives notifies
178.32 the commission that a second plan has failed, or the governor vetoes a second plan, the
178.33 commission shall submit a third plan within two weeks after the commission received the
178.34 notice, unless by then the legislature has adjourned the regular session in the year ending

179.1 in one, in which case the third plan must be submitted to the legislature at the opening of
179.2 its regular session in the year ending in two. The third plan is subject to the same procedure
179.3 as provided for first and second plans under paragraph (b).

179.4 Final approval of all plans, whether enacted by the legislature or as provided by order
179.5 of the court, must take place no later than the date provided in section 204B.14, subdivision
179.6 1a.

179.7 Subd. 14. **Data used.** (a) To draw congressional and legislative districts, the commission
179.8 shall use, at a minimum, census data representing the entire population of Minnesota.

179.9 (b) The commission shall use redistricting population data that includes data for persons
179.10 who are incarcerated reflecting their residence to be their last known residential address
179.11 before incarceration.

179.12 Subd. 15. **Expiration.** (a) The commission expires when both congressional and
179.13 legislative redistricting plans have been enacted into law or adopted by order of the court
179.14 and any legal challenges to the plans have been resolved.

179.15 (b) If use of a plan is enjoined after the commission expires, the court enjoining the plan
179.16 may direct that a new commission be appointed under this section to draft a remedial plan
179.17 for presentation to the legislature in accordance with deadlines established by order of the
179.18 court.

179.19 Sec. 2. **[2.035] DISTRICTING PRINCIPLES.**

179.20 Subdivision 1. **Application.** The principles in this section apply to congressional and
179.21 legislative districts.

179.22 Subd. 2. **Prohibited information.** (a) No plan shall be drawn to purposefully favor or
179.23 disfavor a political party or candidate.

179.24 (b) Information regarding registered voters, political affiliation, voting history, and
179.25 demographics shall be sequestered from the Redistricting Commission for the initial phase
179.26 of the process, but may be used to test for compliance with the goals in subdivision 3 and
179.27 reports described in section 2.036, subdivision 4.

179.28 Subd. 3. **Priority of principles.** Redistricting commissioners appointed under section
179.29 2.032 shall adhere to the principles in subdivisions 4 to 12 when drawing congressional and
179.30 legislative districts. Where it is not possible to fully comply with the principles contained
179.31 below, a redistricting plan shall give priority to those principles in the order in which they
179.32 are listed, except to the extent that doing so would violate federal or state law.

180.1 Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in
180.2 population as practicable.

180.3 (b) Legislative districts must be substantially equal in population. The population of a
180.4 legislative district must not deviate from the ideal by more than one percent.

180.5 Subd. 5. **Contiguity.** The districts must be contiguous allowing for easy travel throughout
180.6 the district. Contiguity by water is sufficient if the water is not a serious obstacle to travel
180.7 within the district. Districts with areas that touch only at a point are not contiguous.

180.8 Subd. 6. **Minority representation.** (a) Each district must be drawn in compliance with
180.9 all state and federal laws. A district must not be drawn with either the purpose or effect of
180.10 diluting, denying, or abridging the right of any citizen of the United States to vote on account
180.11 of race, ethnicity, or membership in a language minority group, whether by themselves or
180.12 when voting in concert with other people.

180.13 (b) Racial, ethnic, and language minorities must have an equal opportunity to participate
180.14 in the political process and elect candidates of their choice. Racial, ethnic, and language
180.15 minorities who constitute less than a voting-age majority of a district must have an
180.16 opportunity to substantially influence the outcome of an election.

180.17 Subd. 7. **Communities of interest.** District boundaries shall recognize communities of
180.18 interest. A community of interest is a contiguous population sharing common social and
180.19 economic interests that should be included within a single district for purposes of the
180.20 community's effective and fair representation. Communities of interest include but are not
180.21 limited to geographic areas where there are clearly recognizable similarities of social,
180.22 cultural, ethnic, economic, or other interests. Examples of shared interests are those common
180.23 to an urban area, rural area, industrial area, or agricultural area and those common to areas
180.24 in which the people share similar living standards, have similar work opportunities, or have
180.25 access to the same media of communication relevant to the election process. Communities
180.26 of interest shall not include relationships with political parties, incumbents, or political
180.27 candidates.

180.28 Subd. 8. **Political subdivisions.** Counties, cities, and municipalities should be preserved
180.29 to the greatest extent possible and in compliance with the other principles to preserve rather
180.30 than divide them among multiple districts.

180.31 Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration
180.32 in the development or approval of a proposed plan.

181.1 Subd. 10. **Compactness.** Compactness must be measured by using one or more statistical
181.2 tests and must be compact.

181.3 Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that
181.4 unduly favors or disfavors any political party. The commission shall use judicial standards
181.5 and the best available scientific and statistical methods to assess whether a plan unduly
181.6 favors or disfavors a political party.

181.7 Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district one
181.8 in the southeast corner of the state and end with the district with the highest number in the
181.9 northeast corner of the state.

181.10 (b) Legislative districts must be numbered in a regular series, beginning with house
181.11 district 1A in the northwest corner of the state and proceeding across the state from west to
181.12 east, north to south. In a county that includes more than one whole senate district, the districts
181.13 must be numbered consecutively.

181.14 Sec. 3. **[2.036] LEGISLATIVE COORDINATING COMMISSION;**
181.15 **REDISTRICTING.**

181.16 Subdivision 1. **Administrative support.** The Legislative Coordinating Commission
181.17 shall provide administrative support to the Redistricting Commission.

181.18 Subd. 2. **Database.** The geographic areas and population counts used in maps, tables,
181.19 and legal descriptions of congressional and legislative districts considered by the legislature
181.20 must be those used by the Geographic Information Services (GIS) Office of the Legislative
181.21 Coordinating Commission. The population counts shall be the block population counts
181.22 provided to the state under Public Law 94-171 after each decennial census, subject to
181.23 correction of any errors acknowledged by the United States Census Bureau. The GIS Office
181.24 must make the database available to the public on the GIS Office website.

181.25 Subd. 3. **Publication; consideration of plans.** A redistricting plan must not be considered
181.26 for adoption by the senate or house of representatives until the redistricting plan's block
181.27 equivalency file has been submitted to the GIS Office in a form prescribed by the GIS
181.28 Office. The block equivalency file must show the district to which each census block has
181.29 been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office
181.30 website.

181.31 Subd. 4. **Reports.** Publication of a plan must include the following reports:

181.32 (1) a population equality report, listing each district in the plan, its population as the
181.33 total number of persons, and deviations from the ideal as both a number of persons and as

182.1 a percentage of the population. The report must also show the populations of the largest
182.2 and smallest districts and the overall range of deviations of the districts;

182.3 (2) a contiguity report, listing each district that is noncontiguous either because two
182.4 areas of a district do not touch or because they are linked by a point;

182.5 (3) a minority voting-age population report, listing for each district the voting age
182.6 population of each racial or language minority and the total minority voting age population,
182.7 according to the categories recommended by the United States Department of Justice. The
182.8 report must also highlight each district with 30 percent or more total minority population;

182.9 (4) a communities of interest report, if the chief author of a plan asserts that it preserves
182.10 a community of interest, maps of the plan must include a layer identifying the census blocks
182.11 within the community of interest. Publication of the plan must also include a report that
182.12 lays out the research and process used to identify the communities of interest and lists the
182.13 district or districts to which the community of interest has been assigned. The report must
182.14 include the number of communities of interest that are split and the number of times the
182.15 communities were split;

182.16 (5) a political subdivision splits report, listing the split counties, cities, towns, unorganized
182.17 territories, and precincts, and the district to which each portion of a split subdivision is
182.18 assigned. The report must also show the number of subdivisions split and the number of
182.19 times a subdivision is split;

182.20 (6) a plan components report, listing for each district the names and populations of the
182.21 counties within it and, where a county is split between or among districts, the names and
182.22 populations of the portion of the split county and each of the split county's whole or partial
182.23 cities, townships, unorganized territories, and precincts within each district.

