

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4293

03/14/2022 Authored by Nelson, M.,
The bill was read for the first time and referred to the Committee on State Government Finance and Elections
04/08/2022 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
04/21/2022 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act

1.2 relating to state government; appropriating money for certain government agencies
1.3 and pension plans; allowing certain contracts; determining acceptance of certain
1.4 collateral by the executive council; designating Juneteenth; defining certain terms;
1.5 specifying emergency management provisions; modifying data practices provisions;
1.6 amending provisions of the Legislative Salary Council; changing the revolving
1.7 fund for services rate and statewide systems services; providing changes to state
1.8 budget and finance sections; moving the Office of Collaborations and Dispute
1.9 Resolution under the Department of Administration; establishing the Office of
1.10 Enterprise Translations; creating the language access service account; changing
1.11 provisions for grant administration, solicitation process, affirmative action
1.12 measures, technology accessibility standards, hiring processes, salary differential
1.13 benefits, supported work practices, deposit and investment of local public funds,
1.14 Minnesota State Colleges and Universities, burial grounds, manufactured homes,
1.15 managed natural landscapes, military salary differential, Mississippi River Parkway
1.16 Commission, campaign finance and elections, barbering, and cosmetology; creating
1.17 certain separation and retention incentive programs; requiring an Office of Small
1.18 Agency study; establishing State Emblems Redesign Commission, Legislative
1.19 Task Force on Aging, and Advisory Committee on Service Worker Standards;
1.20 making policy and technical changes to various military and veterans affairs
1.21 provisions, including provisions related to veterans housing, veteran benefits,
1.22 veterans services, veterans bonus program, and Veterans Service Office grant
1.23 program; creating a Veterans Service Office grant program; determining actuarial
1.24 assumption for investment rate of return and direct state aid; providing for allocation
1.25 of federal transportation-related funds; providing various policy changes to
1.26 transportation-related provisions; establishing a working group and a task force;
1.27 authorizing the sale and issuance of state bonds; requiring reports; setting certain
1.28 fees; amending Minnesota Statutes 2020, sections 3.303, subdivision 6; 4.075, by
1.29 adding subdivisions; 5B.06; 9.031, subdivision 3; 10.55; 10A.273, subdivision 1;
1.30 12.03, by adding subdivisions; 12.21, subdivision 2; 12.31, subdivision 2; 12.35,
1.31 subdivision 4; 12.36; 13.04, subdivision 4; 13.072, subdivision 1; 15A.0825,
1.32 subdivisions 1, 2, 3; 16A.126, subdivision 1; 16A.1286, subdivision 2; 16A.15,
1.33 subdivision 3; 16B.33, subdivisions 1, 3, 3a, by adding a subdivision; 16B.98, by
1.34 adding a subdivision; 16C.10, subdivision 2; 16C.32, subdivision 1; 43A.01,
1.35 subdivision 2; 43A.02, by adding subdivisions; 43A.04, subdivisions 1a, 4, 7;
1.36 43A.09; 43A.10, subdivisions 2a, 7; 43A.14; 43A.15, subdivision 14, by adding
1.37 a subdivision; 43A.183, subdivisions 1, 2; 43A.19, subdivision 1; 43A.191; 43A.21,
1.38 subdivisions 1, 2, 3, by adding a subdivision; 43A.36, subdivision 1; 43A.421;

2.1 82.75, subdivision 8; 118A.09, subdivisions 1, 2; 136F.02, subdivision 1; 138.081,
2.2 subdivision 3; 138.665, subdivision 2; 154.001, subdivision 2; 154.003; 154.01;
2.3 154.02, subdivisions 1, 4, 5, by adding subdivisions; 154.05; 154.07, subdivision
2.4 1; 154.08; 154.09; 154.11, subdivision 1, by adding a subdivision; 155A.20;
2.5 155A.23, subdivisions 8, 11, 18, by adding a subdivision; 155A.25, subdivision
2.6 1a; 155A.27, subdivisions 1, 5a, 6, 10, by adding a subdivision; 155A.271,
2.7 subdivision 1; 155A.29, subdivision 1; 155A.30, subdivisions 2, 3, 4, 11; 160.08,
2.8 subdivision 7; 160.266, by adding a subdivision; 161.088, subdivisions 1, 2, 4, 5,
2.9 as amended, by adding a subdivision; 161.115, by adding a subdivision; 161.14,
2.10 by adding subdivisions; 161.1419, subdivision 2; 162.07, subdivision 2; 162.13,
2.11 subdivisions 2, 3; 168.002, by adding a subdivision; 168.1235, subdivision 1;
2.12 168.1253, subdivision 3; 168.27, subdivision 11; 168.327, subdivisions 2, 3; 168.33,
2.13 subdivision 7; 168.345; 168A.01, subdivision 17b, by adding a subdivision;
2.14 168A.04, subdivisions 1, 4; 168A.05, subdivision 3; 168A.11, subdivision 3;
2.15 168A.151, subdivision 1; 168A.152, subdivisions 1, 1a; 168B.07, subdivision 3,
2.16 by adding subdivisions; 169.14, by adding a subdivision; 169.18, subdivision 3;
2.17 169.8261; 171.01, by adding a subdivision; 171.06, subdivision 2, by adding a
2.18 subdivision; 171.061, subdivision 4; 171.0705, by adding a subdivision; 171.12,
2.19 subdivision 1a; 171.13, subdivision 1a; 174.52, subdivision 3; 197.608, subdivisions
2.20 4, 6; 197.79, subdivisions 1, 2, 3, 5, 10; 201.061, subdivision 3; 201.071,
2.21 subdivisions 1, 3, 8; 201.091, subdivision 2; 201.12, subdivision 2; 201.13,
2.22 subdivision 3; 201.1611, subdivision 1; 202A.16, subdivision 1; 203B.01, by
2.23 adding a subdivision; 203B.02, by adding a subdivision; 203B.07, subdivisions 1,
2.24 2, 3; 203B.081, subdivisions 1, 2, 3; 203B.11, subdivision 1; 203B.121, subdivision
2.25 3; 203B.16, subdivision 2; 203B.21, subdivisions 1, 3; 203B.23, subdivision 2;
2.26 203B.28; 204B.06, subdivision 4a; 204B.09, subdivision 1; 204B.13, by adding
2.27 a subdivision; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.45,
2.28 subdivisions 1, 2; 204B.46; 204C.15, subdivision 1; 204C.33, subdivision 3;
2.29 204D.19, subdivision 2; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13,
2.30 subdivision 5; 205A.10, subdivision 5; 205A.12, subdivision 5; 207A.12; 209.021,
2.31 subdivision 2; 211B.04, subdivisions 2, 3, by adding a subdivision; 211B.11,
2.32 subdivision 1; 211B.32, subdivision 1; 216D.03, by adding a subdivision; 219.1651;
2.33 221.025; 299A.41, subdivision 3; 299A.705, by adding a subdivision; 299D.03,
2.34 subdivision 5; 299F.60, subdivision 1; 299J.16, subdivision 1; 307.08, as amended;
2.35 325F.662, subdivision 3; 325F.6641; 325F.6642; 325F.665, subdivision 14;
2.36 327C.095, subdivisions 12, 13, 16; 353.65, subdivision 3b; 354A.12, subdivisions
2.37 3a, 3c; 356.215, subdivision 8; 367.03, subdivision 6; 447.32, subdivision 4;
2.38 473.375, by adding a subdivision; 490.123, subdivision 5; 609.855, subdivisions
2.39 1, 7; 645.44, subdivision 5; Minnesota Statutes 2021 Supplement, sections 10A.01,
2.40 subdivision 16a; 168.327, subdivision 1; 169.09, subdivision 13; 169.222,
2.41 subdivision 4; 169A.60, subdivision 13; 171.0605, subdivision 5; 171.13,
2.42 subdivision 1; 171.306, subdivision 4; 196.081; 201.225, subdivision 2; 203B.082,
2.43 subdivision 2, by adding a subdivision; 203B.121, subdivisions 2, 4; 203B.24,
2.44 subdivision 1; 204B.09, subdivision 3; 204B.16, subdivision 1; 207A.13,
2.45 subdivision 2; 360.55, subdivision 9; 360.59, subdivision 10; Laws 2021, First
2.46 Special Session chapter 5, article 1, section 4, subdivision 3; article 2, section 2,
2.47 subdivision 1; Laws 2021, First Special Session chapter 12, article 1, sections 11,
2.48 subdivision 4; 37, subdivision 2; proposing coding for new law in Minnesota
2.49 Statutes, chapters 16B; 16E; 43A; 118A; 154; 160; 161; 169; 171; 174; 197; 211B;
2.50 412; 473; repealing Minnesota Statutes 2020, sections 1.135; 1.141; 12.03,
2.51 subdivision 5d; 136F.03; 168A.01, subdivision 17a; 179.90; 179.91; 325F.6644;
2.52 Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; 2100.3200;
2.53 8835.0350, subpart 2.

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

3.2 **ARTICLE 1**

3.3 **STATE GOVERNMENT APPROPRIATIONS**

3.4 Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

3.5 The sums shown in the columns marked "Appropriations" are added to or, if shown in
 3.6 parentheses, subtracted from the appropriations in Laws 2021, First Special Session chapter
 3.7 12, article 1, to the agencies and for the purposes specified in this article. The appropriations
 3.8 are from the general fund, or another named fund, and are available for the fiscal years
 3.9 indicated for each purpose. The designations "2022" or "the first year" and "2023" or "the
 3.10 second year" used in this article mean that the appropriations listed under them are available
 3.11 for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. All base adjustments
 3.12 identified within this article are adjustments to the base contained in Laws 2021, First Special
 3.13 Session chapter 12, article 1.

3.14 **APPROPRIATIONS**

3.15 **Available for the Year**

3.16 **Ending June 30**

3.17 **2022**

2023

3.18 Sec. 2. **LEGISLATURE**

3.19 <u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>16,874,000</u>
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3.20 The amounts that may be spent for each
 3.21 purpose are specified in the following
 3.22 subdivisions.

3.23 <u>Subd. 2. House of Representatives</u>		<u>-0-</u>		<u>1,400,000</u>
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3.24 The base for this appropriation is \$1,393,000
 3.25 in fiscal year 2024 and thereafter.

3.26 <u>Subd. 3. Legislative Coordinating Commission</u>		<u>-0-</u>		<u>15,474,000</u>
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3.27 \$252,000 the second year is for translation
 3.28 services. This base for this appropriation is
 3.29 \$230,000 in fiscal year 2024 and thereafter.

3.30 \$138,000 the second year is for the Legislative
 3.31 Task Force on Aging. The base for this

4.1 appropriation is \$140,000 in fiscal year 2024
 4.2 and thereafter, until the task force expires.

4.3 **Legislative Auditor.** \$342,000 the second
 4.4 year is for the Office of the Legislative
 4.5 Auditor.

4.6 **Revisor of Statutes.** \$14,277,000 the second
 4.7 year is for the Office of the Revisor of
 4.8 Statutes. Of this amount, \$14,000,000 is a
 4.9 onetime appropriation for replacement of the
 4.10 bill and administrative rules drafting system.
 4.11 This appropriation is available until spent.

4.12 **Legislative Reference Library.** \$70,000 the
 4.13 second year is for the Legislative Reference
 4.14 Library.

4.15 **Legislative Budget Office.** \$92,000 the
 4.16 second year is for the Legislative Budget
 4.17 Office.

4.18 Sec. 3. **ATTORNEY GENERAL** \$ -0- \$ 2,335,000

4.19 The base for this appropriation is \$2,335,000
 4.20 in fiscal year 2024 and thereafter.

4.21 Sec. 4. **SECRETARY OF STATE** \$ -0- \$ 310,000

4.22 Sec. 5. **CAMPAIGN FINANCE AND PUBLIC**
 4.23 **DISCLOSURE BOARD** \$ -0- \$ 5,000

4.24 This is a onetime appropriation.

4.25 Sec. 6. **MINNESOTA IT SERVICES**

4.26 **Subdivision 1. Total Appropriation** \$ 3,409,000 \$ 32,376,000

4.27	<u>Appropriations by Fund</u>		
4.28		<u>2022</u>	<u>2023</u>
4.29	<u>General</u>	<u>3,409,000</u>	<u>32,226,000</u>
4.30	<u>Special Revenue</u>	<u>-0-</u>	<u>150,000</u>

5.1 The general fund base for this appropriation
 5.2 is \$20,409,000 in fiscal year 2024 and
 5.3 \$6,725,000 in fiscal year 2025 and thereafter.

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

5.7 **Subd. 2. Cybersecurity Grant Program** 359,000 1,435,000

5.8 \$359,000 the first year and \$1,435,000 the
 5.9 second year are for a cybersecurity
 5.10 improvement grant program for political
 5.11 subdivisions and Minnesota Tribal
 5.12 governments, as established in Minnesota
 5.13 Statutes, section 16E.35. The base for this
 5.14 program is \$1,614,000 in fiscal year 2024 and
 5.15 \$717,000 in fiscal year 2025.

5.16 **Subd. 3. Cloud-Based Services** 2,800,000 9,600,000

5.17 \$2,800,000 the first year and \$9,600,000 the
 5.18 second year are for supporting the
 5.19 procurement and adoption of cloud-based
 5.20 services. The base for this program is
 5.21 \$2,100,000 in fiscal year 2024 and \$0 in fiscal
 5.22 year 2025.

5.23 **Subd. 4. Executive Branch Technology**
 5.24 **Modernization** 250,000 10,000,000

5.25 \$250,000 the first year and \$10,000,000 the
 5.26 second year are for the modernization of
 5.27 executive branch software applications and
 5.28 services. These appropriations are available
 5.29 until June 30, 2025. The base for this program
 5.30 is \$7,500,000 in fiscal year 2024 and
 5.31 \$2,125,000 in fiscal year 2025.

5.32 **Subd. 5. Accessibility Assessment** -0- 256,000

5.33 \$256,000 the second year is for conducting an
 5.34 accessibility assessment of digital service

6.1 applications for compatibility of those
 6.2 applications with accessibility best practices.
 6.3 The base for this program is \$260,000 in fiscal
 6.4 year 2024 and \$133,000 in fiscal year 2025.

6.5 **Subd. 6. Interagency Innovation Fund** -0- 750,000

6.6 \$750,000 the second year is for creating an
 6.7 interagency innovation fund to center the
 6.8 priorities of families and children across
 6.9 agency priorities and to deliver agile
 6.10 technology solutions necessary to improve
 6.11 access to services and increase coordination
 6.12 across multiple state agencies.

6.13 **Subd. 7. Technology Accessibility and Usability** -0- 150,000

6.14 \$150,000 the second year is from the
 6.15 telecommunications access Minnesota fund
 6.16 account in the special revenue fund for
 6.17 coordinating technology accessibility and
 6.18 usability.

6.19 **Subd. 8. Advanced Cybersecurity Tools** -0- 10,185,000

6.20 \$10,185,000 the second year is for advanced
 6.21 cybersecurity tools and modern identity access
 6.22 management solutions. This appropriation is
 6.23 available until June 30, 2025. The base for this
 6.24 program is \$8,185,000 in fiscal year 2024 and
 6.25 \$3,000,000 in fiscal year 2025.

6.26 **Sec. 7. ADMINISTRATION**

6.27 **Subdivision 1. Total Appropriation** \$ 953,000 \$ 9,754,000

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

6.31 **Subd. 2. Government and Citizen Services** 953,000 6,981,000

6.32 The base is \$2,257,000 in fiscal year 2024 and
 6.33 \$2,007,000 in fiscal year 2025.

7.1 The commissioner shall transfer \$250,000
7.2 each year, starting in fiscal year 2023, to the
7.3 language access service account in the special
7.4 revenue fund, established in Minnesota
7.5 Statutes, section 16B.3721.

7.6 **Procurement Technical Assistance Center.**
7.7 \$400,000 the second year is for the
7.8 Procurement Technical Assistance Center.

7.9 **Disparity Study.** \$1,500,000 the second year
7.10 is to conduct a disparity study required under
7.11 Minnesota Statutes, section 16C.16,
7.12 subdivision 5. This is a onetime appropriation.

7.13 **Enterprise Fleet Fund.** \$630,000 the second
7.14 year is to address revenue loss in the motor
7.15 pool revolving account. This is a onetime
7.16 appropriation and is available until June 30,
7.17 2025. Each fiscal year the commissioner may
7.18 transfer to the motor pool revolving account,
7.19 as authorized in Minnesota Statutes, section
7.20 16B.54, an amount necessary to continue
7.21 operations of the enterprise fleet. This
7.22 paragraph expires June 30, 2025.

7.23 **Office of Small Agencies Study.** \$102,500
7.24 in fiscal year 2023 is to complete the Office
7.25 of Small Agencies study required in article 2.
7.26 This is a onetime appropriation.

7.27 **Office of Enterprise Translations.** \$556,000
7.28 the second year is to establish the Office of
7.29 Enterprise Translations as required by
7.30 Minnesota Statutes, section 16B.372. Of this
7.31 amount, \$147,000 is a onetime appropriation.

7.32 **Office of Collaboration and Dispute**
7.33 **Resolution.** \$150,000 the second year is for

8.1 the Office of Collaboration and Dispute
 8.2 Resolution.

8.3 **COVID Workers' Compensation Costs**
 8.4 **Related to Chapter 32.** \$953,000 the first
 8.5 year and \$1,594,000 the second year are for
 8.6 covering agency costs related to extending the
 8.7 workplace presumption of COVID workers'
 8.8 compensation claims from February 22, 2022,
 8.9 through January 14, 2023. The base for this
 8.10 program is \$450,000 in fiscal year 2024 and
 8.11 \$200,000 in fiscal year 2025.

8.12 **COVID Workers' Compensation Costs.**
 8.13 \$1,000,000 in fiscal year 2023 is for covering
 8.14 agency costs related to workers' compensation
 8.15 claims incurred prior to March 4, 2021. This
 8.16 is a onetime appropriation.

8.17 **Subd. 3. Fiscal Agent** -0- 2,773,000

8.18 **Association of Minnesota Public**
 8.19 **Educational Radio Stations.** \$773,000 the
 8.20 second year is for a grant to the Association
 8.21 of Minnesota Public Educational Radio
 8.22 Stations to provide new programs in
 8.23 community radio. Of this amount, up to
 8.24 \$23,000 is for the administration of the grant.
 8.25 This is a onetime appropriation and is
 8.26 available until June 30, 2024.

8.27 **Minnesota Public Television.** \$2,000,000 in
 8.28 fiscal year 2023 is for block grants to public
 8.29 television stations under Minnesota Statutes,
 8.30 section 129D.13. This is a onetime
 8.31 appropriation and is available until June 30,
 8.32 2024.

8.33 **Sec. 8. MINNESOTA MANAGEMENT AND**
 8.34 **BUDGET**

9.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>8,992,000</u>
9.2	<u>The base is \$10,773,000 in fiscal year 2024</u>				
9.3	<u>and \$9,742,000 in fiscal year 2025.</u>				
9.4	<u>The amounts that may be spent for each</u>				
9.5	<u>purpose are specified in the following</u>				
9.6	<u>subdivisions.</u>				
9.7	<u>Subd. 2. Statewide Systems Services</u>		<u>-0-</u>		<u>7,285,000</u>
9.8	<u>\$7,285,000 the second year is for statewide</u>				
9.9	<u>systems services. This appropriation is</u>				
9.10	<u>available until June 30, 2025. The base for this</u>				
9.11	<u>appropriation is \$8,956,000 in fiscal year</u>				
9.12	<u>2024, \$7,925,000 in fiscal year 2025, and \$0</u>				
9.13	<u>in fiscal year 2026 and thereafter.</u>				
9.14	<u>Subd. 3. Children's Cabinet</u>		<u>-0-</u>		<u>1,000,000</u>
9.15	<u>\$1,000,000 the second year is for the</u>				
9.16	<u>administration and staffing of the Children's</u>				
9.17	<u>Cabinet established in Minnesota Statutes,</u>				
9.18	<u>section 4.045.</u>				
9.19	<u>Subd. 4. Analytical, Statistical, and Program</u>				
9.20	<u>Evaluation</u>		<u>-0-</u>		<u>300,000</u>
9.21	<u>\$300,000 the second year is for analytical,</u>				
9.22	<u>statistical, and program evaluation as provided</u>				
9.23	<u>under Minnesota Statutes, section 16A.055,</u>				
9.24	<u>subdivision 1a. The base for this appropriation</u>				
9.25	<u>is \$450,000 in fiscal year 2024 and thereafter.</u>				
9.26	<u>Subd. 5. State Employment and Retention of</u>				
9.27	<u>Employees with Disabilities</u>		<u>-0-</u>		<u>93,000</u>
9.28	<u>\$93,000 the second year is for implementation</u>				
9.29	<u>of the recommendations of the Advisory Task</u>				
9.30	<u>Force on State Employment and Retention of</u>				
9.31	<u>Employees with Disabilities. The base for this</u>				
9.32	<u>appropriation is \$53,000 in fiscal year 2024</u>				
9.33	<u>and thereafter.</u>				

10.1 **Subd. 6. State Capital Budget Outreach and**
 10.2 **Assistance** -0- 314,000

10.3 \$314,000 the second year is for technical
 10.4 assistance to communities and nonprofits that
 10.5 have traditionally not participated in the state
 10.6 capital budgeting process.

10.7 **Sec. 9. MINNESOTA HISTORICAL SOCIETY**

10.8 **Subdivision 1. Total Appropriation** \$ -0- \$ 1,282,000

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

10.12 **Subd. 2. Operations and Programs** -0- 1,282,000

10.13 \$750,000 the second year is for operations
 10.14 support for reopening statewide historical
 10.15 sites. This is a onetime appropriation.

10.16 \$32,000 the second year is for the State
 10.17 Emblems Redesign Commission. This is a
 10.18 onetime appropriation.

10.19 The base for this appropriation is \$500,000 in
 10.20 fiscal year 2024 and thereafter.

10.21 **Sec. 10. MINNESOTA HUMANITIES**
 10.22 **CENTER** \$ -0- \$ 22,000

10.23 **Sec. 11. BOARD OF ACCOUNTANCY** \$ -0- \$ 120,000

10.24 **Sec. 12. BOARD OF COSMETOLOGIST**
 10.25 **EXAMINERS** \$ -0- \$ 20,000

10.26 **Sec. 13. BOARD OF BARBER EXAMINERS** \$ -0- \$ 17,000

10.27 This is a onetime appropriation.

10.28 **Sec. 14. HELP AMERICA VOTE ACT APPROPRIATIONS; STATE MATCH**
 10.29 **REQUIREMENT.**

10.30 (a) The following amounts are appropriated to the secretary of state for the activities
 10.31 authorized in paragraph (b):

11.1 (1) \$1,151,122 in fiscal year 2022 is appropriated from the Help America Vote Act
 11.2 (HAVA) account established in Minnesota Statutes, section 5.30; and

11.3 (2) \$230,224 in fiscal year 2023 is appropriated from the general fund. This is a onetime
 11.4 appropriation.

11.5 (b) These appropriations may be used for the purposes of improving the administration
 11.6 and security of elections as authorized by federal law, including but not limited to any of
 11.7 the following activities:

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

11.10 (2) monitoring, updating, and securing election systems and the systems supporting
 11.11 elections infrastructure;

11.12 (3) monitoring and providing educational materials to combat election misinformation;

11.13 (4) preparing training materials and training local election officials;

11.14 (5) implementing physical security improvements for polling places, election workspaces,
 11.15 and other spaces supporting the administration of elections; and

11.16 (6) funding other activities to improve the security of elections.

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

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

11.21 Sec. 15. Laws 2021, First Special Session chapter 12, article 1, section 11, subdivision 4,
 11.22 is amended to read:

11.23 Subd. 4. **Fiscal Agent** 13,459,000 13,459,000

11.24 The appropriations under this section are to
 11.25 the commissioner of administration for the
 11.26 purposes specified.

11.27 **In Lieu of Rent.** \$10,515,000 each year is for
 11.28 space costs of the legislature and veterans
 11.29 organizations, ceremonial space, and
 11.30 statutorily free space.