182.24 (7) a measures of compactness report, listing for each district at least the results of the
182.25 Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle,
182.26 Ehrenburg, Length-Width, measures of compactness. The report must also state for all the
182.27 districts in a plan the sum of its perimeters and the mean of its other measurements. The
182.28 commission may consider other tests of compactness; and

182.29 (8) a partisan bias report, listing multiple measures of partisan symmetry or other
182.30 measures of partisan bias as accepted in political science literature and the best available
182.31 scientific and statistical methods.

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

184.4 Subd. 2. **Maintenance of Training Facilities** 9,701,000 9,701,000

184.5 Subd. 3. **General Support** 3,382,000 3,382,000

184.6 \$258,000 each year is for reintegration
184.7 activities. If the amount for fiscal year 2020
184.8 is insufficient, the amount for 2021 is available
184.9 in fiscal year 2020. Any unencumbered
184.10 balance does not cancel at the end of the first
184.11 year and is available for the second year.

184.12 Subd. 4. **Enlistment Incentives** 11,114,000 11,114,000

184.13 The appropriations in this subdivision are
184.14 available until June 30, 2023, except that any
184.15 unspent amounts allocated to a program
184.16 otherwise supported by this appropriation are
184.17 canceled to the general fund upon receipt of
184.18 federal funds in the same amount to support
184.19 administration of that program.

184.20 If the amount for fiscal year 2020 is
184.21 insufficient, the amount for 2021 is available
184.22 in fiscal year 2020. Any unencumbered
184.23 balance does not cancel at the end of the first
184.24 year and is available for the second year.

184.25 Sec. 3. **VETERANS AFFAIRS**

184.26 Subdivision 1. **Total Appropriation** \$ 76,521,000 \$ 76,494,000

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

184.30 Subd. 2. **Veterans Programs and Services** 18,380,000 18,353,000

184.31 (a) **CORE Program.** \$750,000 each year is
184.32 for the Counseling and Case Management

185.1 Outreach Referral and Education (CORE)
185.2 program.

185.3 **(b) Veterans Service Organizations.**
185.4 \$353,000 each year is for grants to the
185.5 following congressionally chartered veterans
185.6 service organizations as designated by the
185.7 commissioner: Disabled American Veterans,
185.8 Military Order of the Purple Heart, the
185.9 American Legion, Veterans of Foreign Wars,
185.10 Vietnam Veterans of America, AMVETS, and
185.11 Paralyzed Veterans of America. This funding
185.12 must be allocated in direct proportion to the
185.13 funding currently being provided by the
185.14 commissioner to these organizations.

185.15 **(c) Minnesota Assistance Council for**
185.16 **Veterans.** \$750,000 each year is for a grant
185.17 to the Minnesota Assistance Council for
185.18 Veterans to provide assistance throughout
185.19 Minnesota to veterans and their families who
185.20 are homeless or in danger of homelessness,
185.21 including assistance with the following:

185.22 (1) utilities;
185.23 (2) employment; and
185.24 (3) legal issues.

185.25 The assistance authorized under this paragraph
185.26 must be made only to veterans who have
185.27 resided in Minnesota for 30 days prior to
185.28 application for assistance and according to
185.29 other guidelines established by the
185.30 commissioner. In order to avoid duplication
185.31 of services, the commissioner must ensure that
185.32 this assistance is coordinated with all other
185.33 available programs for veterans.

186.1 (d) **State's Veterans Cemeteries.** \$1,647,000
186.2 in the first year and \$1,672,000 in the second
186.3 year are for the state's veterans cemeteries.

186.4 (e) **Honor Guards.** \$200,000 each year is for
186.5 compensation for honor guards at the funerals
186.6 of veterans under Minnesota Statutes, section
186.7 197.231.

186.8 (f) **Minnesota GI Bill.** \$200,000 each year is
186.9 for the costs of administering the Minnesota
186.10 GI Bill postsecondary educational benefits,
186.11 on-the-job training, and apprenticeship
186.12 program under Minnesota Statutes, section
186.13 197.791.

186.14 (g) **Gold Star Program.** \$100,000 each year
186.15 is for administering the Gold Star Program for
186.16 surviving family members of deceased
186.17 veterans.

186.18 (h) **County Veterans Service Office.**
186.19 \$1,100,000 each year is for funding the
186.20 County Veterans Service Office grant program
186.21 under Minnesota Statutes, section 197.608.

186.22 (i) **Armed Forces Service Center.** \$100,000
186.23 in the first year is for a onetime grant to the
186.24 Armed Forces Service Center at the
186.25 Minneapolis-St. Paul Airport for construction
186.26 costs related to the remodeling of the Armed
186.27 Forces Service Center and for refurbishing the
186.28 center's furniture and beds used by service
186.29 members between connecting flights and while
186.30 awaiting ground transportation when traveling
186.31 individually or by unit to and from military
186.32 duty assignments.

186.33 As a condition of issuing this grant, the
186.34 commissioner must ensure that the center

187.1 provides matching funding for this purpose.

187.2 The commissioner must also ensure that no

187.3 part of this grant may be spent for salary or

187.4 related benefits for any person or for the

187.5 operations of the center.

187.6 **(j) Veterans Justice Grant; Report.**

187.7 \$200,000 each year is for a veterans justice

187.8 grant program. The commissioner shall solicit

187.9 bids for grants to an organization or

187.10 organizations that will use the grant money to

187.11 support, through education, outreach, and legal

187.12 training and services, military veterans who

187.13 are involved with the criminal justice system.

187.14 The commissioner may use up to seven

187.15 percent of this appropriation each year for

187.16 costs incurred to administer the program under

187.17 this section.

187.18 A county or city may apply for a veterans

187.19 justice grant to establish or operate a veterans

187.20 pretrial diversion program for eligible

187.21 offenders.

187.22 The grant recipient or recipients must report

187.23 to the commissioner of veterans affairs and

187.24 the chairs and ranking minority members of

187.25 the legislative committees and divisions

187.26 overseeing veterans affairs policy and finance

187.27 by January 15 of each year. The report must

187.28 include: an overview of the project's budget;

187.29 a detailed explanation of project expenditures;

187.30 the number of veterans and service members

187.31 served by the project; a list and explanation

187.32 of the services provided to project participants;

187.33 and details of the project's education, outreach,

187.34 and legal training programs.

188.1 (k) **Medal of Honor Memorial.** \$150,000 in
188.2 the first year is for deposit in the Medal of
188.3 Honor Memorial account established under
188.4 Laws 2016, chapter 189, article 13, section
188.5 64, subdivision 2. The commissioner shall use
188.6 the amount transferred under this section to
188.7 construct the Medal of Honor Commemorative
188.8 Memorial. This transfer is not available until
188.9 the commissioner of management and budget
188.10 determines that an equal amount is committed
188.11 from other nonstate sources.

188.12	<u>Subd. 3. Veterans Health Care</u>	<u>58,141,000</u>	<u>58,141,000</u>
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188.13 (a) **Transfers.** These appropriations may be
188.14 transferred to a veterans homes special
188.15 revenue account in the special revenue fund
188.16 in the same manner as other receipts are
188.17 deposited according to Minnesota Statutes,
188.18 section 198.34, and are appropriated to the
188.19 commissioner of veterans affairs for the
188.20 operation of veterans homes facilities and
188.21 programs.

188.22 (b) **Report.** No later than January 15, 2020,
188.23 the commissioner of veterans affairs must
188.24 submit a report to the legislative committees
188.25 with jurisdiction over veterans affairs on
188.26 reserve amounts maintained in the veterans
188.27 homes special revenue account. The report
188.28 must detail current and historical amounts
188.29 maintained as a reserve, and uses of those
188.30 amounts. The report must also include data on
188.31 the utilization of existing veterans homes,
188.32 including current and historical bed capacity
188.33 and usage, staffing levels and staff vacancy
188.34 rates, and staff-to-resident ratios.

189.1 (c) Maximize Federal Reimbursements. The
189.2 commissioner shall seek opportunities to
189.3 maximize federal reimbursements of
189.4 Medicare-eligible expenses and provide annual
189.5 reports to the commissioner of management
189.6 and budget on the federal Medicare
189.7 reimbursements received. Contingent upon
189.8 future federal Medicare receipts, reductions
189.9 to the veterans homes' general fund
189.10 appropriation may be made.