- 12.1 **Public Television.** (a) \$1,550,000 each year
12.2 is for matching grants for public television.
- 12.3 (b) \$250,000 each year is for public television
12.4 equipment grants under Minnesota Statutes,
12.5 section 129D.13.
- 12.6 (c) The commissioner of administration must
12.7 consider the recommendations of the
12.8 Minnesota Public Television Association
12.9 before allocating the amounts appropriated in
12.10 paragraphs (a) and (b) for equipment or
12.11 matching grants.
- 12.12 **Public Radio.** (a) \$492,000 each year is for
12.13 community service grants to public
12.14 educational radio stations. This appropriation
12.15 may be used to disseminate emergency
12.16 information in foreign languages.
- 12.17 (b) \$142,000 each year is for equipment grants
12.18 to public educational radio stations. This
12.19 appropriation may be used for the repair,
12.20 rental, ~~and~~ purchase, and upgrades of
12.21 equipment, including computer software,
12.22 applications, firmware, and equipment under
12.23 \$500.
- 12.24 (c) \$510,000 each year is for equipment grants
12.25 to Minnesota Public Radio, Inc., including
12.26 upgrades to Minnesota's Emergency Alert and
12.27 AMBER Alert Systems.
- 12.28 (d) The appropriations in paragraphs (a) to (c)
12.29 may not be used for indirect costs claimed by
12.30 an institution or governing body.
- 12.31 (e) The commissioner of administration must
12.32 consider the recommendations of the
12.33 Association of Minnesota Public Educational
12.34 Radio Stations before awarding grants under

13.1 Minnesota Statutes, section 129D.14, using
 13.2 the appropriations in paragraphs (a) and (b).
 13.3 No grantee is eligible for a grant unless they
 13.4 are a member of the Association of Minnesota
 13.5 Public Educational Radio Stations on or before
 13.6 July 1, 2021.

13.7 (f) Any unencumbered balance remaining the
 13.8 first year for grants to public television or
 13.9 public radio stations does not cancel and is
 13.10 available for the second year.

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

13.12

ARTICLE 2

13.13

STATE GOVERNMENT POLICY

13.14 Section 1. Minnesota Statutes 2020, section 3.303, subdivision 6, is amended to read:

13.15 Subd. 6. **Grants; staff; space; equipment; contracts.** (a) The commission may make
 13.16 grants, employ an executive director and other staff, and obtain office space, equipment,
 13.17 and supplies necessary to perform its duties.

13.18 (b) The executive director may enter into contracts in compliance with section 3.225 to
 13.19 provide necessary services and supplies for the house of representatives and the senate, and
 13.20 for legislative commissions and joint legislative offices. A contract for professional or
 13.21 technical services that is valued at more than \$50,000 may be made only after the executive
 13.22 director has consulted with the chair and vice-chair of the commission.

13.23 Sec. 2. Minnesota Statutes 2020, section 9.031, subdivision 3, is amended to read:

13.24 Subd. 3. **Collateral.** (a) In lieu of the corporate bond required in subdivision 2, a
 13.25 depository may deposit with the commissioner of management and budget collateral to
 13.26 secure state funds that are to be deposited with it. The Executive Council must approve the
 13.27 collateral.

13.28 (b) The Executive Council shall not approve any collateral except:

13.29 ~~(1) bonds and certificates of indebtedness, other than bonds secured by real estate, that~~
 13.30 ~~are legal investments for savings banks under any law of the state; and~~

14.1 ~~(2) bonds of any insular possession of the United States, of any state, or of any agency~~
14.2 ~~of this state, the payment of the principal and interest of which is provided for by other than~~
14.3 ~~direct taxation.~~

14.4 (1) United States government treasury bills, treasury notes, and treasury bonds;

14.5 (2) issues of United States government agencies and instrumentalities, as quoted by a
14.6 recognized industry quotation service available to the state;

14.7 (3) general obligation securities of any state other than the state and its agencies or local
14.8 government with taxing powers that is rated "A" or better by a national bond rating service,
14.9 or revenue obligation securities of any state other than the state and its agencies or local
14.10 government with taxing powers which is rated "AA" or better by a national bond rating
14.11 service;

14.12 (4) irrevocable standby letters of credit issued by Federal Home Loan Banks to the state
14.13 accompanied by written evidence that the bank's public debt is rated "AA" or better by
14.14 Moody's Investors Service, Inc., or Standard & Poor's Corporation; and

14.15 (5) time deposits that are fully insured by any federal agency.

14.16 (c) The collateral deposited shall be accompanied by an assignment thereof to the state,
14.17 which assignment shall recite that:

14.18 (1) the depository will pay all the state funds deposited with it to the commissioner of
14.19 management and budget, free of exchange or other charge, at any place in this state
14.20 designated by the commissioner of management and budget; if the deposit is a time deposit
14.21 it shall be paid, together with interest, only when due; and

14.22 (2) in case of default by the depository the state may sell the collateral, or as much of it
14.23 as is necessary to realize the full amount due from the depository, and pay any surplus to
14.24 the depository or its assigns.

14.25 (d) Upon the direction of the Executive Council, the commissioner of management and
14.26 budget, on behalf of the state, may reassign in writing to the depository any registered
14.27 collateral pledged to the state by assignment thereon.

14.28 (e) A depository may deposit collateral of less value than the total designation and may,
14.29 at any time during the period of its designation, deposit additional collateral, withdraw
14.30 excess collateral, and substitute other collateral for all or part of that on deposit. Approval
14.31 of the Executive Council is not necessary for the withdrawal of excess collateral.

15.1 (f) If the depository is not in default the commissioner of management and budget shall
15.2 pay the interest collected on the deposited collateral to the depository.

15.3 (g) In lieu of depositing collateral with the commissioner of management and budget,
15.4 collateral may also be placed in safekeeping in a restricted account at a Federal Reserve
15.5 bank or in an account at a trust department of a commercial bank or other financial institution
15.6 that is not owned or controlled by the financial institution furnishing the collateral. The
15.7 selection shall be approved by the commissioner.

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

15.9 Sec. 3. Minnesota Statutes 2020, section 10.55, is amended to read:

15.10 **10.55 JUNETEENTH.**

15.11 (a) ~~The third Saturday in June~~ 19 of each year is designated Juneteenth in recognition
15.12 of the historical pronouncement of the abolition of slavery on June 19, 1865, when the
15.13 Emancipation Proclamation was said to have been first publicly read in Texas by Union
15.14 soldiers led by General Granger. The announcement came 2-1/2 years after President
15.15 Abraham Lincoln's Emancipation Proclamation and two months after General Lee's surrender
15.16 in April 1865. Juneteenth and emancipation celebrations have been commonplace in
15.17 Minnesota since 1889 as a result of community-based grassroots efforts.

15.18 (b) Each year the governor shall issue a proclamation honoring this observance and
15.19 recognizing the important contributions African-Americans have made to Minnesota's
15.20 communities, culture, and economy. The governor may also take any additional action
15.21 necessary to promote and encourage the observance of Juneteenth and public schools may
15.22 offer instruction and programs on the occasion.

15.23 Sec. 4. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to
15.24 read:

15.25 **Subd. 5e. Information and telecommunications technology systems and**
15.26 **services.** "Information and telecommunications technology systems and services" has the
15.27 meaning given in section 16E.03, subdivision 1, paragraph (b).

15.28 Sec. 5. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to
15.29 read:

15.30 **Subd. 5f. Local government.** "Local government" has the meaning given in Code of
15.31 Federal Regulations, title 44, section 206.2 (2012).

16.1 Sec. 6. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to
16.2 read:

16.3 Subd. 5g. **Cyber attack.** "Cyber attack" means the use of unauthorized or malicious
16.4 code on an information system, or the use of another digital mechanism such as a denial of
16.5 service or ransomware attack, to interrupt or disrupt the operations of an information system
16.6 or compromise the confidentiality, availability, or integrity of electronic data stored on,
16.7 processed by, or transiting an information system.

16.8 Sec. 7. Minnesota Statutes 2020, section 12.21, subdivision 2, is amended to read:

16.9 Subd. 2. **Cooperation.** In performing duties under this chapter, the governor may
16.10 cooperate with the federal government, with other states, with Canadian provinces, and with
16.11 private agencies, in all matters pertaining to the emergency management of this state and
16.12 of the nation, including but not limited to a physical or electronic attack on the state's
16.13 information and telecommunications technology infrastructure, systems, or services.

16.14 Sec. 8. Minnesota Statutes 2020, section 12.31, subdivision 2, is amended to read:

16.15 Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a
16.16 peacetime emergency. A peacetime declaration of emergency may be declared only when
16.17 any of the following endangers life and property and local government resources are
16.18 inadequate to handle the situation:

16.19 (1) an act of nature;

16.20 (2) a technological failure or malfunction;

16.21 (3) a terrorist incident;

16.22 (4) a cyber attack, including a physical or electronic attack on the state's information
16.23 and telecommunications technology infrastructure, systems, or services;

16.24 (5) an industrial accident;

16.25 (6) a hazardous materials accident; or

16.26 (7) a civil disturbance endangers life and property and local government resources are
16.27 inadequate to handle the situation.

16.28 If the peacetime emergency occurs on Indian lands, the governor or state director of
16.29 emergency management shall consult with tribal authorities before the governor makes such
16.30 a declaration. Nothing in this section shall be construed to limit the governor's authority to
16.31 act without such consultation when the situation calls for prompt and timely action. When

17.1 the governor declares a peacetime emergency, the governor must immediately notify the
17.2 majority and minority leaders of the senate and the speaker and majority and minority leaders
17.3 of the house of representatives. A peacetime emergency must not be continued for more
17.4 than five days unless extended by resolution of the Executive Council up to 30 days. An
17.5 order, or proclamation declaring, continuing, or terminating an emergency must be given
17.6 prompt and general publicity and filed with the secretary of state.

17.7 (b) By majority vote of each house of the legislature, the legislature may terminate a
17.8 peacetime emergency extending beyond 30 days. If the governor determines a need to extend
17.9 the peacetime emergency declaration beyond 30 days and the legislature is not sitting in
17.10 session, the governor must issue a call immediately convening both houses of the legislature.
17.11 Nothing in this section limits the governor's authority over or command of the National
17.12 Guard as described in the Military Code, chapters 190 to 192A, and required by the
17.13 Minnesota Constitution, article V, section 3.

17.14 Sec. 9. Minnesota Statutes 2020, section 12.35, subdivision 4, is amended to read:

17.15 Subd. 4. **Reimbursement of other state.** When emergency management personnel of
17.16 another state render aid in Minnesota, including but not limited to aid provided from outside
17.17 Minnesota to assist with the response to a physical or electronic attack on the state's
17.18 information and telecommunications technology infrastructure, systems, or services, pursuant
17.19 to the orders of the governor of its home state, and upon the request of the governor of
17.20 Minnesota, this state shall reimburse the other state for (1) the compensation paid and actual
17.21 and necessary travel, subsistence, and maintenance expenses of the personnel of the other
17.22 state while rendering aid as emergency management personnel, (2) all payments for death,
17.23 disability, or injury of those personnel incurred in the course of rendering that aid, and (3)
17.24 all losses of or damage to supplies and equipment of the other state, or a governmental
17.25 subdivision of the other state, resulting from the rendering of aid; provided, that the laws
17.26 of the other state contain provisions substantially similar to this section.

17.27 Sec. 10. Minnesota Statutes 2020, section 12.36, is amended to read:

17.28 **12.36 GOVERNOR'S POWERS TO FAST PROVIDE EMERGENCY AID.**

17.29 (a) The governor, during an emergency or disaster and notwithstanding any other law,
17.30 may:

17.31 (1) enter into contracts and incur obligations necessary to combat the disaster by
17.32 protecting the health and safety of persons ~~and~~, the safety of property, and the safety of the

- 18.1 state's information and telecommunications technology infrastructure, systems, or services
18.2 and by providing emergency assistance to the victims of the disaster; and
- 18.3 (2) exercise the powers vested by this subdivision in the light of the exigencies of the
18.4 disaster without compliance with time-consuming procedures and formalities prescribed
18.5 by law pertaining to:
- 18.6 (i) the performance of public work;
18.7 (ii) entering into contract;
18.8 (iii) incurring of obligations;
18.9 (iv) employment of temporary workers;
18.10 (v) rental of equipment;
18.11 (vi) purchase of supplies and materials, for example, but not limited to, publication of
18.12 calls for bids;
18.13 (vii) provisions of the Civil Service Act and rules;
18.14 (viii) provisions relating to low bids; and
18.15 (ix) requirements for the budgeting and allotment of funds.
- 18.16 (b) All contracts must be in writing, executed on behalf of the state by the governor or
18.17 a person delegated by the governor in writing so to do, and must be promptly filed with the
18.18 commissioner of management and budget, who shall forthwith encumber funds appropriated
18.19 for the purposes of the contract for the full contract liability and certify thereon that the
18.20 encumbrance has been made.
- 18.21 Sec. 11. Minnesota Statutes 2020, section 13.04, subdivision 4, is amended to read:
- 18.22 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject
18.23 of the data may contest the accuracy or completeness of public or private data about
18.24 themselves.
- 18.25 (b) To exercise this right, an individual shall notify in writing the responsible authority
18.26 of the government entity that maintains the data, describing the nature of the disagreement.
- 18.27 (c) Upon receiving the notification from the data subject, the responsible authority shall
18.28 within 30 days either:

19.1 (1) correct the data found to be inaccurate or incomplete and attempt to notify past
19.2 recipients of inaccurate or incomplete data, including recipients named by the individual;
19.3 or

19.4 (2) notify the individual that the authority believes the data to be correct. If the challenged
19.5 data are determined to be accurate or complete, the responsible authority shall inform the
19.6 individual of the right to appeal the determination under this section within 60 days to the
19.7 commissioner. Data in dispute shall be disclosed only if the individual's statement of
19.8 disagreement is included with the disclosed data.

19.9 (d) A data subject may appeal the determination of the responsible authority ~~may be~~
19.10 appealed pursuant to the provisions of the Administrative Procedure Act relating to contested
19.11 cases. An individual must submit an appeal to the commissioner within 60 days of the
19.12 responsible authority's notice of the right to appeal or as otherwise provided by the rules of
19.13 the commissioner. Upon receipt of an appeal by an individual, the commissioner shall,
19.14 before issuing the order and notice of a contested case hearing required by chapter 14, try
19.15 to resolve the dispute through education, conference, conciliation, or persuasion. If the
19.16 parties consent, the commissioner may refer the matter to mediation. Following these efforts,
19.17 the commissioner shall dismiss the appeal or issue the order and notice of hearing.

19.18 (e) The commissioner may dismiss an appeal without first attempting to resolve the
19.19 dispute or before issuing an order and notice of a contested case hearing if:

19.20 (1) an appeal to the commissioner is not timely;

19.21 (2) an appeal concerns data previously admitted as evidence in a court proceeding in
19.22 which the data subject was a party; or

19.23 (3) an individual is not the subject of the data challenged as inaccurate or incomplete.

19.24 ~~(b)~~ (f) Data on individuals that have been successfully challenged by an individual must
19.25 be completed, corrected, or destroyed by a government entity without regard to the
19.26 requirements of section 138.17.

19.27 (g) After completing, correcting, or destroying successfully challenged data, a government
19.28 entity may retain a copy of the commissioner of administration's order issued under chapter
19.29 14 or, if no order were issued, a summary of the dispute between the parties that does not
19.30 contain any particulars of the successfully challenged data.

20.1 Sec. 12. Minnesota Statutes 2020, section 13.072, subdivision 1, is amended to read:

20.2 Subdivision 1. **Opinion; when required.** (a) Upon request of a government entity, the
20.3 commissioner may give a written opinion on any question relating to public access to
20.4 government data, rights of subjects of data, or classification of data under this chapter or
20.5 other Minnesota statutes governing government data practices. Upon request of any person
20.6 who disagrees with a determination regarding data practices made by a government entity,
20.7 the commissioner may give a written opinion regarding the person's rights as a subject of
20.8 government data or right to have access to government data.

20.9 (b) Upon request of a body subject to chapter 13D, the commissioner may give a written
20.10 opinion on any question relating to the body's duties under chapter 13D. Upon request of a
20.11 person who disagrees with the manner in which members of a governing body perform their
20.12 duties under chapter 13D, the commissioner may give a written opinion on compliance with
20.13 chapter 13D. ~~A governing body or person requesting an opinion under this paragraph must~~
20.14 ~~pay the commissioner a fee of \$200. Money received by the commissioner under this~~
20.15 ~~paragraph is appropriated to the commissioner for the purposes of this section.~~

20.16 (c) If the commissioner determines that no opinion will be issued, the commissioner
20.17 shall give the government entity or body subject to chapter 13D or person requesting the
20.18 opinion notice of the decision not to issue the opinion within five business days of receipt
20.19 of the request. Notice must be in writing. For notice by mail, the decision not to issue an
20.20 opinion is effective when placed with the United States Postal Service or with the central
20.21 mail system of the state. If this notice is not given, the commissioner shall issue an opinion
20.22 within ~~20~~ 50 days of receipt of the request.

20.23 ~~(d) For good cause and upon written notice to the person requesting the opinion, the~~
20.24 ~~commissioner may extend this deadline for one additional 30-day period. The notice must~~
20.25 ~~state the reason for extending the deadline.~~ The government entity or the members of a body
20.26 subject to chapter 13D must be provided a reasonable opportunity to explain the reasons
20.27 for its decision regarding the data or how they perform their duties under chapter 13D. The
20.28 commissioner or the government entity or body subject to chapter 13D may choose to give
20.29 notice to the subject of the data concerning the dispute regarding the data or compliance
20.30 with chapter 13D.

20.31 (e) This section does not apply to a determination made by the commissioner of health
20.32 under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

20.33 (f) A written, numbered, and published opinion issued by the attorney general shall take
20.34 precedence over an opinion issued by the commissioner under this section.

21.1 Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

21.2 Subdivision 1. **Membership.** (a) The Legislative Salary Council consists of the following
21.3 members:

21.4 (1) one person, who is not a judge, from each congressional district, appointed by the
21.5 chief justice of the supreme court; and

21.6 (2) one person from each congressional district, appointed by the governor.

21.7 (b) If Minnesota has an odd number of congressional districts, the governor and the chief
21.8 justice must each appoint an at-large member, in addition to a member from each
21.9 congressional district.

21.10 (c) One-half of the members appointed by the governor and one-half of the members
21.11 appointed by the chief justice must belong to the political party that has the most members
21.12 in the legislature. One-half of the members appointed by the governor and one-half of the
21.13 members appointed by the chief justice must belong to the political party that has the second
21.14 most members in the legislature.

21.15 (d) None of the members of the council may be:

21.16 (1) a current or former legislator, or the spouse of a current legislator;

21.17 (2) a current or former lobbyist registered under Minnesota law;

21.18 (3) a current employee of the legislature;

21.19 (4) a current or former judge; ~~or~~

21.20 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,
21.21 or state auditor; or

21.22 (6) a current employee of an entity in the executive or judicial branch.

21.23 Sec. 14. Minnesota Statutes 2020, section 15A.0825, subdivision 2, is amended to read:

21.24 Subd. 2. **Initial appointment; convening authority; first meeting in odd-numbered**
21.25 **year.** Appointing authorities must make their ~~initial~~ appointments ~~by January 2, 2017~~ after
21.26 the first Monday in January and before January 15 in each odd-numbered year. The governor
21.27 shall designate one member to convene and chair the first meeting of the council. The first
21.28 meeting must be before January ~~15, 2017~~ 25 of that year. At its first meeting, the council
21.29 must elect a chair from among its members. ~~Members that reside in an even-numbered~~
21.30 ~~congressional district serve a first term ending January 15, 2019. Members residing in an~~
21.31 ~~odd-numbered congressional district serve a first term ending January 15, 2021.~~

22.1 Sec. 15. Minnesota Statutes 2020, section 15A.0825, subdivision 3, is amended to read:

22.2 Subd. 3. **Terms.** (a) Except ~~for initial terms and~~ for the first term following redistricting,
22.3 a term is four years or until new appointments are made after congressional redistricting as
22.4 provided in subdivision 4. Members may serve no more than two full terms or portions of
22.5 two consecutive terms.

22.6 (b) If a member ceases to reside in the congressional district that the member resided in
22.7 at the time of appointment as a result of moving or redistricting, the appointing authority
22.8 who appointed the member must appoint a replacement who resides in the congressional
22.9 district to serve the unexpired term.

22.10 **EFFECTIVE DATE.** This section is effective January 1, 2023.

22.11 Sec. 16. Minnesota Statutes 2020, section 16A.126, subdivision 1, is amended to read:

22.12 Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay
22.13 to a revolving fund for services. Funds subject to this subdivision include, but are not limited
22.14 to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48;
22.15 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section
22.16 43A.30; and the account established in section 16A.1286.

22.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

22.18 Sec. 17. Minnesota Statutes 2020, section 16A.1286, subdivision 2, is amended to read:

22.19 Subd. 2. **Billing procedures.** The commissioner may bill ~~up to \$10,000,000 in~~ each
22.20 fiscal year for statewide systems services provided to state agencies, ~~judicial branch agencies~~
22.21 in the executive, judicial, and legislative branches, the University of Minnesota, the
22.22 Minnesota State Colleges and Universities, and other entities. Each agency shall transfer
22.23 from agency operating appropriations to the statewide systems account the amount billed
22.24 by the commissioner. ~~Billing policies and procedures related to statewide systems services~~
22.25 ~~must be developed by the commissioner in consultation with the commissioners of~~
22.26 ~~management and budget and administration, the University of Minnesota, and the Minnesota~~
22.27 ~~State Colleges and Universities.~~ The commissioner shall develop billing policies and
22.28 procedures.

22.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

23.1 Sec. 18. Minnesota Statutes 2020, section 16A.15, subdivision 3, is amended to read:

23.2 Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior
23.3 obligation. An obligation may not be incurred against any fund, allotment, or appropriation
23.4 unless the commissioner has certified a sufficient unencumbered balance or the accounting
23.5 system shows sufficient allotment or encumbrance balance in the fund, allotment, or
23.6 appropriation to meet it. The commissioner shall determine when the accounting system
23.7 may be used to incur obligations without the commissioner's certification of a sufficient
23.8 unencumbered balance. An expenditure or obligation authorized or incurred in violation of
23.9 this chapter is invalid and ineligible for payment until made valid. A payment made in
23.10 violation of this chapter is illegal. An employee authorizing or making the payment, or
23.11 taking part in it, and a person receiving any part of the payment, are jointly and severally
23.12 liable to the state for the amount paid or received. If an employee knowingly incurs an
23.13 obligation or authorizes or makes an expenditure in violation of this chapter or takes part
23.14 in the violation, the violation is just cause for the employee's removal by the appointing
23.15 authority or by the governor if an appointing authority other than the governor fails to do
23.16 so. In the latter case, the governor shall give notice of the violation and an opportunity to
23.17 be heard on it to the employee and to the appointing authority. A claim presented against
23.18 an appropriation without prior allotment or encumbrance may be made valid on investigation,
23.19 review, and approval by the agency head in accordance with the commissioner's policy, if
23.20 the services, materials, or supplies to be paid for were actually furnished in good faith
23.21 without collusion and without intent to defraud. The commissioner may then pay the claim
23.22 just as properly allotted and encumbered claims are paid.

23.23 (b) The commissioner may approve payment for materials and supplies in excess of the
23.24 obligation amount when increases are authorized by section 16C.03, subdivision 3.

23.25 (c) To minimize potential construction delay claims, an agency with a project funded
23.26 by a building appropriation may allow a consultant or contractor to proceed with
23.27 supplemental work within the limits of the appropriation before money is encumbered.
23.28 Under this circumstance, the agency may requisition funds and allow consultants or
23.29 contractors to expeditiously proceed with services or a construction sequence. While the
23.30 consultant or contractor is proceeding, the agency shall immediately act to encumber the
23.31 required funds.

23.32 Sec. 19. Minnesota Statutes 2020, section 16B.33, subdivision 1, is amended to read:

23.33 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
23.34 meanings given them:

24.1 (b) "Agency" has the meaning given in section 16B.01.

24.2 (c) "Architect" means an architect or landscape architect registered to practice under
24.3 sections 326.02 to 326.15.

24.4 (d) "Board" means the state Designer Selection Board.

24.5 (e) "Design-build" means the process of entering into and managing a single contract
24.6 between the commissioner and the design-builder in which the design-builder agrees to
24.7 both design and construct a project as specified in the contract at a guaranteed maximum
24.8 or a fixed price.

24.9 (f) "Design-builder" means a person who proposes to design and construct a project in
24.10 accordance with the requirements of section 16C.33.

24.11 (g) "Designer" means an architect or engineer, or a partnership, association, or corporation
24.12 comprised primarily of architects or engineers or of both architects and engineers.

24.13 (h) "Engineer" means an engineer registered to practice under sections 326.02 to 326.15.

24.14 (i) "Person" includes an individual, corporation, partnership, association, or any other
24.15 legal entity.

24.16 (j) "Primary designer" means the designer who is to have primary design responsibility
24.17 for a project, and does not include designers who are merely consulted by the user agency
24.18 and do not have substantial design responsibility, or designers who will or may be employed
24.19 or consulted by the primary designer.

24.20 (k) "Project" means an undertaking to construct, erect, or remodel a building by or for
24.21 the state or an agency. Capital projects exempt from the requirements of this section include
24.22 demolition or decommissioning of state assets; hazardous materials abatement; repair and
24.23 replacement of utility infrastructure, parking lots, and parking structures; security upgrades;
24.24 building systems replacement or repair, including alterations to building interiors needed
24.25 to accommodate the systems; and other asset preservation work not involving remodeling
24.26 of occupied space.

24.27 (l) "User agency" means the agency undertaking a specific project. For projects
24.28 undertaken by the state of Minnesota, "user agency" means the Department of Administration
24.29 or a state agency with an appropriate delegation to act on behalf of the Department of
24.30 Administration.

25.1 Sec. 20. Minnesota Statutes 2020, section 16B.33, subdivision 3, is amended to read:

25.2 Subd. 3. **Agencies must request designer.** (a) **Application.** Upon undertaking a project
25.3 with an estimated cost greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with
25.4 estimated fees greater than ~~\$200,000~~ \$400,000, every user agency, except the Capitol Area
25.5 Architectural and Planning Board, shall submit a written request for a primary designer for
25.6 its project to the commissioner, who shall forward the request to the board. The University
25.7 of Minnesota and the Minnesota State Colleges and Universities shall follow the process
25.8 in subdivision 3a to select designers for their projects. The written request must include a
25.9 description of the project, the estimated cost of completing the project, a description of any
25.10 special requirements or unique features of the proposed project, and other information which
25.11 will assist the board in carrying out its duties and responsibilities set forth in this section.

25.12 (b) **Reactivated project.** If a project for which a designer has been selected by the board
25.13 becomes inactive, lapses, or changes as a result of project phasing, insufficient appropriations,
25.14 or other reasons, the commissioner, the Minnesota State Colleges and Universities, or the
25.15 University of Minnesota may, if the project is reactivated, retain the same designer to
25.16 complete the project.

25.17 (c) **Fee limit reached after designer selected.** If a project initially estimated to be below
25.18 the cost and planning fee limits of this subdivision has its cost or planning fees revised so
25.19 that the limits are exceeded, the project must be referred to the board for designer selection
25.20 even if a primary designer has already been selected. In this event, the board may, without
25.21 conducting interviews, elect to retain the previously selected designer if it determines that
25.22 the interests of the state are best served by that decision and shall notify the commissioner
25.23 of its determination.

25.24 Sec. 21. Minnesota Statutes 2020, section 16B.33, subdivision 3a, is amended to read:

25.25 Subd. 3a. **Higher education projects.** (a) When the University of Minnesota or the
25.26 Minnesota State Colleges and Universities undertakes a project involving construction or
25.27 major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost
25.28 greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than
25.29 ~~\$200,000~~ \$400,000, the system shall submit a written request for a primary designer to the
25.30 commissioner, as provided in subdivision 3.

25.31 (b) When the University of Minnesota or the Minnesota State Colleges and Universities
25.32 undertakes a project involving renovation, repair, replacement, or rehabilitation, the system
25.33 office may submit a written request for a primary designer to the commissioner as provided
25.34 in subdivision 3.

26.1 (c) For projects at the University of Minnesota or the State Colleges and Universities,
26.2 the board shall select at least two primary designers under subdivision 4 for recommendation
26.3 to the Board of Regents or the Board of Trustees. Meeting records or written evaluations
26.4 that document the final selection are public records. The Board of Regents or the Board of
26.5 Trustees shall notify the commissioner of the designer selected from the recommendations.

26.6 Sec. 22. Minnesota Statutes 2020, section 16B.33, is amended by adding a subdivision to
26.7 read:

26.8 Subd. 6. **Rate of inflation.** No later than December 31 of every fifth year starting in
26.9 2025, the commissioner shall determine the percentage increase in the rate of inflation, as
26.10 measured by the means quarterly construction cost index, during the four-year period
26.11 preceding that year. The thresholds in subdivisions 3, paragraph (a), and 3a, paragraph (a),
26.12 shall be increased by the percentage calculated by the commissioner to the nearest
26.13 ten-thousandth dollar.

26.14 Sec. 23. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

26.15 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
26.16 the Office of Collaboration and Dispute Resolution, formerly codified in sections 179.90
26.17 and 179.91 within the Department of Administration. The office must:

26.18 (1) assist state agencies; offices of the executive, legislative, and judicial branches; Tribal
26.19 governments; and units of local government in improving collaboration, dispute resolution,
26.20 and public engagement;

26.21 (2) promote and utilize collaborative dispute resolution models and processes based on
26.22 documented best practices, including but not limited to:

26.23 (i) establishing criteria and procedures for identifying and assessing collaborative dispute
26.24 resolution projects;

26.25 (ii) designing collaborative dispute resolution processes to foster trust, relationships,
26.26 mutual understanding, and consensus-based solutions;

26.27 (iii) preparing and training participants; and

26.28 (iv) utilizing collaborative techniques, processes, and standards through facilitated
26.29 meetings to develop wise and durable solutions;

27.1 (3) support collaboration and dispute resolution in the public and private sector by
27.2 providing technical assistance and information on best practices and new developments in
27.3 dispute resolution options;

27.4 (4) promote the broad use of community mediation in the state;

27.5 (5) ensure that all areas of the state have access to services by providing grants to private
27.6 nonprofit entities certified by the state court administrator under chapter 494 that assist in
27.7 resolution of disputes; and

27.8 (6) educate the public and government entities on collaboration, dispute resolution
27.9 options, and public engagement.

27.10 Subd. 2. **Grant applications; appropriation.** The commissioner may apply for and
27.11 receive money made available from federal, state, or other sources for the purposes of
27.12 carrying out the mission of the Office of Collaboration and Dispute Resolution. Funds
27.13 received under this subdivision are appropriated to the commissioner for their intended
27.14 purpose.

27.15 Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated
27.16 for this purpose make grants to private nonprofit community mediation entities certified by
27.17 the state court administrator under chapter 494 that assist in resolution of disputes. The
27.18 commissioner shall establish a grant review committee to assist in the review of grant
27.19 applications and the allocation of grants under this section.

27.20 Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization
27.21 must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

27.22 Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to
27.23 comply with guidelines adopted by the state court administrator under section 494.015,
27.24 subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under
27.25 this section. The exclusions in section 494.03 apply to grants under this section.

27.26 Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate
27.27 quality and outcomes.

27.28 **Sec. 24. [16B.372] OFFICE OF ENTERPRISE TRANSLATIONS.**

27.29 The commissioner shall establish an Office of Enterprise Translations. The office must:

27.30 (1) provide translation services for written material for state agencies;

27.31 (2) create and maintain language-specific landing web pages in Spanish, Hmong, and
27.32 Somali with links to translated materials at state agency websites; and

28.1 (3) serve as a resource to executive branch agencies in areas that include best practices
28.2 and standards for the translation of written materials.

28.3 Sec. 25. **[16B.3721] LANGUAGE ACCESS SERVICE ACCOUNT ESTABLISHED.**

28.4 The language access service account is created in the special revenue fund for reimbursing
28.5 state agencies for expenses incurred in providing language translation services.

28.6 Sec. 26. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to
28.7 read:

28.8 Subd. 12. **Grants administration.** It is the policy of the legislature to ensure that grant
28.9 activities and outcomes of programs and services funded by legislative appropriations are
28.10 administered by state agencies in accordance with this section and section 16B.97. Unless
28.11 amounts are otherwise appropriated for administrative costs, a state agency may retain up
28.12 to five percent of the amount appropriated to the agency for grants enacted by the legislature
28.13 and formula grants and up to ten percent for competitively awarded grants. This subdivision
28.14 applies to appropriations made for new grant programs enacted after the effective date of
28.15 this subdivision.

28.16 Sec. 27. Minnesota Statutes 2020, section 16C.10, subdivision 2, is amended to read:

28.17 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and
28.18 chapter 16B is not required in emergencies. In emergencies, the commissioner may make
28.19 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and
28.20 improvement of a ~~state-owned~~ publicly owned structure or may make or authorize an agency
28.21 to do so and may purchase, or may authorize an agency to purchase, any goods, services,
28.22 or utility services directly for immediate use. This provision applies to projects conducted
28.23 by Minnesota State Colleges and Universities.

28.24 Sec. 28. Minnesota Statutes 2020, section 16C.32, subdivision 1, is amended to read:

28.25 Subdivision 1. **Definitions.** As used in sections 16C.32 to 16C.35, the following terms
28.26 have the meanings given them, unless the context clearly indicates otherwise:

28.27 (1) "acceptance" means a formal resolution of the commissioner authorizing the execution
28.28 of a design-build, construction manager at risk, or job order contracting contract;

28.29 (2) "agency" means any state officer, employee, board, commission, authority,
28.30 department, or other agency of the executive branch of state government. Unless specifically

29.1 indicated otherwise, as used in sections 16C.32 to 16C.35, agency also includes the Minnesota
29.2 State Colleges and Universities;

29.3 (3) "architect" means an architect or landscape architect registered to practice under
29.4 sections 326.02 to 326.15;

29.5 (4) "board" means the state Designer Selection Board, unless the estimated cost of the
29.6 project is less than ~~\$2,000,000~~ the amount specified in section 16B.33, subdivision 3, in
29.7 which case the commissioner may act as the board;

29.8 (5) "Capitol Area Architectural and Planning Board" means the board established to
29.9 govern the Capitol area under chapter 15B;

29.10 (6) "commissioner" means the commissioner of administration or the Board of Trustees
29.11 of the Minnesota State Colleges and Universities, whichever controls a project;

29.12 (7) "construction manager at risk" means a person who is selected by the commissioner
29.13 to act as a construction manager to manage the construction process, which includes, but
29.14 is not limited to, responsibility for the price, schedule, and workmanship of the construction
29.15 performed in accordance with the procedures of section 16C.34;

29.16 (8) "construction manager at risk contract" means a contract for construction of a project
29.17 between a construction manager at risk and the commissioner, which contract shall include
29.18 a guaranteed maximum price, construction schedule, and workmanship of the construction
29.19 performed;

29.20 (9) "design-build contract" means a contract between the commissioner and a
29.21 design-builder to furnish the architectural, engineering, and related design services as well
29.22 as the labor, materials, supplies, equipment, and construction services for a project;

29.23 (10) "design and price-based proposal" means the proposal to be submitted by a
29.24 design-builder in the design and price-based selection process, as described in section
29.25 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph
29.26 (c), in such detail as required in the request for proposals;

29.27 (11) "design and price-based selection" means the selection of a design-builder as
29.28 described in section 16C.33, subdivision 8;

29.29 (12) "design criteria package" means performance criteria prepared by a design criteria
29.30 professional who shall be either an employee of the commissioner or shall be selected in
29.31 compliance with section 16B.33, 16C.08, or 16C.087;

30.1 (13) "design criteria professional" means a person licensed under chapter 326, or a person
30.2 who employs an individual or individuals licensed under chapter 326, required to design a
30.3 project, and who is employed by or under contract to the commissioner to provide
30.4 professional, architectural, or engineering services in connection with the preparation of
30.5 the design criteria package;

30.6 (14) "guaranteed maximum price" means the maximum amount that a design-builder,
30.7 construction manager at risk, or subcontractor will be paid pursuant to a contract to perform
30.8 a defined scope of work;

30.9 (15) "guaranteed maximum price contract" means a contract under which a design-builder,
30.10 construction manager, or subcontractor is paid on the basis of their actual cost to perform
30.11 the work specified in the contract plus an amount for overhead and profit, the sum of which
30.12 must not exceed the guaranteed maximum price set forth in the contract;

30.13 (16) "job order contracting" means a project delivery method that requests a limited
30.14 number of bids from a list of qualified contractors, selected from a registry of qualified
30.15 contractors who have been prescreened and who have entered into master contracts with
30.16 the commissioner, as provided in section 16C.35;

30.17 (17) "past performance" or "experience" does not include the exercise or assertion of a
30.18 person's legal rights;

30.19 (18) "person" includes an individual, corporation, partnership, association, or any other
30.20 legal entity;

30.21 (19) "project" means an undertaking to construct, alter, or enlarge a building, structure,
30.22 or other improvements, except highways and bridges, by or for the state or an agency;

30.23 (20) "qualifications-based selection" means the selection of a design-builder as provided
30.24 in section 16C.33;

30.25 (21) "request for qualifications" means the document or publication soliciting
30.26 qualifications for a design-build, construction manager at risk, or job order contracting
30.27 contract as provided in sections 16C.33 to 16C.35;

30.28 (22) "request for proposals" means the document or publication soliciting proposals for
30.29 a design-build or construction manager at risk contract as provided in sections 16C.33 and
30.30 16C.34; and

30.31 (23) "trade contract work" means the furnishing of labor, materials, or equipment by
30.32 contractors or vendors that are incorporated into the completed project or are major

31.1 components of the means of construction. Work performed by trade contractors involves
31.2 specific portions of the project, but not the entire project.

31.3 Sec. 29. [16E.35] COUNTY AND LOCAL CYBERSECURITY GRANTS.

31.4 Subdivision 1. Cybersecurity grant program established. Minnesota IT Services may
31.5 make grants to political subdivisions to support addressing cybersecurity risks and
31.6 cybersecurity threats to information systems owned or operated by, or on behalf of, state,
31.7 local, or Tribal governments, as provided in section 70612 of Public Law 117-58.

31.8 Subd. 2. Match requirement. The political subdivision receiving a grant must provide
31.9 for the remainder of the costs of the project.

31.10 Subd. 3. Criteria. The department may set criteria for program priorities and standards
31.11 of review.

31.12 Sec. 30. Minnesota Statutes 2020, section 43A.01, subdivision 2, is amended to read:

31.13 Subd. 2. **Precedence of merit principles and nondiscrimination.** It is the policy of
31.14 this state to provide for equal employment opportunity consistent with chapter 363A by
31.15 ensuring that all personnel actions be based on the ability to perform the duties and
31.16 responsibilities assigned to the position without regard to age, race, creed or religion, color,
31.17 disability, sex, national origin, marital status, status with regard to public assistance, or
31.18 political affiliation. It is the policy of this state to take affirmative action to eliminate the
31.19 underutilization of qualified members of protected groups in the civil service, where such
31.20 action is not in conflict with other provisions of this chapter or chapter 179, in order to
31.21 correct imbalances and eliminate the ~~present~~ effects of ~~past~~ discrimination and support full
31.22 and equal participation in the social and economic life in the state. Managers and supervisors
31.23 that are responsible for hiring must be made aware of bias that can be present in the hiring
31.24 process.

31.25 No contract executed pursuant to chapter 179A shall modify, waive or abridge this
31.26 section and sections 43A.07 to 43A.121, 43A.15, and 43A.17 to 43A.21, except to the extent
31.27 expressly permitted in those sections.

31.28 Sec. 31. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
31.29 read:

31.30 Subd. 1a. Accommodation fund. "Accommodation fund" means the fund created under
31.31 section 16B.4805 for reimbursing state agencies for eligible expenses incurred in providing
31.32 reasonable accommodations to state employees with disabilities.

32.1 Sec. 32. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
32.2 read:

32.3 Subd. 3a. **Americans with Disabilities Act.** "Americans With Disabilities Act" or
32.4 "ADA" means the Americans with Disabilities Act of 1990, as amended, United States
32.5 Code title 42, sections 12101 to 12117.

32.6 Sec. 33. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
32.7 read:

32.8 Subd. 18a. **Digital accessibility.** "Digital accessibility" means information and
32.9 communication technology, including products, devices, services, and content that are
32.10 designed and built so people with disabilities can use or participate in them, as defined by
32.11 the accessibility standard adopted under section 16E.03, subdivision 9. Any statutory
32.12 reference to accessible or accessibility in the context of information and communication
32.13 technology includes digital accessibility.

32.14 Sec. 34. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
32.15 read:

32.16 Subd. 35a. **Reasonable accommodation.** "Reasonable accommodation" has the meaning
32.17 given under section 363A.08, subdivision 6.

32.18 Sec. 35. Minnesota Statutes 2020, section 43A.04, subdivision 1a, is amended to read:

32.19 Subd. 1a. **Mission; efficiency.** It is part of the department's mission that within the
32.20 department's resources the commissioner shall endeavor to:

32.21 (1) prevent the waste or unnecessary spending of public money;

32.22 (2) use innovative fiscal and human resource practices to manage the state's resources
32.23 and operate the department as efficiently as possible;

32.24 (3) coordinate the department's activities wherever appropriate with the activities of
32.25 other governmental agencies;

32.26 (4) use technology where appropriate to increase agency productivity, improve customer
32.27 service, increase public access to information about government, and increase public
32.28 participation in the business of government;

32.29 (5) ensure that all technology utilized is accessible to employees and provided in a timely
32.30 manner as described in sections 363A.42 and 363A.43 and the accessibility standards under
32.31 section 16E.03, subdivisions 2, clause (3), and 9;

33.1 ~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent
33.2 otherwise required by chapters 43A and 179A;

33.3 ~~(6)~~ (7) report to the legislature on the performance of agency operations and the
33.4 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
33.5 subdivision 1; ~~and~~

33.6 ~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry out
33.7 the mission and improve the performance of the department; and

33.8 (9) endeavor to use equitable and inclusive practices to attract and recruit protected class
33.9 employees; actively eliminate discrimination against protected group employees; and ensure
33.10 equitable access to development and training, advancement, and promotional opportunities.

33.11 Sec. 36. Minnesota Statutes 2020, section 43A.04, subdivision 4, is amended to read:

33.12 Subd. 4. **Administrative procedures.** The commissioner shall develop administrative
33.13 procedures, which are not subject to the rulemaking provisions of the Administrative
33.14 Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights
33.15 of or processes available to the general public. The commissioner may also adopt
33.16 administrative procedures, not subject to the Administrative Procedure Act, which concern
33.17 topics affecting the general public if those procedures concern only the internal management
33.18 of the department or other agencies and if those elements of the topics which affect the
33.19 general public are the subject of department rules.

33.20 Administrative procedures shall be reproduced and made available for comment in
33.21 accessible digital formats under section 16E.03 to agencies, employees, and appropriate
33.22 exclusive representatives certified pursuant to sections 179A.01 to 179A.25, for at least 15
33.23 days prior to implementation and shall include but are not limited to:

33.24 (1) maintenance and administration of a plan of classification for all positions in the
33.25 classified service and for comparisons of unclassified positions with positions in the classified
33.26 service;

33.27 (2) procedures for administration of collective bargaining agreements and plans
33.28 established pursuant to section 43A.18 concerning total compensation and the terms and
33.29 conditions of employment for employees;

33.30 (3) procedures for effecting all personnel actions internal to the state service such as
33.31 processes and requirements for agencies to publicize job openings and consider applicants
33.32 who are referred or nominate themselves, conduct of selection procedures limited to
33.33 employees, noncompetitive and qualifying appointments of employees and leaves of absence;

34.1 (4) maintenance and administration of employee performance appraisal, training and
34.2 other programs; and

34.3 (5) procedures for pilots of the reengineered employee selection process. Employment
34.4 provisions of this chapter, associated personnel rules adopted under subdivision 3, and
34.5 administrative procedures established under clauses (1) and (3) may be waived for the
34.6 purposes of these pilots. The pilots may affect the rights of and processes available to
34.7 members of the general public seeking employment in the classified service. The
34.8 commissioner will provide public notice of any pilot directly affecting the rights of and
34.9 processes available to the general public and make the administrative procedures available
34.10 for comment to the general public, agencies, employees, and appropriate exclusive
34.11 representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior
34.12 to implementation. The public notice must be provided in an accessible digital format under
34.13 section 16E.03. The process for providing comment shall include multiple formats to ensure
34.14 equal access, including via telephone, digital content, and e-mail.

34.15 Sec. 37. Minnesota Statutes 2020, section 43A.04, subdivision 7, is amended to read:

34.16 Subd. 7. **Reporting.** The commissioner shall issue a written report by February 1 and
34.17 August 1 of each year to the chair of the Legislative Coordinating Commission. The report
34.18 must list the number of appointments made under each of the categories in section 43A.15,
34.19 the number made to the classified service other than under section 43A.15, and the number
34.20 made under section 43A.08, subdivision 2a, during the six-month periods ending June 30
34.21 and December 31, respectively. The report must be posted online and must be accessible
34.22 under section 16E.03. The commissioner shall advertise these reports in multiple formats
34.23 to ensure broad dissemination.

34.24 Sec. 38. Minnesota Statutes 2020, section 43A.09, is amended to read:

34.25 **43A.09 RECRUITMENT.**

34.26 The commissioner in cooperation with appointing authorities of all state agencies shall
34.27 maintain an active recruiting program publicly conducted and designed to attract sufficient
34.28 numbers of well-qualified people to meet the needs of the civil service, and to enhance the
34.29 image and public esteem of state service employment. Special emphasis shall be given to
34.30 recruitment of veterans and protected group members, including qualified individuals with
34.31 disabilities, to assist state agencies in meeting affirmative action goals to achieve a balanced
34.32 work force. All technology and digital content related to recruiting and hiring shall be
34.33 accessible to people with disabilities.

35.1 Sec. 39. Minnesota Statutes 2020, section 43A.10, subdivision 2a, is amended to read:

35.2 Subd. 2a. **Application requirements.** (a) The commissioner shall establish and maintain
35.3 a database of applicants for state employment. The commissioner shall establish, publicize,
35.4 and enforce minimum requirements for ~~application.~~ applications, and shall ensure that:

35.5 (1) all postings shall be written so as to be relevant to the duties of the job and be
35.6 nondiscriminatory;

35.7 (2) the appointing authority ~~shall enforce~~ enforces the established minimum requirements
35.8 for application;

35.9 (3) the 700-hour on-the-job demonstration experience is considered an alternative,
35.10 noncompetitive hiring process for classified positions for qualified individuals ~~who express~~
35.11 interest directly to the appointing authority. with disabilities; and

35.12 (4) hiring managers and others involved in the selection process are aware of the
35.13 accommodation fund under section 16B.4805 to ensure that people with disabilities obtain
35.14 timely and appropriate accommodations within the hiring process and the state agency can
35.15 request reimbursement.

35.16 (b) The commissioner shall ensure that all online application processes and all digital
35.17 content relating to the database referenced in paragraph (a) shall be accessible for people
35.18 with disabilities.

35.19 Sec. 40. Minnesota Statutes 2020, section 43A.10, subdivision 7, is amended to read:

35.20 Subd. 7. **Selection process accommodations.** Upon request, the commissioner or
35.21 appointing authority shall provide ~~selection process~~ reasonable accommodations to ~~an~~
35.22 ~~applicant with a disability that does not prevent performance of the duties of the position.~~
35.23 ~~The accommodations must provide an opportunity to fairly assess the ability of the applicant~~
35.24 ~~to perform the duties of the position notwithstanding the disability but must preserve, to the~~
35.25 ~~extent feasible, the validity of the selection process and equitable comparison of results~~
35.26 ~~with the results of competitors without~~ qualified applicants with disabilities; to ensure full
35.27 participation in the selection process, including use of the accommodation fund under section
35.28 16B.4805 during the selection process. The commissioner must ensure that agencies are
35.29 made aware of the accommodation fund and its critical function of removing cost
35.30 considerations from interview selection decisions.