189.11 Sec. 4. Laws 2016, chapter 189, article 13, section 64, is amended to read:

189.12 Sec. 64. **MEMORIAL COMMEMORATING RECIPIENTS OF THE MEDAL OF**
189.13 **HONOR.**

189.14 Subdivision 1. **Medal of Honor Memorial on the State Capitol grounds.** Subject to
189.15 approval by the Capitol Area Architectural and Planning Board, the commissioner of
189.16 administration shall place a memorial on the State Capitol grounds to honor Minnesotans
189.17 awarded the Medal of Honor.

189.18 Subd. 2. **Gifts and grants.** The commissioner of veterans affairs may solicit gifts, grants,
189.19 or donations of any kind from any private or public source to carry out the purposes of this
189.20 section. A Medal of Honor Memorial account is created in the special revenue fund. The
189.21 account consists of money transferred by law to the account and any other money donated,
189.22 gifted, granted, allotted, or otherwise provided to the account. All gifts, grants, or donations
189.23 received by the commissioner shall be deposited in a Medal of Honor Memorial account in
189.24 the special revenue fund. Money in the account is annually appropriated to the commissioner
189.25 of administration for predesign, design, construction, and ongoing maintenance of the
189.26 memorial.

189.27 ~~Subd. 3. **Restrictions.** Money deposited in the Medal of Honor Memorial account is not~~
189.28 ~~available until the commissioner of management and budget has determined an amount~~
189.29 ~~sufficient to complete predesign of the memorial has been committed to the project from~~
189.30 ~~nonstate sources. The commissioner of administration shall not begin construction on this~~
189.31 ~~project until money in the account is sufficient to pay for all costs related to construction~~
189.32 ~~and ongoing maintenance of the memorial.~~

190.1 Sec. 5. **CANCELLATION.**

190.2 All unspent funds, estimated to be \$350,000, to provide grants to the veterans Journey
190.3 Home program in fiscal year 2019 under Laws 2017, First Special Session chapter 4, article
190.4 1, section 38, subdivision 2, are canceled to the general fund by June 29, 2019.

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

190.6 **ARTICLE 8**190.7 **POLICY**

190.8 Section 1. Minnesota Statutes 2018, section 15.057, is amended to read:

190.9 **15.057 PUBLICITY REPRESENTATIVES.**

190.10 No state department, bureau, or division, whether the same operates on funds appropriated
190.11 or receipts or fees of any nature whatsoever, except the Department of Veterans Affairs,
190.12 the Department of Transportation, the Department of Employment and Economic
190.13 Development, the Game and Fish Division, State Agricultural Society, and Explore Minnesota
190.14 Tourism shall use any of such funds for the payment of the salary or expenses of a publicity
190.15 representative. The head of any such department, bureau, or division shall be personally
190.16 liable for funds used contrary to this provision. This section shall not be construed, however,
190.17 as preventing any such department, bureau, or division from sending out any bulletins or
190.18 other publicity required by any state law or necessary for the satisfactory conduct of the
190.19 business for which such department, bureau, or division was created.

190.20 Sec. 2. Minnesota Statutes 2018, section 196.05, subdivision 1, is amended to read:

190.21 Subdivision 1. **General duties.** The commissioner shall:

190.22 (1) act as the agent of a resident of the state having a claim against the United States for
190.23 benefits arising out of or by reason of service in the armed forces and prosecute the claim
190.24 without charge;

190.25 (2) act as custodian of veterans' bonus records;

190.26 (3) administer the laws relating to the providing of bronze flag holders at veterans' graves
190.27 for memorial purposes;

190.28 (4) administer the laws relating to recreational or rest camps for veterans so far as
190.29 applicable to state agencies;

191.1 (5) administer the state soldiers' assistance fund and veterans' relief fund and other funds
191.2 appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation
191.3 of veterans;

191.4 (6) cooperate with national, state, county, municipal, and private social agencies in
191.5 securing to veterans and their dependents the benefits provided by national, state, and county
191.6 laws, municipal ordinances, or public and private social agencies;

191.7 (7) provide necessary assistance where other adequate aid is not available to the dependent
191.8 family of a veteran while the veteran is hospitalized and after the veteran is released for as
191.9 long a period as is necessary as determined by the commissioner;

191.10 (8) cooperate with United States governmental agencies providing compensation,
191.11 pensions, insurance, or other benefits provided by federal law, by supplementing the benefits
191.12 prescribed therein, when conditions in an individual case make it necessary;

191.13 (9) assist dependent family members of military personnel who are called from reserve
191.14 status to extended federal active duty during a time of war or national emergency through
191.15 the state soldiers' assistance fund provided by section 197.03;

191.16 (10) exercise other powers as ~~may be~~ authorized and necessary to carry out the provisions
191.17 ~~of this chapter and chapter chapters 197, consistent with that chapter and 198;~~

191.18 (11) provide information, referral, and counseling services to those veterans who may
191.19 have suffered adverse health conditions as a result of possible exposure to chemical agents;
191.20 and

191.21 (12) in coordination with the Minnesota Association of County Veterans Service Officers,
191.22 develop a written disclosure statement for use by private providers of veterans benefits
191.23 services as required under section 197.6091. At a minimum, the written disclosure statement
191.24 shall include a signature line, contact information for the department, and a statement that
191.25 veterans benefits services are offered at no cost by federally chartered veterans service
191.26 organizations and by county veterans service officers.

191.27 Sec. 3. Minnesota Statutes 2018, section 197.603, subdivision 2, is amended to read:

191.28 Subd. 2. **Records; data privacy.** Pursuant to chapter 13 the county veterans service
191.29 officer is the responsible authority with respect to all records in the officer's custody. The
191.30 data on clients' applications for assistance is private data on individuals, as defined in section
191.31 13.02, subdivision 12. The county veterans service officer may disclose to the county assessor
191.32 private data necessary to determine a client's eligibility for the disabled veteran's homestead
191.33 market value exclusion under section 273.13, subdivision 34.

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

192.2 Sec. 4. Minnesota Statutes 2018, section 197.791, subdivision 1, is amended to read:

192.3 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

192.4 (b) "Commissioner" means the commissioner of veterans affairs, unless otherwise
192.5 specified.

192.6 (c) "Cost of attendance" for undergraduate students has the meaning given in section
192.7 136A.121, subdivision 6, multiplied by a factor of 1.2. Cost of attendance for graduate
192.8 students has the meaning given in section 136A.121, subdivision 6, multiplied by a factor
192.9 of 1.2, using the tuition and fee maximum established by law for four-year programs. For
192.10 purposes of calculating the cost of attendance for graduate students, full time is eight credits
192.11 or more per term or the equivalent.

192.12 (d) "Child" means a natural or adopted child of a person described in subdivision 4,
192.13 paragraph (a), clause (1), item (i) or (ii).

192.14 (e) "Eligible institution" means a postsecondary institution under section 136A.101,
192.15 subdivision 4, or a graduate school licensed or registered with the state of Minnesota serving
192.16 only graduate students.

192.17 (f) "Program" means the Minnesota GI Bill program established in this section, unless
192.18 otherwise specified.

192.19 (g) ~~"Time of hostilities" means any action by the armed forces of the United States that~~
192.20 ~~is recognized by the issuance of a presidential proclamation or a presidential executive order~~
192.21 ~~in which the armed forces expeditionary medal or other campaign service medals are awarded~~
192.22 ~~according to presidential executive order, and any additional period or place that the~~
192.23 ~~commissioner determines and designates, after consultation with the United States~~
192.24 ~~Department of Defense, to be a period or place where the United States is in a conflict that~~
192.25 ~~places persons at such a risk that service in a foreign country during that period or in that~~
192.26 ~~place should be considered to be included.~~

192.27 (h) "Veteran" has the meaning given in section 197.447. ~~Veteran also includes a service~~
192.28 ~~member who has received an honorable discharge after leaving each period of federal active~~
192.29 ~~duty service and has:~~

192.30 (1) ~~served 90 days or more of federal active duty in a foreign country during a time of~~
192.31 ~~hostilities in that country; or~~

192.32 (2) ~~been awarded any of the following medals:~~

193.1 ~~(i) Armed Forces Expeditionary Medal;~~
 193.2 ~~(ii) Kosovo Campaign Medal;~~
 193.3 ~~(iii) Afghanistan Campaign Medal;~~
 193.4 ~~(iv) Iraq Campaign Medal;~~
 193.5 ~~(v) Global War on Terrorism Expeditionary Medal; or~~
 193.6 ~~(vi) any other campaign medal authorized for service after September 11, 2001; or~~
 193.7 ~~(3) received a service-related medical discharge from any period of service in a foreign~~
 193.8 ~~country during a time of hostilities in that country.~~

193.9 A service member who has fulfilled the requirements for being a veteran ~~under this paragraph~~
 193.10 but is still serving actively in the United States armed forces is also a veteran for the purposes
 193.11 of this section.