36.1 Sec. 41. Minnesota Statutes 2020, section 43A.14, is amended to read:

36.2 **43A.14 APPOINTMENTS.**

36.3 All appointments to the classified service shall be based upon merit and ability to perform
 36.4 the duties of the position and the needs of the employing agency, including the need to
 36.5 achieve and maintain a representative work force, including representation of people with
 36.6 disabilities. For employees in a bargaining unit as defined in section 179A.10 appointments
 36.7 shall be subject to applicable provisions of collective bargaining agreements.

36.8 Sec. 42. Minnesota Statutes 2020, section 43A.15, subdivision 14, is amended to read:

36.9 Subd. 14. 700-hour on-the-job demonstration ~~process and appointment~~
 36.10 experience. (a) The commissioner shall ~~establish~~ consult with the Department of Employment
 36.11 and Economic Development's Vocational Rehabilitation Services and State Services for the
 36.12 Blind and other disability experts in establishing, reviewing, and modifying the qualifying
 36.13 procedures for applicants whose disabilities are of such a significant nature that the applicants
 36.14 are unable to demonstrate their abilities in the selection process. The qualifying procedures
 36.15 must consist of up to 700 hours on-the-job ~~trial work~~ demonstration experience. ~~Up to three~~
 36.16 ~~persons with significant disabilities and their job coach may be allowed to demonstrate their~~
 36.17 ~~job competence as a unit through the on-the-job trial work experience selection procedure.~~
 36.18 ~~This~~ The 700-hour on-the-job demonstration process must be limited to applicants for whom
 36.19 ~~there is no reasonable accommodation in the selection process~~ experience is an alternative,
 36.20 noncompetitive hiring process for qualified applicants with disabilities. All permanent
 36.21 executive branch classified positions are eligible for a 700-hour on-the-job demonstration
 36.22 experience, and all permanent classified job postings must provide information regarding
 36.23 the on-the-job demonstration overview and certification process.

36.24 (b) The commissioner may authorize the probationary appointment of an applicant based
 36.25 on the request of the appointing authority that documents that the applicant has successfully
 36.26 demonstrated qualifications for the position through completion of an on-the-job ~~trial work~~
 36.27 demonstration experience. Qualified applicants should be converted to permanent,
 36.28 probationary appointments at the point in the 700-hour on-the-job experience at which they
 36.29 have demonstrated the ability to perform the essential functions of the job with or without
 36.30 reasonable accommodation. The implementation of this subdivision may not be deemed a
 36.31 violation of chapter 43A or 363A.

36.32 (c) The commissioner and the ADA and disability employment director, described in
 36.33 section 43A.19, subdivision 1, paragraph (e), are responsible for the administration and

37.1 oversight of the 700-hour on-the-job demonstration experience, including the establishment
37.2 of policies and procedures, data collection and reporting requirements, and compliance.

37.3 (d) The commissioner or the commissioner's designee shall design and implement a
37.4 training curriculum for the 700-hour on-the-job demonstration experience. All executive
37.5 leaders, managers, supervisors, human resources professionals, affirmative action officers,
37.6 and ADA coordinators must receive annual training on the program.

37.7 (e) The commissioner or the commissioner's designee shall develop, administer, and
37.8 make public a formal grievance process for individuals in the 700-hour on-the-job
37.9 demonstration experience under this subdivision and supported work program under section
37.10 43A.421, subdivision 2.

37.11 (f) Appointing agencies shall ensure that reasonable accommodation requests, including
37.12 accessible technology or alternative formats, are provided in a timely manner during the
37.13 application and hiring process and throughout the 700-hour on-the-job demonstration
37.14 experience period pursuant to sections 363A.42 and 363A.43 and the accessibility standards
37.15 under section 16E.03, subdivisions 2, clause (3), and 9.

37.16 Sec. 43. Minnesota Statutes 2020, section 43A.15, is amended by adding a subdivision to
37.17 read:

37.18 Subd. 14a. **Report and survey.** (a) The commissioner shall annually collect
37.19 enterprise-wide statistics on the 700-hour on-the-job demonstration experience under
37.20 subdivision 14. The statistics collected and reported annually must include:

37.21 (1) the number of certifications submitted, granted, and rejected;

37.22 (2) the number of applicants interviewed, appointed, and converted to probationary
37.23 status;

37.24 (3) the number of employees retained after one year in state employment;

37.25 (4) the number of employees with terminated appointments and the reason for termination;

37.26 (5) the average length of time in an on-the-job demonstration appointment;

37.27 (6) the number and category of entity certifications; and

37.28 (7) by department or agency, the number of appointments and hires and the number of
37.29 managers and supervisors trained.

37.30 (b) The commissioner shall develop and administer an annual survey of participants in
37.31 the 700-hour on-the-job demonstration experience who are hired and those who are not

38.1 hired, as well as the managers of participants in the 700-hour on-the-job demonstration
38.2 experience.

38.3 (c) The commissioner must consult at least annually with the Department of Employment
38.4 and Economic Development's Vocational Rehabilitation Services and State Services for the
38.5 Blind, the Disability Agency Forum, and other disability experts to review the survey results,
38.6 assess program satisfaction, and recommend areas for continuous improvement.

38.7 (d) The commissioner shall annually develop and publish a report on the department's
38.8 website that includes the data described in paragraph (a), survey results described in
38.9 paragraph (b), and recommendations for continuous improvement described in paragraph
38.10 (c).

38.11 Sec. 44. Minnesota Statutes 2020, section 43A.183, subdivision 1, is amended to read:

38.12 Subdivision 1. **Payment required.** Each agency head shall pay to each eligible member
38.13 an amount equal to the person's salary differential for each month or portion of month that
38.14 the person is ordered to serve in active service.

38.15 This payment may be made only to a person for whom the amount in subdivision 2,
38.16 paragraph (b), clause (1), is greater than the amount in subdivision 2, paragraph (b), clause
38.17 (2). Payments must be made at the intervals at which the member received pay as a state
38.18 employee, except that any back pay due under this section may be paid as a lump sum.
38.19 Payment under this section must not extend beyond four years from the date the employee
38.20 reported for active service, plus any additional time the employee may be legally required
38.21 to serve. An eligible member may apply for the salary differential benefits authorized under
38.22 this section ~~prior to, during, or following the person's active service on or after May 29,~~
38.23 ~~2003~~ no later than two years after completion of active service. A copy of military orders
38.24 showing active service must be provided prior to payment.

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

38.26 Sec. 45. Minnesota Statutes 2020, section 43A.183, subdivision 2, is amended to read:

38.27 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

38.28 (b) "Salary differential" means the difference between:

38.29 (1) the person's monthly total gross earnings as an active state employee, ~~excluding any~~
38.30 ~~overtime pay received but including all other earnings,~~ averaged over the last three full
38.31 calendar months of the person's active state employment prior to reporting to active service,
38.32 and including any additional salary or earnings adjustments that the person would have

39.1 received at any time during the person's authorized leave from state employment had the
39.2 person been serving as an active state employee during that time; and

39.3 (2) the person's monthly base pay in active service.

39.4 (c) "Eligible member" means:

39.5 (1) any member of the National Guard or other reserve component of the United States
39.6 armed forces who was an employee of the state of Minnesota at the time the member took
39.7 military leave under section 192.261 to report for active military service; and

39.8 (2) any member of any other nonmilitary reserve component of the uniformed services
39.9 of the United States who was an employee of Minnesota at the time the member took properly
39.10 authorized leave from state employment under substantially comparable federal or state
39.11 authority ordering the person to report for federal or state active service.

39.12 (d) "State employee" means an employee of the executive, judicial, or legislative branch
39.13 of state government or an employee of the Minnesota State Retirement System, the Public
39.14 Employee Retirement Association, or the Teachers Retirement Association.

39.15 (e) "Active service" has the meaning given in section 190.05, subdivision 5, for military
39.16 members, and includes substantially comparable service for reserve members of other
39.17 nonmilitary components of the uniformed services of the United States, but excludes service
39.18 performed exclusively for purposes of:

39.19 (1) basic training, advanced individual training, annual training, and periodic inactive
39.20 duty training;

39.21 (2) special training periodically made available to reserve members;

39.22 (3) service performed in accordance with section 190.08, subdivision 3; and

39.23 (4) service performed as part of the active guard/reserve program pursuant to United
39.24 States Code, title 32, section 502(f), or other applicable authority, as well as substantially
39.25 comparable service by members of other nonmilitary components of the uniformed services
39.26 of the United States.

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

39.28 Sec. 46. Minnesota Statutes 2020, section 43A.19, subdivision 1, is amended to read:

39.29 Subdivision 1. **Statewide affirmative action program.** (a) To assure that positions in
39.30 the executive branch of the civil service are equally accessible to all qualified persons, and
39.31 to eliminate the ~~underutilization of qualified members of protected groups~~ effects of past

40.1 and present discrimination, intended or unintended, on the basis of protected group status,
40.2 the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative
40.3 action program. The statewide affirmative action program must consist of at least the
40.4 following:

40.5 (1) objectives, goals, and policies;

40.6 (2) procedures, standards, and assumptions to be used by agencies in the preparation of
40.7 agency affirmative action plans, including methods by which goals and timetables are
40.8 established;

40.9 (3) the analysis of separation patterns to determine the impact on protected group
40.10 members; and

40.11 (4) requirements for annual objectives and submission of affirmative action progress
40.12 reports from heads of agencies.

40.13 Agency heads must report the data in clause (3) to the state Director of Recruitment,
40.14 Retention and Affirmative Action and the state ADA coordinator, in addition to being
40.15 available to anyone upon request. The commissioner of management and budget must
40.16 annually post the aggregate and agency-level reports under clause (4) on the agency's website.

40.17 (b) The commissioner shall establish statewide affirmative action goals for each of the
40.18 federal Equal Employment Opportunity (EEO) occupational categories applicable to state
40.19 employment, using at least the following factors:

40.20 (1) the percentage of members of each protected class in the recruiting area population
40.21 who have the necessary skills; and

40.22 (2) the availability for promotion or transfer of current employees who are members of
40.23 protected classes.

40.24 (c) The commissioner may use any of the following factors in addition to the factors
40.25 required under paragraph (b):

40.26 (1) the extent of unemployment of members of protected classes in the recruiting area
40.27 population;

40.28 (2) the existence of training programs in needed skill areas offered by employing agencies
40.29 and other institutions; and

40.30 (3) the expected number of available positions to be filled.

40.31 (d) The commissioner shall designate a state director of diversity and equal employment
40.32 opportunity who may be delegated the preparation, revision, implementation, and

41.1 administration of the program. The commissioner of management and budget may place
41.2 the director's position in the unclassified service if the position meets the criteria established
41.3 in section 43A.08, subdivision 1a.

41.4 (e) The commissioner shall designate a statewide ADA and disability employment
41.5 director who may be delegated the preparation, revision, implementation, evaluation, and
41.6 administration of the program. This position must administer the 700-hour on-the-job
41.7 demonstration experience under the supported work program and disabled veteran's
41.8 employment programs. The ADA and disability employment director shall have education,
41.9 knowledge, and skills in disability policy, employment, and the ADA. The commissioner
41.10 may place the director's position in the unclassified service if the position meets the criteria
41.11 established in section 43A.08, subdivision 1a.

41.12 (f) Agency affirmative action plans, including reports and progress, must be posted on
41.13 the agency's public and internal websites within 30 days of being approved. The
41.14 commissioner of management and budget shall post a link to all executive branch
41.15 agency-approved affirmative action plans on its public website. Accessible copies of the
41.16 affirmative action plan must be available to all employees and members of the general public
41.17 upon request.

41.18 Sec. 47. Minnesota Statutes 2020, section 43A.191, is amended to read:

41.19 **43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.**

41.20 Subdivision 1. **Affirmative action officers.** (a) Each agency with 1,000 employees or
41.21 more shall have at least one full-time affirmative action officer, who shall have primary
41.22 responsibility for developing and maintaining the agency's affirmative action plan. The
41.23 officer shall devote full time to affirmative action activities. The affirmative action officer
41.24 shall report administratively and on policy issues directly to the agency head. Pursuant to
41.25 section 43A.08, subdivision 1a, clause (4), the affirmative action officer must not be an
41.26 unclassified employee.

41.27 (b) The agency heads shall assign affirmative action officers or designees for agencies
41.28 with fewer than 1,000 employees. The designees shall report administratively and on policy
41.29 issues directly to the agency head.

41.30 (c) An agency may not use authority under section 43A.08, subdivision 1a, to place the
41.31 position of an agency affirmative action officer or designee in the unclassified service.

42.1 Subd. 2. **Agency affirmative action plans.** (a) The head of each agency in the executive
42.2 branch shall prepare and implement an agency affirmative action plan consistent with this
42.3 section and rules issued under section 43A.04, subdivision 3.

42.4 (b) The agency plan must include a plan for the provision of reasonable accommodation
42.5 in the hiring and promotion of qualified ~~disabled~~ persons with disabilities. The reasonable
42.6 accommodation plan must consist of at least the following:

42.7 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,
42.8 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United
42.9 States Code, title 29, section 794, as amended through December 31, 1984, which is section
42.10 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,
42.11 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501
42.12 to 514;

42.13 (2) methods and procedures for providing timely access to reasonable accommodation
42.14 ~~for disabled job applicants, current employees, and employees~~ accommodations during the
42.15 application process, throughout current employment, and when seeking promotion;

42.16 (3) provisions for funding reasonable accommodations; and

42.17 (4) the number of requests made, the number of requests approved, and the number of
42.18 requests reimbursed from the state accommodation account under section 16B.4805.

42.19 (c) The agency plan must be prepared by the agency head with the assistance of the
42.20 agency affirmative action officer and the director of diversity and equal employment
42.21 opportunity. The agency may consult with the Council on Disability, vocational rehabilitation
42.22 services, state services for the blind, and other disability experts to review and make
42.23 recommendations on recruitment and retention of people with disabilities.

42.24 (d) The agency plan must identify any positions in the agency that can be used for
42.25 supported employment as defined in section 268A.01, subdivision 13, of persons with severe
42.26 disabilities. The agency shall report this information to the commissioner. An agency that
42.27 hires more than one supported worker in the identified positions must receive recognition
42.28 for each supported worker toward meeting the agency's affirmative action goals and
42.29 objectives.

42.30 (e) An agency affirmative action plan may not be implemented without the
42.31 commissioner's approval.

42.32 **Subd. 2a. Disability recruitment, hiring, and advancement.** (a) Each agency affirmative
42.33 action plan must include a section that provides sufficient assurances, procedures, and

43.1 commitments to provide adequate hiring, placement, and advancement opportunities for
43.2 individuals with disabilities at all levels of state employment. The criteria for this section
43.3 of the agency affirmative action plan must include a section on disability hiring and
43.4 advancement, including the provisions in this subdivision.

43.5 (b) The plan must describe specific actions to ensure that a broad range of individuals
43.6 with disabilities will be aware of and be encouraged to apply for job vacancies when eligible.
43.7 The actions must include, at a minimum:

43.8 (1) the use of programs and resources that identify job applicants with disabilities who
43.9 are eligible to be appointed under a hiring authority that takes disability into account,
43.10 consistent with the demonstration program under section 43A.15, subdivision 14. The
43.11 programs may include the Department of Employment and Economic Development's
43.12 Vocational Rehabilitation Services and State Services for the Blind that provide the
43.13 qualifications necessary for positions within the agency to individuals with disabilities.
43.14 Resources may include databases of individuals with disabilities who previously applied to
43.15 the agency but were not hired for the positions they applied for, and training and internship
43.16 programs that lead directly to employment for individuals with disabilities; and

43.17 (2) establishment and maintenance of contacts, which may include formal agreements,
43.18 with organizations that specialize in providing assistance to individuals with disabilities in
43.19 securing and maintaining employment, such as the Department of Employment and Economic
43.20 Development's Vocational Rehabilitation Services, State Services for the Blind, community
43.21 rehabilitation programs, day training and habilitation programs, and employment network
43.22 service providers.

43.23 (c) The plan must ensure that the agency has designated sufficient staff to handle any
43.24 disability-related issues that arise during the application and selection process, and shall
43.25 require the agency to provide staff with sufficient training, support, and other resources to
43.26 carry out the responsibilities under this section. Responsibilities include, at a minimum:

43.27 (1) ensuring that disability-related questions from members of the public regarding the
43.28 agency's application and selection processes are answered promptly and correctly, including
43.29 questions about reasonable accommodations needed by job applicants during the application
43.30 and selection process and questions about how individuals may apply for positions under
43.31 hiring authorities that take disability into account;

43.32 (2) processing requests for reasonable accommodations needed by job applicants during
43.33 the application and placement process and ensuring that the agency provides such
43.34 accommodations when required;

44.1 (3) accepting applications for a position under hiring authorities that take disability into
44.2 account;

44.3 (4) if an individual has applied for appointment to a particular position under a hiring
44.4 authority that takes disability into account, determining whether the individual is eligible
44.5 for appointment under such authority and, if so, forwarding the individual's application to
44.6 the relevant hiring officials with an explanation of how and when the individual may be
44.7 appointed, consistent with all applicable laws; and

44.8 (5) overseeing any other agency programs designed to increase hiring of individuals
44.9 with disabilities.

44.10 **Subd. 3. Audits; sanctions and incentives.** (a) The commissioner shall annually audit
44.11 the record of each agency to determine the rate of compliance with affirmative action
44.12 requirements. The department must report all audit findings to the governor's office if a
44.13 state agency fails to meet any of its affirmative action requirements for two consecutive
44.14 years.

44.15 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on
44.16 affirmative action progress of each agency and the state as a whole to the governor and to
44.17 the Finance Committee of the senate, the Ways and Means Committee of the house of
44.18 representatives, the Governmental Operations Committees of both houses of the legislature,
44.19 and the Legislative Coordinating Commission. The report must include noncompetitive
44.20 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,
44.21 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.
44.22 The report must be made available to the public on the department's website.

44.23 (c) An agency that does not meet its hiring goals must justify its nonaffirmative action
44.24 hires in competitive appointments and noncompetitive appointments made under section
44.25 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions
44.26 3, 10, 12, and 13, according to criteria issued by the department of ~~Management and Budget~~.
44.27 In addition, an agency shall:

44.28 (1) demonstrate a good faith effort to recruit protected group members by following an
44.29 active recruitment plan;

44.30 (2) implement a coordinated retention plan; and

44.31 (3) have an established complaint resolution procedure.

44.32 (d) The commissioner shall develop reporting standards and procedures for measuring
44.33 compliance.

45.1 (e) An agency is encouraged to develop other innovative ways to promote awareness,
45.2 acceptance, and appreciation for diversity and affirmative action. These innovations will
45.3 be considered when evaluating an agency's compliance with this section.

45.4 (f) An agency not in compliance with affirmative action requirements of this section
45.5 must identify methods and programs to improve performance, to reallocate resources
45.6 internally in order to increase support for affirmative action programs, and to submit program
45.7 and resource reallocation proposals to the commissioner for approval. An agency must
45.8 submit these proposals within 120 days of being notified by the commissioner that it is out
45.9 of compliance with affirmative action requirements. The commissioner shall monitor
45.10 quarterly the affirmative action programs of an agency found to be out of compliance.

45.11 (g) The commissioner shall establish a program to recognize an agency that has made
45.12 significant and measurable progress in implementing an affirmative action plan.

45.13 (h) The commissioner must maintain and make available, on an annual basis, summary
45.14 data as defined in section 13.02, subdivision 19, on the percentage of members of each
45.15 protected group as defined in section 43A.02, subdivision 33, that were hired in the executive
45.16 branch in each of the federal Equal Employment Opportunity (EEO) occupational categories
45.17 applicable to state employment. Nothing in this provision, however, shall require any person
45.18 to disclose their protected group status, nor shall it require the commissioner or any
45.19 appointing authority to determine the protected group status of any person.

45.20 Sec. 48. Minnesota Statutes 2020, section 43A.21, subdivision 1, is amended to read:

45.21 Subdivision 1. **Authority; purpose.** The commissioner, in coordination with the statewide
45.22 ADA and disability employment director and chief inclusion officer, shall develop and
45.23 interpret policy and administer and, to the extent possible, conduct programs in training and
45.24 development for employees to, at a minimum:

45.25 (1) promote individual, group and agency efficiency and effectiveness;

45.26 (2) build employee capacity to deliver accessible and inclusive services to the public,
45.27 including people with disabilities; and

45.28 (3) support an inclusive work environment for employees with disabilities and employees
45.29 of other protected classes.

45.30 Sec. 49. Minnesota Statutes 2020, section 43A.21, subdivision 2, is amended to read:

45.31 Subd. 2. **Responsibilities.** (a) The commissioner is responsible for developing and
45.32 coordinating consistent training policy which shall be binding on all state agencies in the

46.1 executive branch. The policies shall include conditions under which employees may receive
46.2 or be assigned to training; internships and work-training programs; minimum and maximum
46.3 training standards for employee participation and agency reporting requirements. At a
46.4 minimum, state employees must receive annual training on statutes or policies related to:

46.5 (1) Title II of the Americans with Disabilities Act;

46.6 (2) the state's affirmative action policy;

46.7 (3) equal opportunity employment; and

46.8 (4) digital accessibility standards.

46.9 (b) Career development training is a permissive subject of collective bargaining. Each
46.10 appointing authority in the executive branch, including the Minnesota State Retirement
46.11 System and the Teachers Retirement Association, is primarily responsible for planning,
46.12 budgeting, conducting and evaluating training programs.

46.13 Sec. 50. Minnesota Statutes 2020, section 43A.21, subdivision 3, is amended to read:

46.14 Subd. 3. **Programs.** (a) The commissioner or the commissioner's designee shall design
46.15 and implement management training and development programs for the state service. The
46.16 programs shall include but not be limited to mandatory training and development
46.17 requirements for managers and supervisors. No person shall acquire permanent status in a
46.18 management or supervisory position in the classified service until training and development
46.19 requirements have been met.

46.20 (b) All managers and supervisors must receive training on inclusive work environments,
46.21 disability awareness, cultural competence, and other equity and diversity areas.

46.22 (c) Agencies shall conduct an annual Americans with Disabilities Act self-assessment
46.23 to ensure training programs meet the standards for universal design in learning.

46.24 Sec. 51. Minnesota Statutes 2020, section 43A.21, is amended by adding a subdivision to
46.25 read:

46.26 Subd. 6. **Accessibility.** The commissioner is responsible for ensuring that all training
46.27 content and platforms meet the accessibility standards under section 16E.03, subdivisions
46.28 2, clause (3), and 9. Reasonable accommodations must be implemented in a timely and
46.29 appropriate manner to ensure that all state employees can participate in state-offered trainings.
46.30 All state employees, including ADA coordinators and human resources staff, must have the
46.31 training and resources to implement an accessible and inclusive workplace.

47.1 Sec. 52. Minnesota Statutes 2020, section 43A.36, subdivision 1, is amended to read:

47.2 Subdivision 1. **Cooperation; state agencies.** (a) The commissioner may delegate
47.3 administrative functions associated with the duties of the commissioner to appointing
47.4 authorities who have the capability to perform such functions when the commissioner
47.5 determines that it is in the best interests of the state civil service. The commissioner shall
47.6 consult with agencies and agencies shall cooperate as appropriate in implementation of this
47.7 chapter.

47.8 (b) The commissioner, in conjunction with appointing authorities, shall analyze and
47.9 assess current and future human resource requirements of the civil service and coordinate
47.10 personnel actions throughout the civil service to meet the requirements. The commissioner
47.11 shall provide recruiting assistance and make the applicant database available to appointing
47.12 authorities to use in making appointments to positions in the unclassified service.

47.13 (c) The head of each agency in the executive branch shall designate an agency personnel
47.14 officer. The agency personnel officer shall be accountable to the agency head for all personnel
47.15 functions prescribed by laws, rules, collective bargaining agreements, the commissioner
47.16 and the agency head. Except when otherwise prescribed by the agency head in a specific
47.17 instance, the personnel officer shall be assumed to be the authority accountable to the agency
47.18 head over any other officer or employee in the agency for personnel functions.

47.19 (d) The head of each agency in the executive branch shall designate an affirmative action
47.20 officer who shall have primary responsibility for the administration of the agency's
47.21 affirmative action plan. The officer shall report directly to the head of the agency on
47.22 affirmative action matters.

47.23 (e) Pursuant to section 43A.431, the head of each agency in the executive branch shall
47.24 designate an ADA coordinator who shall have primary responsibility for the administration
47.25 of ADA policies, procedures, trainings, requests, and arbitration. The coordinator shall
47.26 report directly to the commissioner.

47.27 Sec. 53. Minnesota Statutes 2020, section 43A.421, is amended to read:

47.28 **43A.421 SUPPORTED WORK PROGRAM.**

47.29 Subdivision 1. Program established. ~~A total of 50 full-time~~ Active positions within
47.30 agencies of state government may be selected for inclusion for a supported work program
47.31 for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to
47.32 three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not
47.33 a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision

48.1 14, unless the job coach holds another position within the scope of section 43A.02,
48.2 subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need
48.3 to link to the overview and application process for the supported work program.

48.4 Subd. 2. Responsibilities. (a) The commissioner is responsible for the administration
48.5 and oversight of the supported work program, including the establishment of policies and
48.6 procedures, data collection and reporting requirements, and compliance.

48.7 (b) The commissioner or the commissioner's designee shall design and implement a
48.8 training curriculum for the supported work program. All executive leaders, managers,
48.9 supervisors, human resources professionals, affirmative action officers, and Americans with
48.10 Disabilities Act coordinators must receive annual training regarding the program.

48.11 (c) The commissioner or the commissioner's designee shall develop, administer, and
48.12 make public a formal grievance process for individuals in the program.

48.13 Sec. 54. **[43A.431] AMERICANS WITH DISABILITIES ACT COORDINATORS.**

48.14 (a) Each state agency shall designate at least one ADA coordinator who is responsible
48.15 for implementation of Title I of the ADA, to advance the prohibition on discrimination
48.16 against qualified individuals with disabilities in job application procedures, hiring, firing,
48.17 advancement, compensation, job training and other terms, conditions, and privileges of
48.18 employment. The ADA coordinator must have demonstrated knowledge and experience in:

48.19 (1) the recruitment, selection, development, and retention of people with disabilities;

48.20 (2) workforce data analysis;

48.21 (3) disability employment laws and regulations; and

48.22 (4) strategy development for universal and inclusive workplaces.

48.23 (b) The ADA coordinator is responsible for overseeing the development, implementation,
48.24 monitoring, and evaluation of effective strategies to attract, engage, and advance people
48.25 with disabilities. This includes assisting employees with identifying, acquiring, and
48.26 maintaining effective accommodations and submitting reimbursement requests to the
48.27 statewide accommodation fund under section 16B.4805.

48.28 (c) The ADA coordinator is responsible for collecting data and preparing reports to
48.29 ensure transparency and accountability and must serve as a key liaison for disability
48.30 employment and training initiatives.

49.1 Sec. 55. Minnesota Statutes 2020, section 82.75, subdivision 8, is amended to read:

49.2 Subd. 8. **Accrued interest.** (a) Each broker shall maintain a pooled interest-bearing trust
49.3 account for deposit of client funds. The interest accruing on the trust account, less reasonable
49.4 transaction costs, must be paid to the ~~commissioner of management and budget~~ Minnesota
49.5 Housing Finance Agency for deposit in the housing trust fund account created under section
49.6 462A.201 unless otherwise specified pursuant to an expressed written agreement between
49.7 the parties to a transaction.

49.8 (b) For an account created under paragraph (a), each broker shall direct the financial
49.9 institution to:

49.10 (1) pay the interest, less reasonable transaction costs, computed in accordance with the
49.11 financial institution's standard accounting practice, at least quarterly, to the ~~commissioner~~
49.12 ~~of management and budget~~ Minnesota Housing Finance Agency; and

49.13 (2) send a statement to the ~~commissioner of management and budget~~ Minnesota Housing
49.14 Finance Agency showing the name of the broker for whom the payment is made, the rate
49.15 of interest applied, the amount of service charges deducted, and the account balance for the
49.16 period in which the report is made.

49.17 The ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall
49.18 credit the amount collected under this subdivision to the housing trust fund account
49.19 established in section 462A.201.

49.20 (c) The financial institution must promptly notify the commissioner if a draft drawn on
49.21 the account is dishonored. A draft is not dishonored if a stop payment order is requested by
49.22 an issuer who has a good faith defense to payment on the draft.

49.23 **EFFECTIVE DATE.** This section is effective July 1, 2023.

49.24 Sec. 56. Minnesota Statutes 2020, section 118A.09, subdivision 1, is amended to read:

49.25 Subdivision 1. **Definition; qualifying government.** "Qualifying government" means:

49.26 (1) a county or statutory or home rule charter city with a population of more than 100,000;

49.27 (2) a county or statutory or home rule charter city ~~which had its most recently issued~~
49.28 ~~general obligation bonds rated in the highest category by a national bond rating agency~~
49.29 whose most recent long-term, senior, general obligation rating by one or more national
49.30 rating organizations in the prior 18-month period is AA or higher; or

49.31 (3) a self-insurance pool listed in section 471.982, subdivision 3.

50.1 A county or statutory or home rule charter city with a population of 100,000 or less that is
 50.2 a qualifying government, but is subsequently ~~rated less than the highest category by a~~
 50.3 ~~national bond rating agency on a general obligation bond issue~~ does not meet the threshold
 50.4 under clause (2), may not invest additional funds under this section but may continue to
 50.5 manage funds previously invested under subdivision 2.

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

50.7 Sec. 57. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

50.8 Subd. 2. **Additional investment authority.** Qualifying governments may invest the
 50.9 amount described in subdivision 3:

50.10 (1) in index mutual funds based in the United States and indexed to a broad market
 50.11 United States equity index, on the condition that index mutual fund investments must be
 50.12 made directly with the main sales office of the fund; or

50.13 (2) with the Minnesota State Board of Investment subject to such terms and minimum
 50.14 amounts as may be adopted by the board. ~~Index mutual fund investments must be made~~
 50.15 ~~directly with the main sales office of the fund.~~

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

50.17 Sec. 58. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT**
 50.18 **AUTHORITY.**

50.19 Subdivision 1. **Definition.** For the purposes of this section, "qualifying government"
 50.20 means a self-insurance pool formed under section 471.982.

50.21 Subd. 2. **Additional investment authority.** A qualifying government may invest in the
 50.22 securities specified in section 11A.24.

50.23 Subd. 3. **Approval.** Before investing pursuant to this section, the governing body of a
 50.24 qualifying government must adopt an investment policy pursuant to a resolution that includes
 50.25 both of the following statements:

50.26 (1) the governing body understands that investments under this section have a risk of
 50.27 loss; and

50.28 (2) the governing body understands the type of funds that are being invested and the
 50.29 specific investment itself.

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

51.1 Sec. 59. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

51.2 Subdivision 1. **Membership.** (a) The board consists of 15 members appointed by the
51.3 governor, including three members who are students who have attended an institution for
51.4 at least one year and are enrolled at the time of appointment at least half time in a degree,
51.5 diploma, or certificate program in an institution governed by the board. The student members
51.6 shall include one member from a community college, one member from a state university,
51.7 and one member from a technical college. One member representing labor must be appointed
51.8 after considering the recommendations made under section 136F.045. The governor is not
51.9 bound by the recommendations. Appointments to the board are with the advice and consent
51.10 of the senate. At least one member of the board must be a resident of each congressional
51.11 district. All other members must be appointed to represent the state at large. In selecting
51.12 appointees, the governor must consider the needs of the board and the balance of the board
51.13 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,
51.14 and ethnic composition; and occupation and experience. In selecting appointees, the governor
51.15 must consider the needs of the board for skills relevant to the governance of the Minnesota
51.16 State Colleges and Universities and the candidate's ability to discharge the responsibilities
51.17 of the board.

51.18 (b) A commissioner of a state agency may not serve as a member of the board.

51.19 Sec. 60. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

51.20 Subd. 3. **Administration of federal act.** ~~The Department of Administration~~ Minnesota
51.21 Historical Society is designated as the state agency to administer the provisions of the federal
51.22 act providing for the preservation of historical and archaeological data, United States Code,
51.23 title ~~46~~ 54, ~~sections 469 to 469C~~ section 312501, as amended, insofar as the provisions of
51.24 the act provide for implementation by the state.

51.25 Sec. 61. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

51.26 Subd. 2. **Mediation; consultation.** The state, state departments, agencies, and political
51.27 subdivisions, including the Board of Regents of the University of Minnesota, have a
51.28 responsibility to protect the physical features and historic character of properties designated
51.29 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created
51.30 by Public Law 89-665. Before carrying out any undertaking that will affect designated or
51.31 listed properties, or funding or licensing an undertaking by other parties, the state department
51.32 or agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~
51.33 State Historic Preservation Office's established procedures to determine appropriate

52.1 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
52.2 listed properties. If the state department or agency and the State Historic Preservation Office
52.3 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
52.4 agree, any one of the parties may request that the governor appoint and convene a mediation
52.5 task force consisting of five members, two appointed by the governor, the chair of the State
52.6 Review Board of the State Historic Preservation Office, the commissioner of administration
52.7 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
52.8 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
52.9 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
52.10 training or experience in one or more of the following disciplines: (1) history; (2)
52.11 archaeology; and (3) architectural history. The mediation task force is not subject to the
52.12 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
52.13 24, and section 138.664, subdivisions 8 and 111.

52.14 Sec. 62. Minnesota Statutes 2020, section 161.1419, subdivision 2, is amended to read:

52.15 Subd. 2. **Members.** (a) The commission shall be composed of 15 members of whom:

52.16 (1) one shall be appointed by the commissioner of transportation;

52.17 (2) one shall be appointed by the commissioner of natural resources;

52.18 (3) one shall be appointed by the director of Explore Minnesota Tourism;

52.19 (4) one shall be appointed by the commissioner of agriculture;

52.20 (5) one shall be appointed by the director of the Minnesota Historical Society;

52.21 (6) two shall be members of the senate to be appointed by the Committee on Committees;

52.22 (7) two shall be members of the house of representatives to be appointed by the speaker;

52.23 (8) one shall be the secretary appointed pursuant to subdivision 3; and

52.24 (9) five shall be citizen members appointed to staggered four-year terms by the
52.25 commission after receiving recommendations from five citizen committees established by
52.26 the members appointed under clauses (1) to (8), with each citizen committee established
52.27 within and representing each of the following geographic segments along the Mississippi
52.28 River:

52.29 (i) Lake Itasca to but not including the city of Grand Rapids;

52.30 (ii) Grand Rapids to but not including the city of Brainerd;

52.31 (iii) Brainerd to but not including the city of Elk River;

53.1 (iv) Elk River to but not including the city of Hastings; and

53.2 (v) Hastings to the Iowa border.

53.3 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the
53.4 ~~committee and~~ member represents.

53.5 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall
53.6 serve for a term expiring at the close of each regular session of the legislature and until their
53.7 successors are appointed.

53.8 (c) Successor members shall be appointed by the same appointing authorities. Members
53.9 may be reappointed. Any vacancy shall be filled by the appointing authority. The
53.10 commissioner of transportation, the commissioner of natural resources, and the director of
53.11 the Minnesota Historical Society shall be ex officio members, and shall be in addition to
53.12 the 15 members heretofore provided for. Immediately upon making the appointments to the
53.13 commission the appointing authorities shall so notify the Mississippi River Parkway
53.14 Commission, hereinafter called the National Commission, giving the names and addresses
53.15 of the members so appointed.

53.16 Sec. 63. Minnesota Statutes 2020, section 307.08, as amended by Laws 2021, chapter 31,
53.17 article 2, section 16, is amended to read:

53.18 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**
53.19 **BURIALS; CEMETERIES; PENALTY; AUTHENTICATION.**

53.20 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative
53.21 intent that all human burials, human remains, and human burial grounds shall be accorded
53.22 equal treatment and respect for human dignity without reference to their ethnic origins,
53.23 cultural backgrounds, or religious affiliations. The provisions of this section shall apply to
53.24 all human burials, human remains, or human burial grounds found on or in all public or
53.25 private lands or waters in Minnesota. Nothing in this section should be interpreted to conflict
53.26 with federal law, including the Native American Graves Protection and Repatriation Act
53.27 (NAGPRA), 25 United States Code 3001 et seq. and its implementing regulations, 43 Code
53.28 of Federal Regulations, part 10.

53.29 Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, and
53.30 knowingly does any of the following is guilty of a felony:

53.31 (1) destroys, mutilates, or injures human burials or human burial grounds; or

54.1 (2) without the consent of the appropriate authority, disturbs human burial grounds or
54.2 removes human remains.

54.3 (b) A person who, without the consent of the appropriate authority and the landowner,
54.4 intentionally, willfully, and knowingly does any of the following is guilty of a gross
54.5 misdemeanor:

54.6 (1) removes any tombstone, monument, or structure placed in any public or private
54.7 cemetery or authenticated human burial ground; or

54.8 (2) removes any fence, railing, or other work erected for protection or ornament, or any
54.9 tree, shrub, or plant or grave goods and artifacts within the limits of a public or private
54.10 cemetery or authenticated human burial ground; or

54.11 (3) discharges any firearms upon or over the grounds of any public or private cemetery
54.12 or authenticated burial ground.

54.13 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the
54.14 landowner, an authenticated or recorded human burial ground may be posted for protective
54.15 purposes every 75 feet around its perimeter with signs listing the activities prohibited by
54.16 subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian
54.17 affairs council in the case of American Indian burials or at the discretion of the state
54.18 archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does
54.19 not require posting of a burial ground. The size, description, location, and information on
54.20 the signs used for protective posting must be approved by the appropriate authority and the
54.21 landowner.

54.22 Subd. 3a. **Authentication.** The state archaeologist shall authenticate all burial grounds
54.23 for purposes of this section. The state archaeologist may retain the services of a qualified
54.24 professional archaeologist, a qualified physical anthropologist, or other appropriate experts
54.25 for the purpose of gathering information that the state archaeologist can use to authenticate
54.26 or identify burial grounds. If probable American Indian burial grounds are to be ~~disturbed~~
54.27 ~~or probable Indian remains~~ analyzed, investigated, or disturbed, the Indian Affairs Council
54.28 must approve the professional archaeologist, qualified anthropologist, or other appropriate
54.29 expert. Authentication is at the discretion of the state archaeologist based on the needs
54.30 identified in this section or upon request by an agency, a landowner, or other appropriate
54.31 authority. The state archaeologist shall implement and maintain a system of records
54.32 identifying the location of known, recorded, or suspected cemeteries. The state archaeologist
54.33 shall provide access to the records as provided in subdivision 11.

55.1 Subd. 5. **Cost; use of data.** The cost of authentication, recording, surveying, and marking
55.2 burial grounds and the cost of identification, analysis, rescue, and reburial of human remains
55.3 on public lands or waters shall be the responsibility of the state or political subdivision
55.4 controlling the lands or waters. On private lands or waters these costs shall be borne by the
55.5 state, but may be borne by the landowner upon mutual agreement with the state. ~~The state~~
55.6 ~~archaeologist must make the data collected for this activity available using standards adopted~~
55.7 ~~by the Department of Information Technology Services and geospatial technology standards~~
55.8 ~~and guidelines published by the Minnesota Geospatial Information Office. Costs associated~~
55.9 ~~with this data delivery must be borne by the state.~~

55.10 Subd. 7. **Remains found outside of recorded cemeteries.** (a) All unidentified human
55.11 remains or burials found outside of recorded cemeteries or unplatted graves or burials found
55.12 within recorded cemeteries and in contexts which indicate antiquity greater than 50 years
55.13 shall be treated with the utmost respect for all human dignity and dealt with according to
55.14 the provisions of this section.

55.15 (b) If such burials are not American Indian or their ethnic identity cannot be ascertained,
55.16 as determined by the state archaeologist, they shall be dealt with in accordance with
55.17 provisions established by the state archaeologist and other appropriate authority.

55.18 (c) If such burials are American Indian, as determined by the state archaeologist and
55.19 Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs~~
55.20 ~~Council to ascertain their tribal identity~~ to follow procedures as defined in 25 United States
55.21 Code 3001 et seq. and its implementing regulations, 43 Code of Federal Regulations, part
55.22 10. ~~If their probable tribal identity can be determined and the remains have been removed~~
55.23 ~~from their original context, such remains shall be turned over to contemporary tribal leaders~~
55.24 ~~for disposition. If tribal identity cannot be determined, the Indian remains must be dealt~~
55.25 ~~with in accordance with provisions established by the state archaeologist and the Indian~~
55.26 ~~Affairs Council if they are from public land. If removed Indian remains are from private~~
55.27 ~~land they shall be dealt with in accordance with provisions established by the Indian Affairs~~
55.28 ~~Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council,~~
55.29 ~~removed remains shall be studied in a timely and respectful manner by a qualified~~
55.30 ~~professional archaeologist or a qualified physical anthropologist before being delivered to~~
55.31 ~~tribal leaders or before being reburied. Application by a landowner for permission to develop~~
55.32 ~~or disturb nonburial areas within authenticated or recorded burial grounds shall be made to~~
55.33 ~~the state archaeologist and other appropriate authority in the case of non-Indian burials and~~
55.34 ~~to the Indian Affairs Council and other appropriate authority in the case of Indian burials.~~

56.1 ~~Landowners with authenticated or suspected human burial grounds on their property are~~
56.2 ~~obligated to inform prospective buyers of the burial ground.~~

56.3 Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission
56.4 to develop or disturb nonburial areas within authenticated or recorded burial grounds shall
56.5 be made to:

56.6 (1) the state archaeologist and other appropriate authority in the case of non-American
56.7 Indian burials; and

56.8 (2) the Indian Affairs Council and other appropriate authority in the case of American
56.9 Indian burials.

56.10 (b) Landowners with authenticated or suspected human burial grounds on their property
56.11 are obligated to inform prospective buyers of the burial ground.

56.12 **Subd. 8. Burial ground relocation.** ~~No non-Indian~~ non-American Indian burial ground
56.13 may be relocated without the consent of the appropriate authority. No American Indian
56.14 burial ground may be relocated unless the request to relocate is approved by the Indian
56.15 Affairs Council. When a burial ground is located on public lands or waters, any burial
56.16 relocations must be duly licensed under section 138.36 and the cost of removal is the
56.17 responsibility of and shall be paid by the state or political subdivision controlling the lands
56.18 or waters. If burial grounds are authenticated on private lands, efforts may be made by the
56.19 state to purchase and protect them instead of removing them to another location.

56.20 **Subd. 9. Interagency cooperation.** (a) The state archaeologist and the Indian Affairs
56.21 Council shall enter into a memorandum of understanding to coordinate their responsibilities
56.22 under this section.

56.23 (b) The Department of Natural Resources, the Department of Transportation, and all
56.24 other state agencies and local governmental units whose activities may be affected, shall
56.25 cooperate with the state archaeologist and the Indian Affairs Council to carry out the
56.26 provisions of this section.

56.27 **Subd. 10. Construction and development plan review.** When human burials are known
56.28 or suspected to exist, on public lands or waters, the state or political subdivision controlling
56.29 the lands or waters or, in the case of private lands, the landowner or developer, shall submit
56.30 construction and development plans to the state archaeologist for review prior to the time
56.31 ~~bids are advertised~~ development is proposed and prior to any disturbance within the burial
56.32 area. If the known or suspected burials are thought to be American Indian, plans shall also
56.33 be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs

57.1 Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for
57.2 the preservation in place or removal of the human burials or remains, which may be
57.3 endangered by construction or development activities.

57.4 Subd. 11. **Burial sites data.** ~~(a) Burial sites locational and related data maintained by~~
57.5 ~~under the authority of the Office of the State Archaeologist and accessible through the~~
57.6 ~~office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs~~
57.7 ~~Council~~ are security information for purposes of section 13.37. Persons who gain access to
57.8 ~~the~~ this data ~~maintained on the site~~ are subject to liability under section 13.08 and the penalty
57.9 established by section 13.09 if they improperly use or further disseminate the data.

57.10 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for
57.11 the purpose of authenticating burial sites. The Indian Affairs Council or a designated
57.12 representative of the Indian Affairs Council may enter on property for the purpose of
57.13 assessing, identifying, or authenticating American Indian cemeteries. Only after obtaining
57.14 permission from the property owner or lessee, descendants of persons buried in burial
57.15 grounds covered by this section may enter the burial grounds for the purpose of conducting
57.16 religious or commemorative ceremonies. This right of entry must not unreasonably burden
57.17 property owners or unnecessarily restrict their use of the property.

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

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

57.22 (b) "Appropriate authority" means:

57.23 (1) the trustees when the trustees have been legally defined to administer burial grounds;

57.24 (2) the Indian Affairs Council in the case of American Indian burial grounds lacking
57.25 trustees;

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

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

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

57.31 (d) "Authenticate" means to establish the presence of or high potential of human burials
57.32 or human skeletal remains being located in a discrete area, delimit the boundaries of human

58.1 burial grounds or graves, and attempt to determine the ethnic, cultural, or religious affiliation
58.2 of individuals interred.

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

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

58.8 (g) "Cemetery" means a discrete location that is known to contain or intended to be used
58.9 for the interment of human remains.

58.10 (h) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting
58.11 of a human burial or human burial ground.

58.12 (i) "Grave goods" means objects or artifacts directly associated with human burials or
58.13 human burial grounds that were placed as part of a mortuary ritual at the time of interment.

58.14 (j) "Human remains" means ~~the calcified portion of the human body of a deceased person~~
58.15 in whole or in part, regardless of the state of decomposition, not including isolated teeth;
58.16 ~~or cremated remains deposited in a container or discrete feature.~~

58.17 (k) "Identification" means to analyze organic materials to attempt to determine if they
58.18 represent human remains and to attempt to establish the ethnic, cultural, or religious
58.19 affiliations of such remains.

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

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

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

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

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

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

59.1 Sec. 64. Minnesota Statutes 2020, section 327C.095, subdivision 12, is amended to read:

59.2 Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.** (a)

59.3 If a manufactured home owner is required to move due to the conversion of all or a portion
59.4 of a manufactured home park to another use, the closure of a park, or cessation of use of
59.5 the land as a manufactured home park, the manufactured park owner shall, upon the change
59.6 in use, pay to the ~~commissioner of management and budget~~ Minnesota Housing Finance
59.7 Agency for deposit in the Minnesota manufactured home relocation trust fund under section
59.8 462A.35, the lesser amount of the actual costs of moving or purchasing the manufactured
59.9 home approved by the neutral third party and paid by the Minnesota Housing Finance
59.10 Agency under subdivision 13, paragraph (a) or (e), or \$3,250 for each single section
59.11 manufactured home, and \$6,000 for each multisection manufactured home, for which a
59.12 manufactured home owner has made application for payment of relocation costs under
59.13 subdivision 13, paragraph (c). The manufactured home park owner shall make payments
59.14 required under this section to the Minnesota manufactured home relocation trust fund within
59.15 60 days of receipt of invoice from the neutral third party.

59.16 (b) A manufactured home park owner is not required to make the payment prescribed
59.17 under paragraph (a), nor is a manufactured home owner entitled to compensation under
59.18 subdivision 13, paragraph (a) or (e), if:

59.19 (1) the manufactured home park owner relocates the manufactured home owner to
59.20 another space in the manufactured home park or to another manufactured home park at the
59.21 park owner's expense;

59.22 (2) the manufactured home owner is vacating the premises and has informed the
59.23 manufactured home park owner or manager of this prior to the mailing date of the closure
59.24 statement under subdivision 1;

59.25 (3) a manufactured home owner has abandoned the manufactured home, or the
59.26 manufactured home owner is not current on the monthly lot rental, personal property taxes;

59.27 (4) the manufactured home owner has a pending eviction action for nonpayment of lot
59.28 rental amount under section 327C.09, which was filed against the manufactured home owner
59.29 prior to the mailing date of the closure statement under subdivision 1, and the writ of recovery
59.30 has been ordered by the district court;

59.31 (5) the conversion of all or a portion of a manufactured home park to another use, the
59.32 closure of a park, or cessation of use of the land as a manufactured home park is the result
59.33 of a taking or exercise of the power of eminent domain by a governmental entity or public
59.34 utility; or

60.1 (6) the owner of the manufactured home is not a resident of the manufactured home
60.2 park, as defined in section 327C.01, subdivision 9; the owner of the manufactured home is
60.3 a resident, but came to reside in the manufactured home park after the mailing date of the
60.4 closure statement under subdivision 1; or the owner of the manufactured home has not paid
60.5 the \$15 assessment when due under paragraph (c).