193.12 Sec. 5. Minnesota Statutes 2018, section 273.1245, subdivision 2, is amended to read:

193.13 Subd. 2. **Disclosure.** The assessor shall disclose the data described in subdivision 1 to
 193.14 the commissioner of revenue as provided by law. The assessor shall also disclose all or
 193.15 portions of the data described in subdivision 1 to:

193.16 (1) the county treasurer solely for the purpose of proceeding under the Revenue Recapture
 193.17 Act to recover personal property taxes owing; and

193.18 (2) the county veterans service officer for the purpose of determining a person's eligibility
 193.19 for the disabled veteran's homestead market value exclusion under section 273.13, subdivision
 193.20 34.

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

193.22 Sec. 6. **[609.1056] MILITARY VETERAN OFFENDERS RESTORATIVE JUSTICE**
 193.23 **SENTENCE.**

193.24 Subdivision 1. **Offenses as a result of military service; presentence supervision**
 193.25 **procedures.** (a) In the case of a person charged with a criminal offense that is either Severity
 193.26 Level 7, D7, or lower in the Minnesota Sentencing Guidelines, who could otherwise be
 193.27 sentenced to county jail or state prison and who alleges that the offense was committed as
 193.28 a result of sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance
 193.29 abuse, or mental health conditions stemming from service in the United States military, the
 193.30 court shall, prior to entering a plea of guilty, make a determination as to whether the

194.1 defendant was, or currently is, a member of the United States military and whether the
194.2 defendant may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress
194.3 disorder, substance abuse, or mental health conditions as a result of that person's service.
194.4 The court may request, through existing resources, an assessment to aid in that determination.

194.5 (b) A defendant who requests to be sentenced under this section shall release or authorize
194.6 access to military service reports and records relating to the alleged conditions stemming
194.7 from service in the United States military. The records shall be filed as confidential and
194.8 remain sealed, except as provided for in this paragraph. The defendant, through existing
194.9 records or licensed professional evaluation, shall establish the diagnosis of the condition
194.10 and its connection to military service. The court, on the prosecutor's motion with notice to
194.11 defense counsel, may order the defendant to furnish to the court for in camera review or to
194.12 the prosecutor copies of all medical and military service reports and records previously or
194.13 subsequently made concerning the defendant's condition and its connection to service. Based
194.14 on the record, the court shall make findings on whether, by clear and convincing evidence,
194.15 the defendant suffers from a diagnosable condition and whether that condition stems from
194.16 service in the United States military. Within 15 days of the court's findings, either party
194.17 may file a challenge to the findings and demand a hearing on the defendant's eligibility
194.18 under this section.

194.19 (c) If the court concludes that a defendant who entered a plea of guilty to a criminal
194.20 offense is a person described in this subdivision or the parties stipulate to eligibility, and if
194.21 the defendant is otherwise eligible for probation, the court shall, upon the defendant entering
194.22 a plea of guilty, without entering a judgment of guilty and with the consent of the defendant,
194.23 defer further proceedings and place the defendant on probation upon such reasonable
194.24 conditions as it may require and for a period not to exceed the maximum sentence provided
194.25 for the violation.

194.26 (d) Upon violation of a condition of the probation, the court may enter an adjudication
194.27 of guilt and proceed as otherwise provided by law, including sentencing pursuant to the
194.28 guidelines, application or waiver of statutory mandatory minimums, or a departure under
194.29 subdivision 2, paragraph (d).

194.30 (e) As a condition of probation, the court may order the defendant to attend a local, state,
194.31 federal, or private nonprofit treatment program for a period not to exceed that period which
194.32 the defendant would have served in state prison or county jail, provided the defendant agrees
194.33 to participate in the program and the court determines that an appropriate treatment program
194.34 exists.

195.1 (f) A defendant granted probation under this section and ordered to attend a residential
195.2 treatment program shall earn sentence credits for the actual time the defendant serves in
195.3 residential treatment.

195.4 (g) The court, in making an order under this section to order a defendant to attend an
195.5 established treatment program, shall give preference to a treatment program that has a history
195.6 of successfully treating veterans who suffer from sexual trauma, traumatic brain injury,
195.7 post-traumatic stress disorder, substance abuse, or mental health problems as a result of that
195.8 service, including but not limited to programs operated by the United States Departments
195.9 of Defense or Veterans Affairs.

195.10 (h) The court and the assigned treatment program shall, when available, collaborate with
195.11 a county veterans service officer and the United States Department of Veterans Affairs to
195.12 maximize benefits and services provided to the veteran.

195.13 (i) If available in the county or judicial district having jurisdiction over the case, the
195.14 defendant may be supervised by the veterans treatment court program under subdivision 3.
195.15 If there is a veterans treatment court that meets the requirements of subdivision 3 in the
195.16 county in which the defendant resides or works, supervision of the defendant may be
195.17 transferred to that county or judicial district veterans treatment court program. If the defendant
195.18 successfully completes the veterans treatment court program in the supervising jurisdiction,
195.19 that jurisdiction shall sentence the defendant under this section. If the defendant is
195.20 unsuccessful in the veterans treatment court program, the defendant's supervision shall be
195.21 returned to the jurisdiction that initiated the transfer for standard sentencing.

195.22 Subd. 2. **Restorative justice for military veterans; dismissal of charges.** (a) It is in
195.23 the interests of justice to restore a defendant who acquired a criminal record due to a mental
195.24 health condition stemming from service in the United States military to the community of
195.25 law-abiding citizens. The restorative provisions of this subdivision apply to cases in which
195.26 a court monitoring the defendant's performance of probation under this section finds at a
195.27 public hearing, held after not less than 15 days' notice to the prosecution, the defense, and
195.28 any victim of the offense, that all of the following describe the defendant:

195.29 (1) the defendant was granted probation and was at the time that probation was granted
195.30 a person eligible under subdivision 1;

195.31 (2) the defendant is in substantial compliance with the conditions of that probation;

195.32 (3) the defendant has successfully participated in court-ordered treatment and services
195.33 to address the sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance
195.34 abuse, or mental health problems stemming from military service;

196.1 (4) the defendant does not represent a danger to the health and safety of others; and

196.2 (5) the defendant has demonstrated significant benefit from court-ordered education,
196.3 treatment, or rehabilitation to clearly show that granting restorative relief pursuant to this
196.4 subdivision would be in the interests of justice.

196.5 (b) When determining whether granting restorative relief under this subdivision is in
196.6 the interests of justice, the court may consider, among other factors, all of the following:

196.7 (1) the defendant's completion and degree of participation in education, treatment, and
196.8 rehabilitation as ordered by the court;

196.9 (2) the defendant's progress in formal education;

196.10 (3) the defendant's development of career potential;

196.11 (4) the defendant's leadership and personal responsibility efforts;

196.12 (5) the defendant's contribution of service in support of the community; and

196.13 (6) the level of harm to the community or victim from the offense.

196.14 (c) If the court finds that a case satisfies each of the requirements described in paragraph
196.15 (a), then upon expiration of the period of probation the court shall discharge the defendant
196.16 and dismiss the proceedings against that defendant. Discharge and dismissal under this
196.17 subdivision shall be without court adjudication of guilt, but a not public record of it shall
196.18 be retained by the Bureau of Criminal Apprehension for the purpose of use by the courts
196.19 in determining the merits of subsequent proceedings against the defendant. The not public
196.20 record may also be opened only upon court order for purposes of a criminal investigation,
196.21 prosecution, or sentencing. Upon request by law enforcement, prosecution, or corrections
196.22 authorities, the bureau shall notify the requesting party of the existence of the not public
196.23 record and the right to seek a court order to open it under this section. The court shall forward
196.24 a record of any discharge and dismissal under this subdivision to the bureau, which shall
196.25 make and maintain the not public record of it as provided under this subdivision. The
196.26 discharge or dismissal shall not be deemed a conviction for purposes of disqualifications
196.27 or disabilities imposed by law upon conviction of a crime or for any other purpose. For
196.28 purposes of this subdivision, "not public" has the meaning given in section 13.02, subdivision
196.29 8a.