60.6 (c) If the unencumbered fund balance in the manufactured home relocation trust fund
60.7 is less than \$2,000,000 as of June 30 of each year, the ~~commissioner of management and~~
60.8 ~~budget~~ Minnesota Housing Finance Agency shall assess each manufactured home park
60.9 owner by mail the total amount of \$15 for each licensed lot in their park, payable on or
60.10 before December 15 of that year. Failure to notify and timely assess the manufactured home
60.11 park owner by July 31 of any year shall waive the assessment and payment obligations of
60.12 the manufactured home park owner for that year. Together with said assessment notice,
60.13 each year the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency
60.14 shall prepare and distribute to park owners a letter explaining whether funds are being
60.15 collected for that year, information about the collection, an invoice for all licensed lots, a
60.16 notice for distribution to the residents, and a sample form for the park owners to collect
60.17 information on which park residents and lots have been accounted for. In a font no smaller
60.18 than 14-point, the notice provided by ~~management and budget~~ the Minnesota Housing
60.19 Finance Agency for distribution to residents by the park owner will include the payment
60.20 deadline of October 31 and the following language: "THIS IS NOT AN OPTIONAL FEE.
60.21 IF YOU OWN A MANUFACTURED HOME ON A LOT YOU RENT IN A
60.22 MANUFACTURED HOME PARK, AND YOU RESIDE IN THAT HOME, YOU MUST
60.23 PAY WHEN PROVIDED NOTICE." If assessed under this paragraph, the park owner may
60.24 recoup the cost of the \$15 assessment as a lump sum or as a monthly fee of no more than
60.25 \$1.25 collected from park residents together with monthly lot rent as provided in section
60.26 327C.03, subdivision 6. If, by September 15, a park owner provides the notice to residents
60.27 for the \$15 lump sum, a park owner may adjust payment for lots in their park that are vacant
60.28 or otherwise not eligible for contribution to the trust fund under section 327C.095, subdivision
60.29 12, paragraph (b), and for park residents who have not paid the \$15 assessment when due
60.30 to the park owner by October 31, and deduct from the assessment accordingly. The
60.31 ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall deposit
60.32 any payments in the Minnesota manufactured home relocation trust fund and ~~provide to the~~
60.33 ~~Minnesota Housing Finance Agency by December 31, a~~ maintain an annual record for each
60.34 manufactured home park of the amount received for that park and the number of deductions
60.35 made for each of the following reasons: vacant lots, ineligible lots, and uncollected fees.

61.1 (d) This subdivision and subdivision 13, paragraph (c), clause (5), are enforceable by
61.2 the neutral third party, on behalf of the Minnesota Housing Finance Agency, or by action
61.3 in a court of appropriate jurisdiction. The court may award a prevailing party reasonable
61.4 attorney fees, court costs, and disbursements.

61.5 **EFFECTIVE DATE.** This section is effective July 1, 2023.

61.6 Sec. 65. Minnesota Statutes 2020, section 327C.095, subdivision 13, is amended to read:

61.7 Subd. 13. **Change in use, relocation expenses; payments by park owner.** (a) If a
61.8 manufactured home owner is required to relocate due to the conversion of all or a portion
61.9 of a manufactured home park to another use, the closure of a manufactured home park, or
61.10 cessation of use of the land as a manufactured home park under subdivision 1, and the
61.11 manufactured home owner complies with the requirements of this section, the manufactured
61.12 home owner is entitled to payment from the Minnesota manufactured home relocation trust
61.13 fund equal to the manufactured home owner's actual relocation costs for relocating the
61.14 manufactured home to a new location within a 50-mile radius of the park that is being closed,
61.15 up to a maximum of \$7,000 for a single-section and \$12,500 for a multisection manufactured
61.16 home. The actual relocation costs must include the reasonable cost of taking down, moving,
61.17 and setting up the manufactured home, including equipment rental, utility connection and
61.18 disconnection charges, minor repairs, modifications necessary for transportation of the
61.19 home, necessary moving permits and insurance, moving costs for any appurtenances, which
61.20 meet applicable local, state, and federal building and construction codes.

61.21 (b) A manufactured home owner is not entitled to compensation under paragraph (a) if
61.22 the manufactured home park owner is not required to make a payment to the Minnesota
61.23 manufactured home relocation trust fund under subdivision 12, paragraph (b).

61.24 (c) Except as provided in paragraph (e), in order to obtain payment from the Minnesota
61.25 manufactured home relocation trust fund, the manufactured home owner shall submit to the
61.26 neutral third party and the Minnesota Housing Finance Agency, with a copy to the park
61.27 owner, an application for payment, which includes:

61.28 (1) a copy of the closure statement under subdivision 1;

61.29 (2) a copy of the contract with a moving or towing contractor, which includes the
61.30 relocation costs for relocating the manufactured home;

61.31 (3) a statement with supporting materials of any additional relocation costs as outlined
61.32 in subdivision 1;

62.1 (4) a statement certifying that none of the exceptions to receipt of compensation under
62.2 subdivision 12, paragraph (b), apply to the manufactured home owner;

62.3 (5) a statement from the manufactured park owner that the lot rental is current and that
62.4 the annual \$15 payment to the Minnesota manufactured home relocation trust fund has been
62.5 paid when due; and

62.6 (6) a statement from the county where the manufactured home is located certifying that
62.7 personal property taxes for the manufactured home are paid through the end of that year.

62.8 (d) The neutral third party shall promptly process all payments for completed applications
62.9 within 14 days. If the neutral third party has acted reasonably and does not approve or deny
62.10 payment within 45 days after receipt of the information set forth in paragraph (c), the
62.11 payment is deemed approved. Upon approval and request by the neutral third party, the
62.12 Minnesota Housing Finance Agency shall issue two checks in equal amount for 50 percent
62.13 of the contract price payable to the mover and towing contractor for relocating the
62.14 manufactured home in the amount of the actual relocation cost, plus a check to the home
62.15 owner for additional certified costs associated with third-party vendors, that were necessary
62.16 in relocating the manufactured home. The moving or towing contractor shall receive 50
62.17 percent upon execution of the contract and 50 percent upon completion of the relocation
62.18 and approval by the manufactured home owner. The moving or towing contractor may not
62.19 apply the funds to any other purpose other than relocation of the manufactured home as
62.20 provided in the contract. A copy of the approval must be forwarded by the neutral third
62.21 party to the park owner with an invoice for payment of the amount specified in subdivision
62.22 12, paragraph (a).

62.23 (e) In lieu of collecting a relocation payment from the Minnesota manufactured home
62.24 relocation trust fund under paragraph (a), the manufactured home owner may collect an
62.25 amount from the fund after reasonable efforts to relocate the manufactured home have failed
62.26 due to the age or condition of the manufactured home, or because there are no manufactured
62.27 home parks willing or able to accept the manufactured home within a 25-mile radius. A
62.28 manufactured home owner may tender title of the manufactured home in the manufactured
62.29 home park to the manufactured home park owner, and collect an amount to be determined
62.30 by an independent appraisal. The appraiser must be agreed to by both the manufactured
62.31 home park owner and the manufactured home owner. If the appraised market value cannot
62.32 be determined, the tax market value, averaged over a period of five years, can be used as a
62.33 substitute. The maximum amount that may be reimbursed under the fund is \$8,000 for a
62.34 single-section and \$14,500 for a multisection manufactured home. The minimum amount
62.35 that may be reimbursed under the fund is \$2,000 for a single section and \$4,000 for a

63.1 multisection manufactured home. The manufactured home owner shall deliver to the
63.2 manufactured home park owner the current certificate of title to the manufactured home
63.3 duly endorsed by the owner of record, and valid releases of all liens shown on the certificate
63.4 of title, and a statement from the county where the manufactured home is located evidencing
63.5 that the personal property taxes have been paid. The manufactured home owner's application
63.6 for funds under this paragraph must include a document certifying that the manufactured
63.7 home cannot be relocated, that the lot rental is current, that the annual \$15 payments to the
63.8 Minnesota manufactured home relocation trust fund have been paid when due, that the
63.9 manufactured home owner has chosen to tender title under this section, and that the park
63.10 owner agrees to make a payment to the ~~commissioner of management and budget~~ Minnesota
63.11 Housing Finance Agency in the amount established in subdivision 12, paragraph (a), less
63.12 any documented costs submitted to the neutral third party, required for demolition and
63.13 removal of the home, and any debris or refuse left on the lot, not to exceed \$1,500. The
63.14 manufactured home owner must also provide a copy of the certificate of title endorsed by
63.15 the owner of record, and certify to the neutral third party, with a copy to the park owner,
63.16 that none of the exceptions to receipt of compensation under subdivision 12, paragraph (b),
63.17 clauses (1) to (6), apply to the manufactured home owner, and that the home owner will
63.18 vacate the home within 60 days after receipt of payment or the date of park closure,
63.19 whichever is earlier, provided that the monthly lot rent is kept current.

63.20 (f) Notwithstanding paragraph (a), the manufactured home owner's compensation for
63.21 relocation costs from the fund under section 462A.35, is the greater of the amount provided
63.22 under this subdivision, or the amount under the local ordinance in effect on May 26, 2007,
63.23 that is applicable to the manufactured home owner. Nothing in this paragraph is intended
63.24 to increase the liability of the park owner.

63.25 (g) Neither the neutral third party nor the Minnesota Housing Finance Agency shall be
63.26 liable to any person for recovery if the funds in the Minnesota manufactured home relocation
63.27 trust fund are insufficient to pay the amounts claimed. The Minnesota Housing Finance
63.28 Agency shall keep a record of the time and date of its approval of payment to a claimant.

63.29 (h)(1) By October 15, 2019, the Minnesota Housing Finance Agency shall post on its
63.30 website and report to the chairs of the senate Finance Committee and house of representatives
63.31 Ways and Means Committee on the Minnesota manufactured home relocation trust fund,
63.32 including the account balance, payments to claimants, the amount of any advances to the
63.33 fund, the amount of any insufficiencies encountered during the previous calendar year, and
63.34 any itemized administrative charges or expenses deducted from the trust fund balance. If

64.1 sufficient funds become available, the Minnesota Housing Finance Agency shall pay the
64.2 manufactured home owner whose unpaid claim is the earliest by time and date of approval.

64.3 (2) Beginning in 2019, the Minnesota Housing Finance Agency shall post on its website
64.4 and report to the chairs of the senate Finance Committee and house of representatives Ways
64.5 and Means Committee by October 15 of each year on the Minnesota manufactured home
64.6 relocation trust fund, including the aggregate account balance, the aggregate assessment
64.7 payments received, summary information regarding each closed park including the total
64.8 payments to claimants and payments received from each closed park, the amount of any
64.9 advances to the fund, the amount of any insufficiencies encountered during the previous
64.10 fiscal year, reports of neutral third parties provided pursuant to subdivision 4, and any
64.11 itemized administrative charges or expenses deducted from the trust fund balance, all of
64.12 which should be reconciled to the previous year's trust fund balance. If sufficient funds
64.13 become available, the Minnesota Housing Finance Agency shall pay the manufactured home
64.14 owner whose unpaid claim is the earliest by time and date of approval.

64.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.

64.16 Sec. 66. Minnesota Statutes 2020, section 327C.095, subdivision 16, is amended to read:

64.17 Subd. 16. **Reporting of licensed manufactured home parks.** The Department of Health
64.18 or, if applicable, local units of government that have entered into a delegation of authority
64.19 agreement with the Department of Health as provided in section 145A.07 shall provide, by
64.20 March 31 of each year, a list of names and addresses of the manufactured home parks
64.21 licensed in the previous year, and for each manufactured home park, the current licensed
64.22 owner, the owner's address, the number of licensed manufactured home lots, and other data
64.23 as they may request for the ~~Department of Management and Budget~~ Minnesota Housing
64.24 Finance Agency to invoice each licensed manufactured home park in Minnesota.

64.25 **EFFECTIVE DATE.** This section is effective July 1, 2023.

64.26 Sec. 67. **[412.925] NATIVE LANDSCAPES.**

64.27 (a) A statutory city or home rule charter city shall allow an owner, authorized agent, or
64.28 authorized occupant of any privately owned lands or premises, to install and maintain a
64.29 managed natural landscape. For purposes of this section, the terms are defined as follows:

64.30 (1) "managed natural landscape" means a planned, intentional, and maintained planting
64.31 of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not
64.32 limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural

65.1 landscapes does not include turf-grass lawns left unattended for the purpose of returning to
65.2 a natural state;

65.3 (2) "meadow vegetation" means grasses and flowering broad-leaf plants that are native
65.4 to, or adapted to, the state of Minnesota and that are commonly found in meadow and prairie
65.5 plant communities, not including noxious weeds. Noxious weed shall have the meaning in
65.6 section 18.77, subdivision 8;

65.7 (3) "ornamental plants" means grasses, perennials, annuals, and groundcovers purposely
65.8 planted for aesthetic reasons;

65.9 (4) "rain garden" means a native plant garden that is designed not only to aesthetically
65.10 improve properties, but also to reduce the amount of stormwater and accompanying pollutants
65.11 from entering streams, lakes, and rivers; and

65.12 (5) "turf-grass lawn" means a lawn comprised mostly of grasses commonly used in
65.13 regularly cut lawns or play areas, including but not limited to bluegrass, fescue, and ryegrass
65.14 blends, intended to be maintained at a height of no more than eight inches.

65.15 (b) Managed natural landscapes may include plants and grasses in excess of eight inches
65.16 in height and that have gone to seed, but may not include any noxious weeds and must be
65.17 maintained.

65.18 (c) Except as part of a managed natural landscape as defined in this section, any weeds
65.19 or grasses growing upon any lot or parcel of land in a city to a greater height than eight
65.20 inches or that have gone or are about to go to seed are prohibited.

65.21 Sec. 68. Minnesota Statutes 2020, section 645.44, subdivision 5, is amended to read:

65.22 Subd. 5. **Holiday.** "Holiday" includes New Year's Day, January 1; Martin Luther King's
65.23 Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the third
65.24 Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19;
65.25 Independence Day, July 4; Labor Day, the first Monday in September; ~~Christopher Columbus~~
65.26 Indigenous Peoples' Day, the second Monday in October; Veterans Day, November 11;
65.27 Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25;
65.28 provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day,
65.29 July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday,
65.30 the following day shall be a holiday and, provided, when New Year's Day, January 1; or
65.31 Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or
65.32 Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday. No
65.33 public business shall be transacted on any holiday, except in cases of necessity and except

66.1 in cases of public business transacted by the legislature, nor shall any civil process be served
66.2 thereon. However, for the executive branch of the state of Minnesota, "holiday" also includes
66.3 the Friday after Thanksgiving ~~but does not include Christopher Columbus Day~~. Other
66.4 branches of state government and political subdivisions shall have the option of determining
66.5 whether ~~Christopher Columbus Day~~ and the Friday after Thanksgiving shall be ~~holidays~~ a
66.6 holiday. Where it is determined that ~~Columbus Day~~ or the Friday after Thanksgiving is not
66.7 a holiday, public business may be conducted thereon.

66.8 Any agreement between a public employer and an employee organization citing Veterans
66.9 Day as the fourth Monday in October shall be amended to cite Veterans Day as November
66.10 11.

66.11 **Sec. 69. CANCELLATION OF DEBT RELATED TO MILITARY SALARY**
66.12 **DIFFERENTIAL OVERPAYMENTS.**

66.13 Notwithstanding any other law to the contrary, any debt incurred prior to the effective
66.14 date of this section by a current or former state employee on account of overpayment of
66.15 military salary differential under Minnesota Statutes, section 43A.183, is canceled.

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

66.17 **Sec. 70. DEPARTMENT OF IRON RANGE RESOURCES AND**
66.18 **REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM**
66.19 **AUTHORIZATION.**

66.20 The commissioner of Iron Range resources and rehabilitation may provide separation
66.21 and retention incentive programs for employees of the department that are consistent with
66.22 the provisions of Laws 2009, chapter 78, article 7, section 2, as amended by Laws 2010,
66.23 chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such
66.24 incentives are payable solely by funds made available to the commissioner under Minnesota
66.25 Statutes, chapter 298. Employees are not required to participate in the programs.

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

66.27 **Sec. 71. OFFICE OF SMALL AGENCIES STUDY.**

66.28 Subdivision 1. **Study; requirements.** The commissioner of administration must review
66.29 the unique issues faced by small agencies other than the departments of the state government
66.30 as designated in Minnesota Statutes, section 15.01. Small agencies include boards,
66.31 commissions, councils, task forces, and authorities. The commissioner must assess whether
66.32 the current support model provides adequate support for the small agencies as well as the

67.1 volunteer board members. The study must examine how other states support their small
67.2 agencies and provide recommendations on how to most effectively support small agencies
67.3 in delivery of important functions of government.

67.4 Subd. 2. **Report.** By February 1, 2023, the commissioner of administration must submit
67.5 the findings and recommendations of the study to the governor and the chairs and ranking
67.6 minority members of the legislative committees with primary jurisdiction over state
67.7 government.

67.8 **Sec. 72. STATE EMBLEMS REDESIGN COMMISSION.**

67.9 Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established.
67.10 The purpose of the commission is to develop, design, and recommend to the legislature and
67.11 governor new designs for the official state flag and the official state seal no later than January
67.12 1, 2023.

67.13 Subd. 2. **Membership; meetings.** (a) The commission consists of the following members:

67.14 (1) three members of the public, appointed by the governor;

67.15 (2) two members of the house of representatives, one each appointed by the speaker of
67.16 the house and the minority leader of the house;

67.17 (3) two members of the senate, one representing the majority caucus and one representing
67.18 the minority caucus, appointed by the Subcommittee on Committees of the Senate Committee
67.19 on Rules and Administration;

67.20 (4) one member appointed by the Council for Minnesotans of African Heritage;

67.21 (5) one member appointed by the Minnesota Council on Latino Affairs;

67.22 (6) one member appointed by the Council on Asian-Pacific Minnesotans; and

67.23 (7) two members appointed by the Indian Affairs Council.

67.24 (b) The following serve as ex-officio, nonvoting members of the commission:

67.25 (1) the secretary of state or the secretary's designee;

67.26 (2) the executive director of the Minnesota Historical Society or the director's designee;

67.27 (3) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

67.28 (4) the chair of the Minnesota Arts Board or the chair's designee; and

67.29 (5) the executive director of Explore Minnesota Tourism or the director's designee.

68.1 (c) Appointments to the commission must be made no later than August 1, 2022. The
68.2 voting members of the commission shall elect a chair and vice-chair. An appointee designated
68.3 by the governor shall convene the commission's first meeting. Decisions of the commission
68.4 must be made by majority vote. The Minnesota Historical Society must provide office space
68.5 and administrative support to the commission.

68.6 Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes,
68.7 chapter 13D.

68.8 Subd. 4. **Duties; form and style of recommended state emblems.** The commission
68.9 shall develop, design, and recommend to the legislature and governor a new design for the
68.10 official state seal and a new design for the official state flag. The designs must accurately
68.11 and respectfully reflect Minnesota's shared history, resources, and diverse cultural
68.12 communities. Symbols, emblems, or likenesses that represent only a single community or
68.13 person, regardless of whether real or stylized, may not be included in a design. The
68.14 commission may solicit and secure the voluntary service and aid of vexillologists and other
68.15 persons who have either technical or artistic skill in flag construction and design, or the
68.16 design of official seals, to assist in the work. The commission must also solicit public
68.17 feedback and suggestions to inform its work.

68.18 Subd. 5. **Report.** The commission shall make its recommendation in a report to the
68.19 legislature and governor no later than January 1, 2023. In addition to the recommended
68.20 designs, the commission's report must describe the symbols and other meanings incorporated
68.21 in the design. The commission expires upon submission of its report.

68.22 Sec. 73. **LEGISLATIVE ACTION; RETIREMENT OF CURRENT OFFICIAL**
68.23 **SEAL AND FLAG.**

68.24 The legislature intends to hold necessary votes on adoption of the State Emblems
68.25 Redesign Commission's recommended designs during the 2023 regular session in an effort
68.26 to ensure that a new official state seal and a new official state flag may each be adopted and
68.27 become effective no later than May 11, 2023. The legislature is encouraged to adopt
68.28 procedures that allow for the current official state flag and official state seal to be retired
68.29 and replaced in a respectful manner, and its history preserved in an appropriate location on
68.30 the State Capitol complex.

68.31 Sec. 74. **LEGISLATIVE TASK FORCE ON AGING.**

68.32 Subdivision 1. **Establishment.** A legislative task force is established to examine whether
68.33 a state department on aging is necessary to:

- 69.1 (1) develop plans for the aging and workforce demographics;
- 69.2 (2) develop and guide restructuring of state and local policy, programs, and funding that
69.3 is aimed at healthy aging in the community;
- 69.4 (3) coordinate public, private, and independent sector endeavors for renovating
69.5 system-based solutions that cover all major areas of the aging life experience, such as health,
69.6 human services, housing, transportation, consumer affairs, employment and economic
69.7 security, and business development;
- 69.8 (4) focus state resources on aging visibility and developing priorities for an aging
69.9 demographic;
- 69.10 (5) develop measurable outcomes to address aging priorities while accounting for
69.11 infrastructure differences such as transportation, Internet, and cell phone service across
69.12 urban and rural localities;
- 69.13 (6) support an aging population through statewide and local endeavors for people to
69.14 remain in their communities; and
- 69.15 (7) ensure all aging-related policies are inclusive of race, ethnicity, culture, geography,
69.16 sexual orientation, abilities, and other characteristics that reflect the full population of the
69.17 state.
- 69.18 Subd. 2. **Duties.** The task force review shall include but is not limited to:
- 69.19 (1) all current aging-related governmental functions, programs, and services across all
69.20 state departments;
- 69.21 (2) the potential for public and private savings resulting from developing a state
69.22 department on aging that leads and implements aging policies across all state agencies and
69.23 departments;
- 69.24 (3) current public strategies to plan and execute policies and funding statewide including:
- 69.25 (i) redefining work and retirement;
- 69.26 (ii) supporting caregivers of all ages;
- 69.27 (iii) sustaining neighborhoods and communities;
- 69.28 (iv) improving delivery systems for health care and long-term care services; and
- 69.29 (v) integrating the Minnesota Age Friendly Council;
- 69.30 (4) the necessity for planning and economic development for aging in the state to address:

70.1 (i) recognition of longevity and the impact it has on economics, the workforce, advancing
70.2 technology and innovations, and perception of what it means to age;

70.3 (ii) creating and integrating housing, land-use, transportation, economic, social service,
70.4 and health systems that support a high quality of life for individuals of all ages and abilities;

70.5 (iii) a multigenerational plan to reduce statewide risk of social isolation, poverty, declining
70.6 health, and poor economic well-being;

70.7 (iv) long-term and sustainable systems change that will address transportation needs at
70.8 the scale needed for an aging population;

70.9 (v) developing markets for financial products that allow older adults to safely access the
70.10 equity in their homes;

70.11 (vi) increasing the availability of affordable rental housing;

70.12 (vii) increasing coordination between health services and housing supports; and

70.13 (viii) integrating aging in the community across the range of state and federal programs;
70.14 and

70.15 (5) coordinating the review of aging issues across all state agencies, Tribal nations, cities,
70.16 counties, businesses, and neighborhoods.

70.17 Subd. 3. **Membership.** (a) The task force shall include the following members:

70.18 (1) two members from the house of representatives, one appointed by the speaker of the
70.19 house and one appointed by the minority leader;

70.20 (2) two members from the senate, one appointed by the majority leader and one appointed
70.21 by the minority leader;

70.22 (3) the chair of the Minnesota Board on Aging, or a board member as designee;

70.23 (4) the chair of the Minnesota Council on Disabilities, or an agency employee as designee;

70.24 (5) the chair of the Minnesota Indian Affairs Council, or a council member, except the
70.25 legislative council member, as designee; and

70.26 (6) the director of the University of Minnesota Center for Healthy Aging and Innovation,
70.27 or a University of Minnesota employee as a designee.

70.28 (b) The speaker of the house and the senate majority leader shall appoint a chair and a
70.29 vice-chair for the membership of the task force. The chair and the vice-chair shall rotate
70.30 after each meeting.

71.1 (c) The task force shall expire June 1, 2026.

71.2 Subd. 4. **Meetings.** (a) The task force shall meet at least once per month. The meetings
71.3 shall take place in person in the Capitol Complex. If the Capitol Complex is closed to the
71.4 public, the meetings shall be held remotely by video conference, telephone, or other remote
71.5 means.

71.6 (b) The legislative member appointed as chair shall call the first monthly meeting no
71.7 later than September 28, 2022.

71.8 Subd. 5. **Expenses; per diem.** Members serving on the task force shall receive the
71.9 following per diem:

71.10 (1) the Board on Aging task force member who is a volunteer citizen member shall
71.11 receive the per diem in Minnesota Statutes, section 15.059, subdivision 3;

71.12 (2) the Council on Disability task force member shall not receive a per diem;

71.13 (3) the Indian Affairs Council task force member who is a citizen member shall receive
71.14 the per diem in Minnesota Statutes, section 15.059, subdivision 3;

71.15 (4) the University of Minnesota task force member shall not receive a per diem; and

71.16 (5) legislative members on the task force shall receive the standard per diem allowed
71.17 during the legislature's interim period.

71.18 Subd. 6. **Report.** The task force shall submit a report with recommendations to the chairs
71.19 and ranking minority members of the legislative committees with jurisdiction over health
71.20 and human services finance and policy and state government by May 30, 2026.

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

71.22 Sec. 75. **ADVISORY COMMITTEE ON SERVICE WORKER STANDARDS.**

71.23 The commissioner of management and budget shall convene an advisory committee to
71.24 review and make recommendations regarding updates and clarifications to the service worker
71.25 class specifications under Minnesota Statutes, section 43A.071. By January 15, 2023, the
71.26 commissioner shall report to the legislative committees with jurisdiction over state
71.27 government employees on recommendations for changes to Minnesota Statutes, section
71.28 43A.071.

72.1 Sec. 76. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

72.2 Citizens currently appointed to the Mississippi River Parkway Commission under
72.3 Minnesota Statutes, section 161.1419, subdivision 2, serve terms as follows:

72.4 (1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December
72.5 31, 2025;

72.6 (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December
72.7 31, 2025;

72.8 (3) Brainerd, to but not including the city of Elk River, for a term ending December 31,
72.9 2025;

72.10 (4) Elk River, to but not including the city of Hastings, for a term ending December 31,
72.11 2025; and

72.12 (5) Hastings, to the Iowa border, for a term ending December 31, 2025.

72.13 Sec. 77. **REVISOR INSTRUCTION.**

72.14 (a) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal
72.15 Analysis and the House Research Department shall conduct a study of Minnesota Statutes
72.16 and Minnesota Rules to determine compliance with the provisions of the Equal Rights
72.17 Amendment to the United States Constitution, specifically focusing on a review of
72.18 sex-specific language and sex-specific treatments or requirements.

72.19 (b) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal
72.20 Analysis and the House Research Department shall prepare a bill for the 2023 legislative
72.21 session correcting any language in conflict with the Equal Rights Amendment.

72.22 Sec. 78. **REPEALER.**

72.23 Subdivision 1. **Critical IT Infrastructure.** Minnesota Statutes 2020, section 12.03,
72.24 subdivision 5d, is repealed.

72.25 Subd. 2. **State emblems.** Minnesota Statutes 2020, sections 1.135; and 1.141, are repealed
72.26 effective May 11, 2023.

72.27 Subd. 3. **Trustee Candidate Advisory Council.** Minnesota Statutes 2020, section
72.28 136F.03, is repealed.

72.29 Subd. 4. **Office of Collaboration and Dispute Resolution.** Minnesota Statutes 2020,
72.30 sections 179.90; and 179.91, are repealed.

ARTICLE 3

CAMPAIGN FINANCE AND ELECTIONS

Section 1. Minnesota Statutes 2020, section 5B.06, is amended to read:

5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.

A program participant who is otherwise eligible to vote may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making a precinct determination, the secretary of state shall either (1) request from and receive from the county auditor or other election official the ballot for that precinct and shall forward mail the absentee ballot to the program participant with the other, or (2) using the Minnesota statewide voter registration system, prepare the program participant's ballot for that precinct and mail the absentee ballot to the program participant. The secretary of state shall include with each mailed absentee ballot all corresponding materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation along with all other ballots. The name and address of a program participant must not be listed in the statewide voter registration system.

Sec. 2. Minnesota Statutes 2021 Supplement, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

(1) that a communication clearly identifies a candidate or a local candidate and uses words or phrases of express advocacy; or

(2) that a communication when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no reasonable interpretation other than as an appeal advocating the election or defeat of one or more clearly identified candidates.

74.1 Sec. 3. Minnesota Statutes 2020, section 10A.273, subdivision 1, is amended to read:

74.2 Subdivision 1. **Contributions during legislative session.** (a) A candidate for the
74.3 legislature or for constitutional office, the candidate's principal campaign committee, or a
74.4 political committee or party unit established by all or a part of the party organization within
74.5 a house of the legislature, must not solicit or accept a contribution from a registered lobbyist,
74.6 political committee, political fund, or an association not registered with the board during a
74.7 regular session of the legislature.

74.8 (b) A registered lobbyist, political committee, political fund, or an association not
74.9 registered with the board must not make a contribution to a candidate for the legislature or
74.10 for constitutional office, the candidate's principal campaign committee, or a political
74.11 committee or party unit established by all or a part of the party organization within a house
74.12 of the legislature during a regular session of the legislature.

74.13 (c) A candidate for the legislature or for constitutional office, the candidate's principal
74.14 campaign committee, or a political committee or party unit established by all or a part of
74.15 the party organization within a house of the legislature must not solicit or accept, at any
74.16 time of year, a contribution from a registered lobbyist, political committee, political fund,
74.17 or an association not registered with the board, if in exchange for the contribution:

74.18 (1) a registered lobbyist or any other individual is granted special access to a meeting
74.19 room, hospitality area, or other event space where candidates for the legislature or for
74.20 constitutional office are likely to gather; and

74.21 (2) the purpose of granting the special access is to facilitate informal meetings or
74.22 socialization with a candidate for the legislature or for constitutional office during a regular
74.23 or special session of the legislature.

74.24 As used in this paragraph, "special access" means privileges to enter and use a space that
74.25 is not freely available to members of the public or that is subject to the discretionary approval
74.26 of the responsible candidate, principal campaign committee, or a political committee or
74.27 party unit established by all or part of the party organization within a house of the legislature.
74.28 A registered lobbyist, political committee, political fund, or an association not registered
74.29 with the board is prohibited from offering or making a contribution that may not be solicited
74.30 or accepted under this paragraph.

74.31 Sec. 4. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

74.32 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register
74.33 on election day by appearing in person at the polling place for the precinct in which the

75.1 individual maintains residence, by completing a registration application, making an oath in
75.2 the form prescribed by the secretary of state and providing proof of residence. An individual
75.3 may prove residence for purposes of registering by:

75.4 (1) presenting a driver's license or Minnesota identification card issued pursuant to
75.5 section 171.07;

75.6 (2) presenting any document approved by the secretary of state as proper identification;

75.7 (3) presenting one of the following:

75.8 (i) a current valid student identification card from a postsecondary educational institution
75.9 in Minnesota, if a list of students from that institution has been prepared under section
75.10 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
75.11 of state; or

75.12 (ii) a current student fee statement that contains the student's valid address in the precinct
75.13 together with a picture identification card; or

75.14 (4) having a voter who is registered to vote in the precinct, or an employee employed
75.15 by and working in a residential facility in the precinct and vouching for a resident in the
75.16 facility, sign an oath in the presence of the election judge vouching that the voter or employee
75.17 personally knows that the individual is a resident of the precinct. A voter who has been
75.18 vouched for on election day may not sign a proof of residence oath vouching for any other
75.19 individual on that election day. A voter who is registered to vote in the precinct may sign
75.20 up to eight proof-of-residence oaths on any election day. This limitation does not apply to
75.21 an employee of a residential facility described in this clause. The secretary of state shall
75.22 provide a form for election judges to use in recording the number of individuals for whom
75.23 a voter signs proof-of-residence oaths on election day. The form must include space for the
75.24 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For
75.25 each proof-of-residence oath, the form must include a statement that the individual: (i) is
75.26 registered to vote in the precinct or is an employee of a residential facility in the precinct,
75.27 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the
75.28 statement on oath. The form must include a space for the voter's printed name, signature,
75.29 telephone number, and address.

75.30 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be
75.31 attached to the voter registration application.

75.32 (b) The operator of a residential facility shall prepare a list of the names of its employees
75.33 currently working in the residential facility and the address of the residential facility. The

76.1 operator shall certify the list and provide it to the appropriate county auditor no less than
76.2 20 days before each election for use in election day registration.

76.3 (c) "Residential facility" means transitional housing as defined in section 256E.33,
76.4 subdivision 1; a supervised living facility licensed by the commissioner of health under
76.5 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
76.6 5; ~~a residence registered with the commissioner of health as a housing with services~~
76.7 ~~establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed
76.8 by the commissioner of health under chapter 144G; a veterans home operated by the board
76.9 of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by
76.10 the commissioner of human services to provide a residential program as defined in section
76.11 245A.02, subdivision 14; a residential facility for persons with a developmental disability
76.12 licensed by the commissioner of human services under section 252.28; a setting authorized
76.13 to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered
76.14 women as defined in section 611A.37, subdivision 4; ~~or~~ a supervised publicly or privately
76.15 operated shelter or dwelling designed to provide temporary living accommodations for the
76.16 homeless; a facility where a provider operates a residential treatment program as defined
76.17 in section 245.462, subdivision 23; or a facility where a provider operates an adult foster
76.18 care program as defined in section 245A.02, subdivision 6c.

76.19 (d) For tribal band members, an individual may prove residence for purposes of
76.20 registering by:

76.21 (1) presenting an identification card issued by the tribal government of a tribe recognized
76.22 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
76.23 name, address, signature, and picture of the individual; or

76.24 (2) presenting an identification card issued by the tribal government of a tribe recognized
76.25 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
76.26 name, signature, and picture of the individual and also presenting one of the documents
76.27 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

76.28 (e) A county, school district, or municipality may require that an election judge
76.29 responsible for election day registration initial each completed registration application.

76.30 Sec. 5. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

76.31 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
76.32 contain the same information unless otherwise provided by law. A voter registration
76.33 application must contain spaces for the following required information: voter's first name,

77.1 middle name, and last name; voter's previous name, if any; voter's current address; voter's
77.2 previous address, if any; voter's date of birth; voter's municipality and county of residence;
77.3 voter's telephone number, if provided by the voter; date of registration; current and valid
77.4 Minnesota driver's license number or Minnesota state identification number, or if the voter
77.5 has no current and valid Minnesota driver's license or Minnesota state identification, the
77.6 last four digits of the voter's Social Security number; and voter's signature. The paper
77.7 registration application may include the voter's e-mail address, if provided by the voter. The
77.8 electronic voter registration application must include the voter's e-mail address. The
77.9 registration application may include the voter's interest in serving as an election judge, if
77.10 indicated by the voter. The application must also contain the following certification of voter
77.11 eligibility:

77.12 "I certify that I:

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

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

77.15 (3) will have ~~resided~~ maintained residence in Minnesota for 20 days immediately
77.16 preceding election day;

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

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

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

77.21 (7) have the right to vote because, if I have been convicted of a felony, my felony sentence
77.22 has expired (been completed) or I have been discharged from my sentence; and

77.23 (8) have read and understand the following statement: that giving false information is a
77.24 felony punishable by not more than five years imprisonment or a fine of not more than
77.25 \$10,000, or both."

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

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

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

77.29 And the instruction:

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

78.1 The form of the voter registration application and the certification of voter eligibility
 78.2 must be as provided in this subdivision and approved by the secretary of state. Voter
 78.3 registration forms authorized by the National Voter Registration Act must also be accepted
 78.4 as valid. The federal postcard application form must also be accepted as valid if it is not
 78.5 deficient and the voter is eligible to register in Minnesota.

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

78.8 Sec. 6. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

78.9 Subd. 3. **Deficient registration.** ~~No~~ (a) A voter registration application is not deficient
 78.10 if it contains the voter's:

78.11 (1) name, address, and date of birth;

78.12 (2) current and valid Minnesota driver's license number ~~or~~ Minnesota state identification
 78.13 ~~number, or if the voter has no current and valid Minnesota driver's license or Minnesota~~
 78.14 ~~state identification number,~~ the last four digits of the voter's Social Security number, ~~if the~~
 78.15 ~~voter has been issued a Social Security number;~~

78.16 (3) prior registration, if any; and

78.17 (4) signature.

78.18 (b) A voter registration application is not deficient due to any of the following:

78.19 (1) the absence of a zip code number ~~does not cause the registration to be deficient;~~

78.20 (2) failure to check a box on an application form that a voter has certified to be true ~~does~~
 78.21 ~~not cause the registration to be deficient. The election judges shall request an individual to~~
 78.22 ~~correct a voter registration application if it is deficient or illegible. No eligible voter may~~
 78.23 ~~be prevented from voting unless the voter's registration application is deficient or the voter~~
 78.24 ~~is duly and successfully challenged in accordance with section 201.195 or 204C.12.; or~~

78.25 (3) the absence of a number listed under paragraph (a), clause (2), if the voter has not
 78.26 been issued one of those numbers and the information can be verified in another government
 78.27 database associated with the applicant's name and date of birth, or the application was
 78.28 accepted before January 1, 2004.

78.29 (c) A voter registration application:

78.30 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county
 78.31 or municipality may attempt to obtain the date of birth for a voter registration application

79.1 accepted prior to August 1, 1983, by a request to the voter at any time except at the polling
79.2 place. Failure by the voter to comply with this request does not make the registration
79.3 deficient; and

79.4 ~~A voter registration application accepted before January 1, 2004, is not deficient for lack~~
79.5 ~~of a valid Minnesota driver's license or state identification number or the last four digits of~~
79.6 ~~a Social Security number.~~

79.7 ~~A voter registration application submitted by a voter who does not have a Minnesota~~
79.8 ~~driver's license or state identification number, or a Social Security number, is not deficient~~
79.9 ~~for lack of any of these numbers.~~

79.10 ~~A voter registration application~~ (2) submitted electronically through the website of the
79.11 secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

79.12 (d) An election judge must request an individual to correct a voter registration application
79.13 if it is deficient or illegible. An eligible voter must not be prevented from voting unless the
79.14 voter's registration application is deficient or the voter's eligibility to vote is successfully
79.15 challenged under section 201.195 or 204C.12.

79.16 Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

79.17 Subd. 8. **School district assistance.** School districts shall assist county auditors in
79.18 determining the school district in which a voter ~~resides~~ maintains residence.

79.19 Sec. 8. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

79.20 Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall prepare
79.21 the master list for each county auditor. The records in the statewide registration system must
79.22 be periodically corrected and updated by the county auditor. An updated master list for each
79.23 precinct must be available for absentee voting at least 46 days before each election. A final
79.24 corrected master list must be available ~~seven~~ 14 days before each election.

79.25 Sec. 9. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

79.26 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official
79.27 is returned as undeliverable but with a permanent forwarding address in this state, the county
79.28 auditor may change the voter's status to "inactive" in the statewide registration system and
79.29 shall transmit a copy of the mailing to the auditor of the county in which the new address
79.30 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~
79.31 maintains residence in the next 47 days, the county auditor shall promptly update the voter's

80.1 address in the statewide voter registration system. If there is not an election scheduled, the
80.2 auditor may wait to update the voter's address until after the next list of address changes is
80.3 received from the secretary of state. Once updated, the county auditor shall mail to the voter
80.4 a notice stating the voter's name, address, precinct, and polling place, except that if the
80.5 voter's record is challenged due to a felony conviction, noncitizenship, name change,
80.6 incompetence, or a court's revocation of voting rights of individuals under guardianship,
80.7 the auditor must not mail the notice. The notice must advise the voter that the voter's voting
80.8 address has been changed and that the voter must notify the county auditor within 21 days
80.9 if the new address is not the voter's address of residence. The notice must state that it must
80.10 be returned if it is not deliverable to the voter at the named address.

80.11 Sec. 10. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

80.12 Subd. 3. **Use of change of address system.** (a) At least once each month the secretary
80.13 of state shall obtain a list of individuals registered to vote in this state who have filed with
80.14 the United States Postal Service a change of their permanent address. The secretary of state
80.15 may also periodically obtain a list of individuals with driver's licenses or state identification
80.16 cards to identify those who are registered to vote who have applied to the Department of
80.17 Public Safety for a replacement driver's license or state identification card with a different
80.18 address, and a list of individuals for whom the Department of Public Safety received
80.19 notification of a driver's license or state identification card cancellation due to a change of
80.20 residency out of state. However, the secretary of state shall not load data derived from these
80.21 lists into the statewide voter registration system within the 47 days before the state primary
80.22 or 47 days before a November general election.

80.23 (b) If the address is changed to another address in this state, the secretary of state shall
80.24 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary
80.25 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the
80.26 secretary must transmit the information about the changed address by electronic means to
80.27 the county auditor of the county in which the new address is located. For addresses for
80.28 which the secretary of state is unable to determine the precinct, the secretary may forward
80.29 information to the appropriate county auditors for individual review. If the voter has not
80.30 voted or submitted a voter registration application since the address change, upon receipt
80.31 of the information, the county auditor shall update the voter's address in the statewide voter
80.32 registration system. The county auditor shall mail to the voter a notice stating the voter's
80.33 name, address, precinct, and polling place, unless the voter's record is challenged due to a
80.34 felony conviction, noncitizenship, name change, incompetence, or a court's revocation of
80.35 voting rights of individuals under guardianship, in which case the auditor must not mail the

81.1 notice. The notice must advise the voter that the voter's voting address has been changed
81.2 and that the voter must notify the county auditor within 21 days if the new address is not
81.3 the voter's address of residence. The notice must state that it must be returned if it is not
81.4 deliverable to the voter at the named address.

81.5 (c) If the change of permanent address is to an address outside this state, the secretary
81.6 of state shall notify by electronic means the auditor of the county where the voter formerly
81.7 ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not
81.8 voted or submitted a voter registration application since the address change, the county
81.9 auditor shall promptly mail to the voter at the voter's new address a notice advising the voter
81.10 that the voter's status in the statewide voter registration system will be changed to "inactive"
81.11 unless the voter notifies the county auditor within 21 days that the voter is retaining the
81.12 former address as the voter's address of residence, except that if the voter's record is
81.13 challenged due to a felony conviction, noncitizenship, name change, incompetence, or a
81.14 court's revocation of voting rights of individuals under guardianship, the auditor must not
81.15 mail the notice. If the notice is not received by the deadline, the county auditor shall change
81.16 the voter's status to "inactive" in the statewide voter registration system.

81.17 (d) If, in order to maintain voter registration records, the secretary of state enters an
81.18 agreement to share information or data with an organization governed exclusively by a
81.19 group of states, the secretary must first determine that the data security protocols are sufficient
81.20 to safeguard the information or data shared. If required by such an agreement, the secretary
81.21 of state may share the following data from the statewide voter registration system and data
81.22 released to the secretary of state under section 171.12, subdivision 7a:

81.23 (1) name;

81.24 (2) date of birth;

81.25 (3) address;

81.26 (4) driver's license or state identification card number;

81.27 (5) the last four digits of an individual's Social Security number; and

81.28 (6) the date that an individual's record was last updated.

81.29 If the secretary of state enters into such an agreement, the secretary and county auditors
81.30 must process changes to voter records based upon that data in accordance with this section.
81.31 Except as otherwise provided in this subdivision, when data is shared with the secretary of
81.32 state by another state, the secretary of state must maintain the same data classification that
81.33 the data had while it was in the possession of the state providing the data.

82.1 Sec. 11. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

82.2 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state
82.3 or federal financial aid shall provide voter registration forms to each student as early as
82.4 possible in the fall quarter. All school districts shall make available voter registration
82.5 applications each May and September to all students registered as students of the school
82.6 district who will be eligible to vote at the next election after those months. A school district
82.7 has no obligation to provide voter registration applications to students who participate in a
82.8 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the
82.9 district but do not attend a school operated by the district. A school district fulfills its
82.10 obligation to a student under this section if it provides a voter registration application to the
82.11 student one time. The forms must contain spaces for the information required in section
82.12 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and
82.13 school districts may request these forms from the secretary of state. Institutions shall consult
82.14 with their campus student government in determining the most effective means of distributing
82.15 the forms and in seeking to facilitate election day registration of students under section
82.16 201.061, subdivision 3. School districts must advise students that completion of the voter
82.17 registration application is not a school district requirement.

82.18 Sec. 12. Minnesota Statutes 2021 Supplement, section 201.225, subdivision 2, is amended
82.19 to read:

82.20 Subd. 2. **Technology requirements.** An electronic roster must:

82.21 (1) be able to be loaded with a data file that includes voter registration data in a file
82.22 format prescribed by the secretary of state;

82.23 (2) allow for data to be exported in a file format prescribed by the secretary of state;

82.24 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
82.25 identification card to locate a voter record or populate a voter registration application that
82.26 would be printed and signed and dated by the voter. The printed registration application
82.27 can be either a printed form, labels printed with voter information to be affixed to a preprinted
82.28 form, or a combination of both;

82.29 (4) allow an election judge to update data that was populated from a scanned driver's
82.30 license or identification card;

82.31 (5) cue an election judge to ask for and input data that is not populated from a scanned
82.32 driver's license or identification card that is otherwise required to be collected from the voter
82.33 or an election judge;

83.1 (6) immediately alert the election judge if the voter has provided information that indicates
83.2 that the voter is not eligible to vote;

83.3 (7) immediately alert the election judge if the electronic roster indicates that a voter has
83.4 already voted in that precinct, the voter's registration status is challenged, or it appears the
83.5 voter ~~resides~~ maintains residence in a different precinct;

83.6 (8) provide immediate instructions on how to resolve a particular type of challenge when
83.7 a voter's record is challenged;

83.8 (9) provide for a printed voter signature certificate, containing the voter's name, address
83.9 of residence, date of birth, voter identification number, the oath required by section 204C.10,
83.10 and a space for the voter's original signature. The printed voter signature certificate can be
83.11 either a printed form or a label printed with the voter's information to be affixed to the oath;

83.12 (10) contain only preregistered voters within the precinct, and not contain preregistered
83.13 voter data on voters registered outside of the precinct;

83.14 (11) be only networked within the polling location on election day, except for the purpose
83.15 of updating absentee ballot records;

83.16 (12) meet minimum security, reliability, and networking standards established by the
83.17 Office of the Secretary of State in consultation with the Department of Information
83.18 Technology Services;

83.19 (13) be capable of providing a voter's correct polling place; and

83.20 (14) perform any other functions necessary for the efficient and secure administration
83.21 of the participating election, as determined by the secretary of state.

83.22 Electronic rosters used only for election day registration do not need to comply with clauses
83.23 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
83.24 to comply with clauses (4) and (5).

83.25 Sec. 13. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

83.26 Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote
83.27 at the time of the next state general election, may vote or be elected a delegate or officer at
83.28 the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in
83.29 the precinct where the voter ~~resides~~ maintains residence at the time of the caucus.

84.1 Sec. 14. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision
84.2 to read:

84.3 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as
84.4 defined by section 216B.02, subdivision 4.