196.30 (d) If the charge to which the defendant entered a plea of guilty is listed under subdivision
196.31 1, paragraph (a), and is for an offense that is a presumptive commitment to state
196.32 imprisonment, the court may use the factors of paragraph (a) to justify a dispositional
196.33 departure, or any sentence appropriate including the application or waiver of statutory

197.1 mandatory minimums. If the court finds paragraph (a), clauses (1) to (5), factors, the
197.2 defendant is presumed amenable to probation.

197.3 (e) A dismissal under this subdivision does not apply to an offense for which registration
197.4 is required under section 243.166, subdivision 1b.

197.5 **Subd. 3. Optional veterans treatment court program; procedures for eligible**
197.6 **defendants.** (a) A county or judicial district may supervise probation under this section
197.7 through a veterans treatment court, using county veterans service officers appointed under
197.8 sections 197.60 to 197.606, United States Department of Veterans Affairs veterans justice
197.9 outreach specialists, probation agents, and any other rehabilitative resources available to
197.10 the court.

197.11 (b) "Veterans treatment court program" means a program that has the following essential
197.12 characteristics:

197.13 (1) the integration of services in the processing of cases in the judicial system;

197.14 (2) the use of a nonadversarial approach involving prosecutors and defense attorneys to
197.15 promote public safety and to protect the due process rights of program participants;

197.16 (3) early identification and prompt placement of eligible participants in the program;

197.17 (4) access to a continuum of alcohol, controlled substance, mental health, and other
197.18 related treatment and rehabilitative services;

197.19 (5) careful monitoring of treatment and services provided to program participants;

197.20 (6) a coordinated strategy to govern program responses to participants' compliance;

197.21 (7) ongoing judicial interaction with program participants;

197.22 (8) monitoring and evaluation of program goals and effectiveness;

197.23 (9) continuing interdisciplinary education to promote effective program planning,
197.24 implementation, and operations;

197.25 (10) development of partnerships with public agencies and community organizations,
197.26 including the United States Department of Veterans Affairs; and

197.27 (11) inclusion of a participant's family members who agree to be involved in the treatment
197.28 and services provided to the participant under the program.

197.29 **Subd. 4. Creation of county and city diversion programs; authorization.** Any county
197.30 or city may establish and operate a veterans pretrial diversion program for offenders eligible
197.31 under subdivision 1 without penalty under section 477A.0175. "Pretrial diversion" means

198.1 the decision of a prosecutor to refer an offender to a diversion program on condition that
198.2 the criminal charges against the offender shall be dismissed after a specified period of time,
198.3 or the case shall not be charged, if the offender successfully completes the program of
198.4 treatment recommended by the United States Department of Veterans Affairs or a local,
198.5 state, federal, or private nonprofit treatment program.

198.6 **EFFECTIVE DATE.** This section is effective August 1, 2019.

3.8853 LEGISLATIVE BUDGET OFFICE.

Subdivision 1. **Establishment; duties.** The Legislative Budget Office is established to provide the house of representatives and senate with nonpartisan, accurate, and timely information on the fiscal impact of proposed legislation, without regard to political factors.

Subd. 2. **Director; staff.** The Legislative Budget Office Oversight Commission must appoint a director and establish the director's duties. The director may hire staff necessary to do the work of the office. The director serves in the unclassified service for a term of six years and may not be removed during a term except for cause after a public hearing.

Subd. 3. **Uniform standards and procedures.** The director of the Legislative Budget Office must adopt uniform standards and procedures governing the timely preparation of fiscal notes as required by this section and section 3.98. The standards and procedures are not effective until they are approved by the Legislative Budget Office Oversight Commission. Upon approval, the standards and procedures must be published in the State Register and on the office's website.

Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative Budget Office, the head or chief administrative officer of each department or agency of state government, including the supreme court, must promptly supply data that are used to prepare a fiscal note, including data that are not public data under section 13.64 or other applicable law, unless there are federal laws or regulations that prohibit the provision of the not public data for this purpose. Not public data supplied under this subdivision may only be used by the Legislative Budget Office to review a department or agency's work in preparing a fiscal note and may not be used or disseminated for any other purpose, including use by or dissemination to a legislator or to any officer, department, agency, or committee within the legislative branch. Violation of this subdivision by the director or other staff of the Legislative Budget Office is cause for removal, suspension without pay, or immediate dismissal at the direction of the oversight commission.

Subd. 5. **Fiscal note delivery and posting.** The director of the Legislative Budget Office must deliver a completed fiscal note to the legislative committee chair who made the request, and to the chief author of the legislation to which it relates. Within 24 hours of completion of a fiscal note, the director of the Legislative Budget Office must post a completed fiscal note on the office's public website. This subdivision does not apply to an unofficial fiscal note that is not public data under section 13.64, subdivision 3.

3.8854 LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION.

(a) The Legislative Budget Office Oversight Commission consists of:

- (1) two members of the senate appointed by the senate majority leader;
- (2) two members of the senate appointed by the senate minority leader;
- (3) two members of the house of representatives appointed by the speaker of the house; and
- (4) two members of the house of representatives appointed by the minority leader.

The director of the Legislative Budget Office is the executive secretary of the commission. The chief nonpartisan fiscal analyst of the house of representatives, the lead nonpartisan fiscal analyst of the senate, the commissioner of management and budget or a designee, and the legislative auditor are ex-officio, nonvoting members of the commission.

(b) Members serve at the pleasure of the appointing authority, or until they are not members of the legislative body from which they were appointed. Appointing authorities shall fill vacancies on the commission within 30 days of a vacancy being created.

(c) The commission shall meet in January of each odd-numbered year to elect its chair and vice-chair. They shall serve until successors are elected. The chair and vice-chair shall alternate biennially between the senate and the house of representatives. The commission shall meet at the call of the chair. The members shall serve without compensation but may be reimbursed for their reasonable expenses consistent with the rules of the legislature governing expense reimbursement.

(d) The commission shall review the work of the Legislative Budget Office and make recommendations, as the commission determines necessary, to improve the office's ability to fulfill its duties, and shall perform other functions as directed by this section, and sections 3.8853 and 3.98.

10A.15 CONTRIBUTIONS.

Subd. 6. **Contributions from Hennepin County registered associations.** In lieu of registration with the board, an association registered with the Hennepin County filing officer under sections 383B.041 to 383B.058 that makes contributions of more than \$200 to a committee or fund in a calendar year may notify the recipient committee of its registration with Hennepin County, including its registration number, and instruct the recipient committee to include the notice when the recipient committee discloses receipt of the contribution.

43A.17 SALARY LIMITS, RATES, RANGES AND EXCEPTIONS.

Subd. 9. **Political subdivision compensation limit.** (a) The salary and the value of all other forms of compensation of a person employed by a political subdivision of this state, excluding a school district, may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) must be adjusted annually in January. The limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which must be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which must not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation is the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathic medicine occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation must be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

155A.28 HAIR BRAIDING.

Subdivision 1. **Registration.** Any person engaged in hair braiding solely for compensation as a profession, except persons licensed as cosmetologists, shall register with the Minnesota Board of Cosmetologist Examiners in a form determined by the board.

Subd. 3. **Requirements.** In order to qualify for initial registration, any person engaged in hair braiding solely for compensation as a profession, except persons licensed as cosmetologists, shall satisfactorily complete instruction at either an accredited school, professional association, or by an individual approved by the board. Instruction includes coursework covering the topics of health, safety, infection control, and state laws related to cosmetology not to exceed 30 hours. The coursework is encouraged to be provided in a foreign language format and such availability shall be reported to and posted by the Minnesota Board of Cosmetologist Examiners.

Subd. 4. **Curriculum.** An accredited school, professional association, or an individual approved by the board desiring to provide the coursework required under subdivision 3 shall have curriculum in place by January 1, 2008.

203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON.

Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the seven days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by the county auditor, municipal clerk, or a deputy of the auditor or clerk.

383B.042 DEFINITIONS.

Subdivision 1. **For county campaign finance provisions.** For the purposes of sections 383B.041 to 383B.058, the terms defined in this section have the meanings given them. The terms defined in chapter 200 also apply to sections 383B.041 to 383B.058, unless a different meaning is specified in this section.

Subd. 2. **Advance of credit.** "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. **Association.** "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. **Business with which the individual is associated.** "Business with which the individual is associated" means any association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 5. **Candidate.** "Candidate" means an individual, not within the definition of candidate of section 10A.01, subdivision 10, who seeks nomination or election to any county office in Hennepin County, to 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 to the school board of Special School District No. 1, Minneapolis.

Subd. 6. **City.** "City" means any statutory or home rule charter city wholly within Hennepin County and having a population of 75,000 or more.

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Subd. 7. **Contribution.** "Contribution" means a transfer of funds or a donation in kind.

"Contribution" includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, if that loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made.

"Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. **Donation in kind.** "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of an election.

Subd. 9. **Election.** "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot in Hennepin County or on the ballot of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, or on the ballot of Special School District No. 1, Minneapolis.

Subd. 10. **Expenditure.** "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 outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. **Filing officer.** "Filing officer" means the official responsible under law for administration of the election laws for Hennepin county.

Subd. 12. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. **Political committee.** "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not to influence the outcome of any other election.

Subd. 14. **Political fund.** "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not for the purpose of influencing the outcome of any other election.

Subd. 15. **Population.** "Population" means population as determined by the most recent federal census.

Subd. 16. **Principal campaign committee.** "Principal campaign committee" means the single political committee designated by a candidate for election for any city office in the city of Bloomington; for any city office in the city of Minneapolis; for any school district office in Special School District No. 1, Minneapolis; or for any county office in Hennepin County.

Subd. 17. **Transfer of funds.** "Transfer of funds" or "transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of any election.

383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.

Subdivision 1. **Officers.** Every political committee shall have a chair and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. **Prohibitions; acceptance of certain contributions; commingling of funds.** No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of \$20 shall

be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

383B.044 POLITICAL FUNDS.

Subdivision 1. **When required.** No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. **Treasurer; commingling of funds; anonymous contributions.** Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of \$20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

Subd. 3. **Use of dues and membership fees.** Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 383B.049, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed \$50 in the aggregate.

Subd. 4. **Penalty.** Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

383B.045 PRINCIPAL CAMPAIGN COMMITTEE.

Every candidate who receives contributions or makes expenditures in excess of \$100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through the candidate's principal campaign committee. The candidate may be the chair and treasurer of the principal campaign committee.

383B.046 REGISTRATION OF POLITICAL COMMITTEES, POLITICAL FUNDS, AND PRINCIPAL CAMPAIGN COMMITTEES.

Subdivision 1. **Filing office; deadline.** Every political committee, political fund and principal campaign committee as defined in section 383B.042, subdivisions 13, 14, and 16, shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess of \$100. A political committee, political fund, or principal campaign committee that is registered with the Campaign Finance and Public Disclosure Board under section 10A.14 need not register under this section.

Subd. 2. **Statement required.** A political committee, political fund, or principal campaign committee registers by filing a statement of organization that includes:

- (a) the name and address of the political committee, political fund, or principal campaign committee;
- (b) the name and address of the chair, the treasurer, and any deputy treasurers;
- (c) the name and address of the depository used by the committee or fund;
- (d) the name and address of any supporting association of a political fund; and
- (e) a statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee.

383B.047 ACCOUNTS WHICH MUST BE KEPT.

Subdivision 1. **Contributions; expenditures; transfers.** The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

- (1) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

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(2) the name and address of each source of a transfer or donation in kind, together with the date and amount;

(3) each expenditure made by or on behalf of the committee or fund together with the date and amount; and

(4) the name and address of each political committee, political fund, or principal campaign committee to which transfers have been made, together with the date and amount.

Subd. 2. **Authorization of expenditures; receipts.** Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than \$20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every expenditure made by or on behalf of the political committee, political fund, or principal campaign committee.

383B.048 CAMPAIGN REPORTS.

Subdivision 1. **Committees required to report; deadlines.** (a) The treasurer of any political committee, political fund, or principal campaign committee required to register pursuant to section 383B.046 shall file campaign reports with the filing officer. In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee shall be filed one week before a regular primary and a regular election. Political committees and political funds shall file campaign reports one week before a regular primary or regular election.

(b) The treasurer of a principal campaign committee shall file reports one week before a special primary or other special election and 30 days after a special election.

(c) The reports shall cover the period from the day after the end of the previous reporting period to one week before the filing date.

(d) A campaign report shall be filed by all treasurers on January 31 of each year covering the period from the day after the end of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. **Content of reports.** Each campaign report required under this section shall disclose:

(1) the amount of liquid assets on hand at the beginning of the reporting period;

(2) the name, address and employer, or occupation if self-employed, of each individual, committee or political fund that made transfers or donations in kind to the political committee, political fund, or principal campaign committee in an aggregate amount or value in excess of \$100, together with the amount and date;

(3) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(4) each loan made or received by the political committee, political fund, or principal campaign committee within the year in aggregate in excess of \$100, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. A loan made to a political committee, political fund, or principal campaign committee which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(5) the sum of all receipts, including all contributions and loans, during the reporting period;

(6) the name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee, political fund, or principal campaign committee within the year in excess of \$100, the amount, date and purpose of each expenditure and the ballot question or the name and address of the candidate supported or opposed by the expenditure;

(7) the sum of all expenditures made by the political committee, political fund, or principal campaign committee;

(8) the amount and nature of any advance of credit incurred by the political committee, political fund, or principal campaign committee continuously reported until paid or forgiven. An advance of credit incurred by a political committee, political fund, or principal campaign committee which is forgiven or is paid by an entity other than that political committee, political fund, or principal campaign committee shall be reported as a donation in kind;

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(9) the name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(10) the sum of all transfers made to political committees, political funds, or principal campaign committees; and

(11) the sum of all disbursements not made to influence the outcome of an election.

Subd. 3. **Party sample ballots.** Expenditures by a political party as defined in section 200.02, subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. **Termination reports.** (a) A political committee, political fund, or principal campaign committee created pursuant to section 383B.046 may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of \$100. The termination report shall include all information required in a periodic campaign report.

(b) Political committees and political funds that were created for purposes of supporting or opposing candidates or ballot issues beyond the scope of those identified in section 383B.042, subdivision 5, 13, or 14, may terminate their registration with Hennepin County. Termination of a registration under this provision does not require termination of the political committee or political fund and does not require settlement of all debts and disposition of all assets in excess of \$100.

383B.049 EXPENDITURES BY INDIVIDUALS.

Subdivision 1. **Reports.** Except as provided in subdivision 2, any individual who makes expenditures in an aggregate amount of \$100 or more in any year, which expenditures are not required to be reported by any political committee, political fund, or principal campaign committee as contributions to that political committee, political fund, or principal campaign committee, shall file campaign reports in the form required by section 383B.048 with respect to those expenditures.

Subd. 2. **Exception; independent expenditures.** An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee, political fund, or agent of a candidate, political committee, or political fund, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified county or city ballot question at any election.

383B.05 ADDITIONAL INFORMATION TO BE DISCLOSED.

Subdivision 1. **Earmarked contributions.** Any individual, political committee, political fund, or principal campaign committee that receives a contribution from any person or association in an aggregate in excess of \$50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 383B.048, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall also disclose the original source and the individual, political committee, political fund, or principal campaign committee through which it was directed. Any individual, political committee, political fund, or principal campaign committee that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. **Bills when rendered and paid.** Every person who has a bill, charge or claim against any political committee, political fund, or principal campaign committee for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor.

383B.051 CIRCUMVENTION PROHIBITED.

Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor.

383B.052 ECONOMIC REPRISALS PROHIBITED.

No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or

political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor.

383B.053 ECONOMIC INTEREST DISCLOSURE.

Subdivision 1. **Officials required to file; deadlines.** Every candidate for county office, every elected official of Hennepin County, every candidate for office and every elected official of a home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, and every candidate for school board and every elected official in Special School District No. 1, Minneapolis shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which the individual remains a candidate or elected official. An official required to file a statement of economic interest under section 10A.09 is not required to comply with this section.

Subd. 2. **Content of statement.** An individual required to file a statement of economic interest shall disclose:

- (1) the individual's name, address, occupation and principal place of business;
- (2) the name of each business with which the individual is associated and the nature of that association;
- (3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, and which interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more;
- (4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more; and
- (5) in supplementary statements only, the amount of each honorarium in excess of \$50 received since the last statement, together with the name and address of the source.

Any listing under clause (3) or (4) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.

Subdivision 1. **Certification.** A report or statement required by sections 383B.046 to 383B.054 shall be signed and certified as true by the individual required to file the report. Any individual who signs and certifies to be true a report or statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. **Transmittal, retention, public inspection.** The filing officer shall promptly transmit to the appropriate city clerk a copy of each statement and report filed by a candidate for city office, a political committee or fund that discloses contributions or expenditures to influence a city or an elected city official. The filing officer and each city clerk shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer.

Subd. 3. **Changes and corrections.** Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. **Record keeping.** Each individual required to file any report or statement or to keep any account pursuant to sections 383B.046 to 383B.054 shall maintain and preserve for four years the records, including any vouchers, canceled checks, bills, invoices, worksheets and receipts, that

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will provide in sufficient detail the necessary information from which the accounts and the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness.

Subd. 5. **Penalties.** The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 383B.046 to 383B.054. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on the eighth day after receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of \$50 per day, not to exceed \$500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. **Recovery of late filing fees.** A filing officer may bring an action in the Fourth Judicial District Court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. **Reports of violations.** If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin County attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general.

Subd. 8. **Report by subordinate.** (a) Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession.

(b) Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession.

(c) The filing officer shall also immediately send a copy of the report to the Campaign Finance and Public Disclosure Board.

(d) A violation of this subdivision is a misdemeanor.

383B.055 DUTIES OF CAMPAIGN FINANCE BOARD; FILING OFFICERS.

Subdivision 1. **Board: advisory opinions, disclosure exemptions.** The state Campaign Finance and Public Disclosure Board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin County or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Subd. 2. **Filing officer: develop, distribute needed forms.** The county filing officer of Hennepin County shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Subd. 3. **Candidacy filing officer: forms to candidates; penalty.** An officer who receives affidavits or applications of candidacy or nominating petitions shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or

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petition with that officer or for whom a write-in vote is cast on the ballot of that jurisdiction. Any officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

383B.056 PENALTIES.

Except as expressly provided to the contrary in sections 383B.041 to 383B.055, a violation of sections 383B.041 to 383B.055 is not a crime.

383B.057 PROSECUTION OF VIOLATIONS.

Except as otherwise provided in this section, a violation of a criminal provision of sections 383B.041 to 383B.056 shall be prosecuted by the Hennepin County attorney in the Fourth Judicial District Court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.

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Laws 2017, First Special Session chapter 4, article 2, section 1, as amended by Laws 2018, chapter 214, article 5, section 10

EFFECTIVE DATE. This section is effective July 1, 2018.

Laws 2017, First Special Session chapter 4, article 2, section 3, as amended by Laws 2018, chapter 214, article 5, section 11

EFFECTIVE DATE. This section is effective July 1, 2018.

Laws 2017, First Special Session chapter 4, article 2, section 58, as amended by Laws 2018, chapter 214, article 5, section 13

EFFECTIVE DATE. This section is effective July 1, 2018.

Laws 2017, First Special Session chapter 4, article 2, section 7

Sec. 7. Minnesota Statutes 2016, section 3.98, subdivision 1, is amended to read:

Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each department or agency of the state government, including the Supreme Court, shall cooperate with the Legislative Budget Office and the Legislative Budget Office must prepare a fiscal note at the request of the chair of the standing committee to which a bill has been referred, or the chair of the house of representatives Ways and Means Committee, or the chair of the senate Committee on Finance.

(b) Upon request of the Legislative Budget Office, the head or chief administrative officer of each department or agency of state government, including the Supreme Court, must promptly supply all information necessary for the Legislative Budget Office to prepare an accurate and timely fiscal note.

(c) The Legislative Budget Office may adopt standards and guidelines governing timing of responses to requests for information and governing access to data, consistent with laws governing access to data. Agencies must comply with these standards and guidelines and the Legislative Budget Office must publish them on the office's Web site.

(d) For purposes of this subdivision, "Supreme Court" includes all agencies, committees, and commissions supervised or appointed by the state Supreme Court or the state court administrator.

EFFECTIVE DATE. This section is effective January 8, 2019.

Laws 2017, First Special Session chapter 4, article 2, section 8

Sec. 8. Minnesota Statutes 2016, section 3.98, subdivision 4, is amended to read:

Subd. 4. **Uniform procedure.** ~~The commissioner of management and budget~~ Legislative Budget Office shall prescribe a uniform procedure to govern the departments and agencies of the state in complying with the requirements of this section.

EFFECTIVE DATE. This section is effective January 8, 2019.

Laws 2017, First Special Session chapter 4, article 2, section 9, as amended by Laws 2018, chapter 214, article 5, section 12

EFFECTIVE DATE. This section is effective July 1, 2018.

Laws 2018, chapter 214, article 5, section 1

Section 1. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 1, is amended to read:

Subdivision 1. **Establishment; duties.** The Legislative Budget Office is established ~~under control of the Legislative Coordinating Commission~~ to provide the house of representatives and senate with nonpartisan, accurate, and timely information on the fiscal impact of proposed legislation, without regard to political factors.

EFFECTIVE DATE. This section is effective July 1, 2018.

Laws 2018, chapter 214, article 5, section 10

Sec. 10. Laws 2017, First Special Session chapter 4, article 2, section 1, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective ~~January 8, 2019~~ July 1, 2018.

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EFFECTIVE DATE. This section is effective July 1, 2018.
Laws 2018, chapter 214, article 5, section 11

Sec. 11. Laws 2017, First Special Session chapter 4, article 2, section 3, the effective date, is amended to read:

EFFECTIVE DATE. ~~Except where otherwise provided by law, this section is effective January 8, 2019~~ July 1, 2018.

EFFECTIVE DATE. This section is effective July 1, 2018.
Laws 2018, chapter 214, article 5, section 12

Sec. 12. Laws 2017, First Special Session chapter 4, article 2, section 9, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective ~~January 8, 2019~~ September 1, 2019.

EFFECTIVE DATE. This section is effective July 1, 2018.
Laws 2018, chapter 214, article 5, section 13

Sec. 13. Laws 2017, First Special Session chapter 4, article 2, section 58, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective ~~January 8, 2019~~ September 1, 2019. The contract required under this section must be approved by the Legislative Budget Office Oversight Commission and be executed no later than November 1, 2018, and must provide for transfer of operational control of the fiscal note tracking system to the Legislative Budget Office effective September 1, 2019.

EFFECTIVE DATE. This section is effective July 1, 2018.
Laws 2018, chapter 214, article 5, section 14

Sec. 14. **LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION; FIRST APPOINTMENTS; FIRST CHAIR; FIRST MEETING.**

Appointments to the Legislative Budget Office Oversight Commission under Minnesota Statutes, section 3.8854, must be made by July 1, 2018. The chair of the Legislative Coordinating Commission must designate one appointee to convene the commission's first meeting and serve as its chair until a chair is elected by the commission as provided in Minnesota Statutes, section 3.8854. The designated appointee must convene the first meeting no later than July 15, 2018.

Laws 2018, chapter 214, article 5, section 15

Sec. 15. **LEGISLATIVE BUDGET OFFICE DIRECTOR ORIENTATION AND TRAINING.**

Before September 1, 2019, the commissioner of management and budget shall provide orientation and training to the director of the Legislative Budget Office and any staff of the Legislative Budget Office designated by the director on the use of the fiscal note system. The commissioner of management and budget must provide opportunities to the director of the Legislative Budget Office and staff designated by the director of the Legislative Budget Office to learn from the Department of Management and Budget's work on fiscal note requests during the 2019 regular legislative session to facilitate the transfer of duties required by this act.

Laws 2018, chapter 214, article 5, section 2

Sec. 2. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 2, is amended to read:

Subd. 2. **Director; staff.** ~~The Legislative Coordinating Commission~~ Legislative Budget Office Oversight Commission must appoint a director ~~who~~ and establish the director's duties. The director may hire staff necessary to do the work of the office. The director serves in the unclassified service for a term of six years and may not be removed during a term except for cause after a public hearing.

EFFECTIVE DATE. This section is effective July 1, 2018.
Laws 2018, chapter 214, article 5, section 3

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Sec. 3. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a subdivision to read:

Subd. 3. **Uniform standards and procedures.** The director of the Legislative Budget Office must adopt uniform standards and procedures governing the timely preparation of fiscal notes as required by this section and section 3.98. The standards and procedures are not effective until they are approved by the Legislative Budget Office Oversight Commission. Upon approval, the standards and procedures must be published in the State Register and on the office's Web site.

EFFECTIVE DATE. This section is effective September 1, 2019, except that the uniform standards and procedures to be used may be developed and adopted by the oversight commission prior to the effective date of this section.

Laws 2018, chapter 214, article 5, section 4

Sec. 4. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a subdivision to read:

Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative Budget Office, the head or chief administrative officer of each department or agency of state government, including the Supreme Court, must promptly supply data that are used to prepare a fiscal note, including data that are not public data under section 13.64 or other applicable law, unless there are federal laws or regulations that prohibit the provision of the not public data for this purpose. Not public data supplied under this subdivision may only be used by the Legislative Budget Office to review a department or agency's work in preparing a fiscal note and may not be used or disseminated for any other purpose, including use by or dissemination to a legislator or to any officer, department, agency, or committee within the legislative branch. Violation of this subdivision by the director or other staff of the Legislative Budget Office is cause for removal, suspension without pay, or immediate dismissal at the direction of the oversight commission.

EFFECTIVE DATE. This section is effective September 1, 2019.
Laws 2018, chapter 214, article 5, section 5

Sec. 5. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a subdivision to read:

Subd. 5. **Fiscal note delivery and posting.** The director of the Legislative Budget Office must deliver a completed fiscal note to the legislative committee chair who made the request, and to the chief author of the legislation to which it relates. Within 24 hours of completion of a fiscal note, the director of the Legislative Budget Office must post a completed fiscal note on the office's public Web site. This subdivision does not apply to an unofficial fiscal note that is not public data under section 13.64, subdivision 3.

EFFECTIVE DATE. This section is effective September 1, 2019.
Laws 2018, chapter 214, article 5, section 6

Sec. 6. **[3.8854] LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION.**

(a) The Legislative Budget Office Oversight Commission consists of:

(1) two members of the senate appointed by the senate majority leader;

(2) two members of the senate appointed by the senate minority leader;

(3) two members of the house of representatives appointed by the speaker of the house; and

(4) two members of the house of representatives appointed by the minority leader.

The director of the Legislative Budget Office is the executive secretary of the commission. The chief nonpartisan fiscal analyst of the house of representatives, the lead nonpartisan fiscal analyst of the senate, the commissioner of management and budget or a designee, and the legislative auditor are ex-officio, nonvoting members of the commission.

(b) Members serve at the pleasure of the appointing authority, or until they are not members of the legislative body from which they were appointed. Appointing authorities shall fill vacancies on the commission within 30 days of a vacancy being created.

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(c) The commission shall meet in January of each odd-numbered year to elect its chair and vice-chair. They shall serve until successors are elected. The chair and vice-chair shall alternate biennially between the senate and the house of representatives. The commission shall meet at the call of the chair. The members shall serve without compensation but may be reimbursed for their reasonable expenses consistent with the rules of the legislature governing expense reimbursement.

(d) The commission shall review the work of the Legislative Budget Office and make recommendations, as the commission determines necessary, to improve the office's ability to fulfill its duties, and shall perform other functions as directed by this section, and sections 3.8853 and 3.98.

Laws 2018, chapter 214, article 5, section 7

Sec. 7. Minnesota Statutes 2017 Supplement, section 3.98, subdivision 1, is amended to read:

Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each department or agency of the state government, including the Supreme Court, shall ~~cooperate with the Legislative Budget Office and the Legislative Budget Office must~~ prepare a fiscal note consistent with the standards and procedures adopted under section 3.8853, at the request of the chair of the standing committee to which a bill has been referred, or the chair of the house of representatives Ways and Means Committee, or the chair of the senate Committee on Finance.

~~(b) Upon request of the Legislative Budget Office, the head or chief administrative officer of each department or agency of state government, including the Supreme Court, must promptly supply all information necessary for the Legislative Budget Office to prepare an accurate and timely fiscal note.~~

~~(c) The Legislative Budget Office may adopt standards and guidelines governing timing of responses to requests for information and governing access to data, consistent with laws governing access to data. Agencies must comply with these standards and guidelines and the Legislative Budget Office must publish them on the office's Web site.~~

~~(d)~~ (b) For purposes of this subdivision, "Supreme Court" includes all agencies, committees, and commissions supervised or appointed by the state Supreme Court or the state court administrator.

EFFECTIVE DATE. This section is effective September 1, 2019.
Laws 2018, chapter 214, article 5, section 8

Sec. 8. Minnesota Statutes 2016, section 10A.01, subdivision 35, is amended to read:

Subd. 35. **Public official.** "Public official" means any:

- (1) member of the legislature;
- (2) individual employed by the legislature as secretary of the senate, legislative auditor, director of the Legislative Budget Office, chief clerk of the house of representatives, revisor of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of Senate Counsel, Research, and Fiscal Analysis, House Research, or the House Fiscal Analysis Department;
- (3) constitutional officer in the executive branch and the officer's chief administrative deputy;
- (4) solicitor general or deputy, assistant, or special assistant attorney general;
- (5) commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06, or the state chief information officer;
- (6) member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;
- (7) individual employed in the executive branch who is authorized to adopt, amend, or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- (8) executive director of the State Board of Investment;
- (9) deputy of any official listed in clauses (7) and (8);
- (10) judge of the Workers' Compensation Court of Appeals;
- (11) administrative law judge or compensation judge in the State Office of Administrative Hearings or unemployment law judge in the Department of Employment and Economic Development;

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- (12) member, regional administrator, division director, general counsel, or operations manager of the Metropolitan Council;
- (13) member or chief administrator of a metropolitan agency;
- (14) director of the Division of Alcohol and Gambling Enforcement in the Department of Public Safety;
- (15) member or executive director of the Higher Education Facilities Authority;
- (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- (17) member of the board of directors or executive director of the Minnesota State High School League;
- (18) member of the Minnesota Ballpark Authority established in section 473.755;
- (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- (20) manager of a watershed district, or member of a watershed management organization as defined under section 103B.205, subdivision 13;
- (21) supervisor of a soil and water conservation district;
- (22) director of Explore Minnesota Tourism;
- (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section 97A.056;
- (24) citizen member of the Clean Water Council established in section 114D.30;
- (25) member or chief executive of the Minnesota Sports Facilities Authority established in section 473J.07;
- (26) district court judge, appeals court judge, or Supreme Court justice;
- (27) county commissioner;
- (28) member of the Greater Minnesota Regional Parks and Trails Commission; or
- (29) member of the Destination Medical Center Corporation established in section 469.41.

EFFECTIVE DATE. This section is effective July 1, 2018.
Laws 2018, chapter 214, article 5, section 9

Sec. 9. Minnesota Statutes 2016, section 13.64, is amended by adding a subdivision to read:

Subd. 4. Fiscal note data must be shared with Legislative Budget Office. A head or chief administrative officer of a department or agency of the state government, including the Supreme Court, must provide data that are used to prepare a fiscal note, including data that are not public data under this section to the director of the Legislative Budget Office upon the director's request and consistent with section 3.8853, subdivision 4, unless there are federal laws or regulations that prohibit the provision of the not public data for this purpose. The data must be supplied according to any standards and procedures adopted under section 3.8853, subdivision 3, including any standards and procedures governing timeliness. Notwithstanding section 13.05, subdivision 9, a responsible authority may not require the Legislative Budget Office to pay a cost for supplying data requested under this subdivision.

EFFECTIVE DATE. This section is effective September 1, 2019.