84.5 Sec. 15. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision
84.6 to read:

84.7 Subd. 4. **Emergency response providers.** Any trained or certified emergency response
84.8 provider or utility worker who is deployed during the time period authorized by law for
84.9 absentee voting, on election day, or during any state of emergency declared by the President
84.10 of the United States or any governor of any state within the United States may vote by
84.11 absentee ballot either as provided by sections 203B.04 to 203B.15 or 203B.16 to 203B.27.

84.12 Sec. 16. Minnesota Statutes 2020, section 203B.07, subdivision 1, is amended to read:

84.13 Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal
84.14 clerk shall prepare, print, and transmit a return envelope, a signature envelope, a ~~ballot~~
84.15 secrecy envelope, and a copy of the directions for casting an absentee ballot to each applicant
84.16 whose application for absentee ballots is accepted pursuant to section 203B.04. The county
84.17 auditor or municipal clerk shall provide first class postage for the return envelope. The
84.18 directions for casting an absentee ballot shall be printed in at least 14-point bold type with
84.19 heavy leading and may be printed on the ~~ballot~~ secrecy envelope. When a person requests
84.20 the directions in Braille or on audio file, the county auditor or municipal clerk shall provide
84.21 them in the form requested. The secretary of state shall prepare Braille and audio file copies
84.22 and make them available.

84.23 When a voter registration application is sent to the applicant as provided in section
84.24 203B.06, subdivision 4, the directions or registration application shall include instructions
84.25 for registering to vote.

84.26 Sec. 17. Minnesota Statutes 2020, section 203B.07, subdivision 2, is amended to read:

84.27 Subd. 2. **Design of envelopes.** (a) The ~~return~~ signature envelope shall be of sufficient
84.28 size to conveniently enclose and contain the ~~ballot~~ secrecy envelope and a folded voter
84.29 registration application. The ~~return~~ signature envelope shall be designed to open on the
84.30 left-hand end.

84.31 (b) The return envelope must be designed in one of the following ways:

85.1 (1) it must be of sufficient size to contain ~~an additional~~ a signature envelope ~~that when~~
85.2 and when the return envelope is sealed, it conceals the signature, identification, and other
85.3 information; or

85.4 (2) it must be the signature envelope and provide an additional flap that when sealed,
85.5 conceals the signature, identification, and other information.

85.6 (c) Election officials may open the flap or the ~~additional~~ return envelope at any time
85.7 after receiving the returned ballot to inspect the returned certificate for completeness or to
85.8 ascertain other information.

85.9 Sec. 18. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

85.10 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot
85.11 shall be printed on the back of the ~~return~~ signature envelope. The certificate shall contain
85.12 space for the voter's Minnesota driver's license number, state identification number, or the
85.13 last four digits of the voter's Social Security number, or to indicate that the voter does not
85.14 have one of these numbers. The space must be designed to ensure that the voter provides
85.15 the same type of identification as provided on the voter's absentee ballot application for
85.16 purposes of comparison. The certificate must also contain a statement to be signed and
85.17 sworn by the voter indicating that the voter meets all of the requirements established by law
85.18 for voting by absentee ballot and space for a statement signed by a person who is registered
85.19 to vote in Minnesota or by a notary public or other individual authorized to administer oaths
85.20 stating that:

85.21 (1) the ballots were displayed to that individual unmarked;

85.22 (2) the voter marked the ballots in that individual's presence without showing how they
85.23 were marked, or, if the voter was physically unable to mark them, that the voter directed
85.24 another individual to mark them; and

85.25 (3) if the voter was not previously registered, the voter has provided proof of residence
85.26 as required by section 201.061, subdivision 3.

85.27 Sec. 19. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

85.28 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
85.29 office of the county auditor and at any other polling place designated by the county auditor
85.30 during the 46 days before the election, except as provided in this section. The county auditor
85.31 shall make such polling place designations at least 14 weeks before the election. Voters

86.1 casting absentee ballots in person for a town election held in March may do so during the
86.2 30 days before the election.

86.3 Sec. 20. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

86.4 Subd. 2. ~~Town elections~~ Voting booth; electronic ballot marker. ~~Voters casting~~
86.5 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~
86.6 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~
86.7 ~~the election.~~ For purposes of this section, the county auditor must make available in each
86.8 polling place (1) at least one voting booth in each polling place must be made available by
86.9 the county auditor for this purpose. The county auditor must also make available, and (2)
86.10 at least one electronic ballot marker in each polling place that has implemented a voting
86.11 system that is accessible for individuals with disabilities pursuant to section 206.57,
86.12 subdivision 5.

86.13 Sec. 21. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

86.14 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
86.15 counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election.
86.16 If a ballot counter and ballot box is provided, a voter must be given the option either (1) to
86.17 vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the
86.18 manner provided in this subdivision.

86.19 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must
86.20 state the voter's name, address, and date of birth to the county auditor or municipal clerk.
86.21 The voter shall sign a voter's certificate, which must include the voter's name, identification
86.22 number, and the certification required by section 201.071, subdivision 1. The signature of
86.23 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence
86.24 of the intent of the individual to vote at that election.

86.25 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately
86.26 retire to a voting station or other designated location in the polling place to mark the ballot.
86.27 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter
86.28 may return it to the election official in exchange for a new ballot. After completing the
86.29 ballot, the voter shall deposit the ballot into the ballot box.

86.30 (d) The election official must immediately record that the voter has voted in the manner
86.31 provided in section 203B.121, subdivision 3.

87.1 (e) The election duties required by this subdivision must be performed by the county
87.2 auditor, municipal clerk, or a deputy of the auditor or clerk.

87.3 Sec. 22. Minnesota Statutes 2021 Supplement, section 203B.082, subdivision 2, is amended
87.4 to read:

87.5 Subd. 2. **Minimum security and integrity standards.** The county auditor or municipal
87.6 clerk may provide locations at which a voter may deposit a completed absentee ballot
87.7 enclosed in the completed signature envelope in a secure drop box, consistent with the
87.8 following security and integrity standards:

87.9 (1) at least one location must be provided for every 50,000 registered voters in the
87.10 jurisdiction. If there are fewer than 50,000 registered voters in the jurisdiction, the county
87.11 auditor or municipal clerk must provide at least one location;

87.12 (2) if more than one location is required, the locations must be distributed in a manner
87.13 that ensures equitable access to the drop boxes among all voters in the jurisdiction;

87.14 (3) at the request of a federally recognized Tribe with a reservation in the county, the
87.15 county auditor must establish at least one ballot drop box on the reservation on a site selected
87.16 by the Tribe that is accessible to the county auditor by a public road;

87.17 ~~(1)~~ (4) each drop box must be continually recorded during the absentee voting period;

87.18 ~~(2)~~ (5) each drop box must be designed to prevent an unauthorized person from moving,
87.19 removing, or tampering with the drop box;

87.20 ~~(3)~~ (6) each drop box placed in an outdoor location must be fastened to a building, bolted
87.21 to a concrete pad, or otherwise attached to a similarly secure structure;

87.22 ~~(4)~~ (7) ballots deposited in a drop box must be secured against access by any unauthorized
87.23 person, and in the case of a drop box located in an outdoor location, the drop box must be
87.24 secured against damage due to weather or other natural conditions;

87.25 (8) each drop box must be assigned an identification number that is unique to that drop
87.26 box;

87.27 ~~(5)~~ (9) each drop box must contain signage or markings that:

87.28 (i) clearly identifies the drop box as an official absentee ballot return location; ~~and~~

87.29 (ii) include the statement: "You can only return your own ballot in this drop box.";

87.30 ~~(ii)~~ (iii) include the location and hours where an agent may return an absentee ballot;
87.31 and

88.1 (iv) include the identification number assigned to the drop box;

88.2 ~~(6)~~ (10) deposited ballots must be collected at least once per business day during the
88.3 absentee voting period by the county auditor, municipal clerk, or an elections official trained
88.4 by the county auditor or municipal clerk in the proper maintenance and handling of absentee
88.5 ballots and absentee ballot drop boxes, and in the security measures used to protect absentee
88.6 ballots; and

88.7 ~~(7)~~ (11) ballots collected from each drop box must be properly date-stamped and stored
88.8 in a locked ballot container or other secured and locked space consistent with any applicable
88.9 laws governing the collection and storage of absentee ballots.

88.10 Sec. 23. Minnesota Statutes 2021 Supplement, section 203B.082, is amended by adding
88.11 a subdivision to read:

88.12 Subd. 5. **Ballot collection log and report.** The county auditor or municipal clerk must
88.13 maintain a log for each drop box. The log must include the unique identification number
88.14 assigned to the drop box. The log must include the following information for each day
88.15 during the absentee voting period:

88.16 (1) the date and time of each ballot collection;

88.17 (2) the person who collected the ballots; and

88.18 (3) the number of ballots collected.

88.19 Sec. 24. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

88.20 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk
88.21 who has authority under section 203B.05 to administer absentee voting laws shall designate
88.22 election judges to deliver absentee ballots in accordance with this section. The county auditor
88.23 must also designate election judges to perform the duties in this section. A ballot may be
88.24 delivered only to an eligible voter who is a temporary or permanent resident or patient in a
88.25 health care facility or hospital located in the municipality in which the voter maintains
88.26 residence. The ballots shall be delivered by two election judges, each of whom is affiliated
88.27 with a different major political party. When the election judges deliver or return ballots as
88.28 provided in this section, they shall travel together in the same vehicle. Both election judges
88.29 shall be present when an applicant completes the certificate of eligibility and marks the
88.30 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
88.31 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
88.32 container and return them to the clerk on the same day that they are delivered and marked.

89.1 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,
89.2 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a
89.3 veterans home operated by the board of directors of the Minnesota veterans homes under
89.4 chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

89.5 Sec. 25. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 2, is amended
89.6 to read:

89.7 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
89.8 shall take possession of all signature envelopes delivered to them in accordance with section
89.9 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
89.10 two or more members of the ballot board shall examine each signature envelope and shall
89.11 mark it accepted or rejected in the manner provided in this subdivision. Election judges
89.12 performing the duties in this section must be of different major political parties, unless they
89.13 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
89.14 subdivision 2.

89.15 (b) The members of the ballot board shall mark the signature envelope "Accepted" and
89.16 initial or sign the signature envelope below the word "Accepted" if a majority of the members
89.17 of the ballot board examining the envelope are satisfied that:

89.18 (1) the voter's name and address on the signature envelope are the same as the information
89.19 provided on the absentee ballot application;

89.20 (2) the voter signed the certification on the envelope;

89.21 (3) the voter's Minnesota driver's license, state identification number, or the last four
89.22 digits of the voter's Social Security number are the same as a number on the voter's absentee
89.23 ballot application or voter record. If the number does not match, the election judges must
89.24 compare the signature provided by the applicant to determine whether the ballots were
89.25 returned by the same person to whom they were transmitted;

89.26 (4) the voter is registered and eligible to vote in the precinct or has included a properly
89.27 completed voter registration application in the signature envelope;

89.28 (5) the certificate has been completed as prescribed in the directions for casting an
89.29 absentee ballot; and

89.30 (6) the voter has not already voted at that election, either in person or, if it is after the
89.31 close of business on the ~~seventh~~ 14th day before the election, by absentee ballot.

90.1 The signature envelope from accepted ballots must be preserved and returned to the
90.2 county auditor.

90.3 (c)(1) If a majority of the members of the ballot board examining a signature envelope
90.4 find that an absentee voter has failed to meet one of the requirements provided in paragraph
90.5 (b), they shall mark the signature envelope "Rejected," initial or sign it below the word
90.6 "Rejected," list the reason for the rejection on the envelope, and return it to the county
90.7 auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by
90.8 this section. Failure to place the ballot within the secrecy envelope before placing it in the
90.9 outer white envelope is not a reason to reject an absentee ballot.

90.10 (2) If an envelope has been rejected at least five days before the election, the envelope
90.11 must remain sealed and the official in charge of the ballot board shall provide the voter with
90.12 a replacement absentee ballot and signature envelope in place of the rejected ballot.

90.13 (3) If an envelope is rejected within five days of the election, the envelope must remain
90.14 sealed and the official in charge of the ballot board must attempt to contact the voter by
90.15 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
90.16 must document the attempts made to contact the voter.

90.17 (d) The official in charge of the absentee ballot board must mail the voter a written notice
90.18 of absentee ballot rejection between six and ten weeks following the election. If the official
90.19 determines that the voter has otherwise cast a ballot in the election, no notice is required.
90.20 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
90.21 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
90.22 absentee ballot rejection must contain the following information:

90.23 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
90.24 the required deadline for submission, the date on which the ballot was received;

90.25 (2) the reason for rejection; and

90.26 (3) the name of the appropriate election official to whom the voter may direct further
90.27 questions, along with appropriate contact information.

90.28 (e) An absentee ballot signature envelope marked "Rejected" may not be opened or
90.29 subject to further review except in an election contest filed pursuant to chapter 209.

90.30 Sec. 26. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

90.31 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
90.32 must immediately record that a voter's absentee ballot has been accepted. After the close

91.1 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that
91.2 an absentee ballot has been accepted must not be permitted to cast another ballot at that
91.3 election. In a state primary, general, or state special election for federal or state office, the
91.4 auditor or clerk must also record this information in the statewide voter registration system.

91.5 (b) The roster must be marked, and a supplemental report of absentee voters who
91.6 submitted a voter registration application with their ballot must be created, no later than the
91.7 start of voting on election day to indicate the voters that have already cast a ballot at the
91.8 election. The roster may be marked either:

91.9 (1) by the county auditor or municipal clerk before election day;

91.10 (2) by the ballot board before election day; or

91.11 (3) by the election judges at the polling place on election day.

91.12 The record of a voter whose absentee ballot was received after the close of business on
91.13 the ~~seventh~~ 14th day before the election is not required to be marked on the roster or
91.14 contained in a supplemental report as required by this paragraph.

91.15 Sec. 27. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 4, is amended
91.16 to read:

91.17 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 14th day
91.18 before the election, the ballots from secrecy envelopes within the signature envelopes marked
91.19 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
91.20 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
91.21 ballot box. If more than one voted ballot is enclosed in the ~~ballot~~ secrecy envelope, the
91.22 ballots must be returned in the manner provided by section 204C.25 for return of spoiled
91.23 ballots, and may not be counted.

91.24 Sec. 28. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

91.25 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27
91.26 provide the exclusive voting procedure for United States citizens who are living indefinitely
91.27 outside the territorial limits of the United States who meet all the qualifications of an eligible
91.28 voter except residence in Minnesota, but who are authorized by federal law to vote in
91.29 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United
91.30 States, a parent maintained residence in Minnesota for at least 20 days immediately prior
91.31 to their departure from the United States. Individuals described in this subdivision shall be

92.1 permitted to vote only for the offices of president, vice-president, senator in Congress, and
92.2 representative in Congress.

92.3 Sec. 29. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

92.4 Subdivision 1. **Form.** Absentee ballots under sections 203B.16 to 203B.27 shall conform
92.5 to the requirements of the Minnesota Election Law, except that modifications in the size or
92.6 form of ballots or envelopes may be made if necessary to satisfy the requirements of the
92.7 United States postal service. The return envelope must be designed in one of the following
92.8 ways:

92.9 (1) it must be of sufficient size to contain ~~an additional~~ a signature envelope ~~that when~~
92.10 and when the return envelope is sealed, it conceals the signature, identification, and other
92.11 information; or

92.12 (2) it must be the signature envelope and provide an additional flap that when sealed,
92.13 conceals the signature, identification, and other information.

92.14 The flap or the ~~additional~~ return envelope must be perforated to permit election officials to
92.15 inspect the returned certificate for completeness or to ascertain other information at any
92.16 time after receiving the returned ballot without opening the ~~return~~ signature envelope.

92.17 Sec. 30. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

92.18 Subd. 3. **Back of return signature envelope.** On the back of the ~~return~~ signature envelope
92.19 a certificate shall appear with space for:

92.20 (1) the voter's address of present or former residence in Minnesota;

92.21 (2) the voter's current e-mail address, if the voter has one;

92.22 (3) a statement indicating the category described in section 203B.16 to which the voter
92.23 belongs;

92.24 (4) a statement that the voter has not cast and will not cast another absentee ballot in the
92.25 same election or elections;

92.26 (5) a statement that the voter personally marked the ballots without showing them to
92.27 anyone, or if physically unable to mark them, that the voter directed another individual to
92.28 mark them; and

92.29 (6) the same voter's passport number, Minnesota driver's license or state identification
92.30 card number, or the last four digits of the voter's Social Security number as provided on the

93.1 absentee ballot application; if the voter does not have access to any of these documents, the
 93.2 voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

93.3 The certificate shall also contain a signed oath in the form required by section 705 of
 93.4 the Help America Vote Act, Public Law 107-252, which must read:

93.5 "I swear or affirm, under penalty of perjury, that:

93.6 I am a member of the uniformed services or merchant marine on active duty or an eligible
 93.7 spouse or dependent of such a member; a United States citizen temporarily residing outside
 93.8 the United States; or other United States citizen residing outside the United States; and I
 93.9 am a United States citizen, at least 18 years of age (or will be by the date of the election),
 93.10 and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony,
 93.11 or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting
 93.12 rights have been reinstated; and I am not registering, requesting a ballot, or voting in any
 93.13 other jurisdiction in the United States except the jurisdiction cited in this voting form. In
 93.14 voting, I have marked and sealed my ballot in private and have not allowed any person to
 93.15 observe the marking of the ballot, except for those authorized to assist voters under state or
 93.16 federal law. I have not been influenced.

93.17 The information on this form is true, accurate, and complete to the best of my knowledge.
 93.18 I understand that a material misstatement of fact in completion of this document may
 93.19 constitute grounds for a conviction for perjury."

93.20 Sec. 31. Minnesota Statutes 2020, section 203B.23, subdivision 2, is amended to read:

93.21 Subd. 2. **Duties.** (a) The absentee ballot board must examine all returned absentee ballot
 93.22 envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the
 93.23 absentee ballots in the manner provided in section 203B.24. If the certificate of voter
 93.24 eligibility is not printed on the ~~return or administrative~~ signature envelope, the certificate
 93.25 must be attached to the ~~ballot~~ secrecy envelope.

93.26 (b) The absentee ballot board must immediately examine the ~~return~~ signature envelopes
 93.27 or certificates of voter eligibility that are attached to the secrecy envelopes and mark them
 93.28 "accepted" or "rejected" during the 45 days before the election. If an envelope has been
 93.29 rejected at least five days before the election, the ballots in the envelope must be considered
 93.30 spoiled ballots and the official in charge of the absentee ballot board must provide the voter
 93.31 with a replacement absentee ballot and ~~return envelope~~ envelopes in place of the spoiled
 93.32 ballot.

94.1 (c) If a county has delegated the responsibility for administering absentee balloting to
94.2 a municipality under section 203B.05, accepted absentee ballots must be delivered to the
94.3 appropriate municipality's absentee ballot board. The absentee ballot board with the authority
94.4 to open and count the ballots must do so in accordance with section 203B.121, subdivisions
94.5 4 and 5.

94.6 Sec. 32. Minnesota Statutes 2021 Supplement, section 203B.24, subdivision 1, is amended
94.7 to read:

94.8 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt
94.9 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
94.10 judges shall compare the voter's name with the names recorded under section 203B.19 in
94.11 the statewide registration system to insure that the ballot is from a voter eligible to cast an
94.12 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the
94.13 signature envelope "Accepted" and initial or sign the signature envelope below the word
94.14 "Accepted" if the election judges are satisfied that:

94.15 (1) the voter's name and address on the signature envelope appears in substantially the
94.16 same form as on the application records provided to the election judges by the county auditor;

94.17 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
94.18 Help America Vote Act, Public Law 107-252;

94.19 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license
94.20 or state identification card number, or the last four digits of the voter's Social Security
94.21 number as submitted on the application, if the voter has one of these documents;

94.22 (4) the voter is not known to have died; and

94.23 (5) the voter has not already voted at that election, either in person or by absentee ballot.

94.24 If the identification number described in clause (3) does not match the number as
94.25 submitted on the application, the election judges must make a reasonable effort to satisfy
94.26 themselves through other information provided by the applicant, or by an individual
94.27 authorized to apply on behalf of the voter, that the ballots were returned by the same person
94.28 to whom the ballots were transmitted.

94.29 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
94.30 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
94.31 secrecy envelope before placing it in the ~~outer white~~ signature envelope is not a reason to
94.32 reject an absentee ballot.

95.1 Election judges must note the reason for rejection on the back of the envelope in the
95.2 space provided for that purpose.

95.3 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
95.4 not be counted if the certificate on the ~~return~~ signature envelope is not properly executed.
95.5 In all other respects the provisions of the Minnesota Election Law governing deposit and
95.6 counting of ballots shall apply. Notwithstanding other provisions of this section, the counting
95.7 of the absentee ballot of a deceased voter does not invalidate the election.

95.8 Sec. 33. Minnesota Statutes 2020, section 203B.28, is amended to read:

95.9 **203B.28 POSTELECTION REPORT TO LEGISLATURE.**

95.10 By January 15 of every odd-numbered year, the secretary of state shall provide to the
95.11 chair and ranking minority members of the legislative committees with jurisdiction over
95.12 elections a statistical report related to absentee voting in the most recent general election
95.13 cycle. The statistics must be organized by county, and include:

95.14 (1) the number of absentee ballots transmitted to voters;

95.15 (2) the number of absentee ballots returned by voters;

95.16 (3) the number of absentee ballots that were rejected, categorized by the reason for
95.17 rejection;

95.18 (4) the number of absentee ballots submitted pursuant to sections 203B.16 to 203B.27,
95.19 along with the number of returned ballots that were accepted, rejected, and the reason for
95.20 any rejections; ~~and~~

95.21 (5) the number of absentee ballots that were not counted because the ballot return
95.22 envelope was received after the deadlines provided in this chapter; and

95.23 (6) the number of absentee ballots by method of return, including drop box, mail,
95.24 in-person, and direct balloting.

95.25 Sec. 34. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

95.26 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following
95.27 offices shall state the following additional information on the affidavit:

95.28 (1) for governor or lieutenant governor, that on the first Monday of the next January the
95.29 candidate will be 25 years of age or older and, on the day of the state general election, a
95.30 resident of Minnesota for not less than one year;

96.1 (2) for supreme court justice, court of appeals judge, or district court judge, that the
96.2 candidate is learned in the law;

96.3 (3) for county, municipal, school district, or special district office, that the candidate
96.4 meets any other qualifications for that office prescribed by law;

96.5 (4) for senator or representative in the legislature, that on the day of the general or special
96.6 election to fill the office the candidate will have ~~resided~~ maintained residence not less than
96.7 one year in the state and not less than six months in the legislative district from which the
96.8 candidate seeks election.

96.9 Sec. 35. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

96.10 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
96.11 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
96.12 for county, state, and federal offices filled at the state general election shall be filed not
96.13 more than 84 days nor less than 70 days before the state primary. The affidavit may be
96.14 prepared and signed at any time between 60 days before the filing period opens and the last
96.15 day of the filing period.

96.16 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed
96.17 in the presence of a notarial officer or an individual authorized to administer oaths under
96.18 section 358.10.

96.19 (c) This provision does not apply to candidates for presidential elector nominated by
96.20 major political parties. Major party candidates for presidential elector are certified under
96.21 section 208.03. Other candidates for presidential electors may file petitions at least 77 days
96.22 before the general election day pursuant to section 204B.07. Nominating petitions to fill
96.23 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
96.24 petition shall be accepted later than 5:00 p.m. on the last day for filing.

96.25 (d) Affidavits and petitions for county offices must be filed with the county auditor of
96.26 that county. Affidavits and petitions for federal offices must be filed with the secretary of
96.27 state. Affidavits and petitions for state offices must be filed with the secretary of state or
96.28 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

96.29 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by
96.30 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must
96.31 be received by 5:00 p.m. on the last day for filing.

97.1 Sec. 36. Minnesota Statutes 2021 Supplement, section 204B.09, subdivision 3, is amended
97.2 to read:

97.3 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
97.4 wants write-in votes for the candidate to be counted must file a written request with the
97.5 filing office for the office sought not more than 84 days before the primary and no later
97.6 than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies
97.7 of the form to make the request. The filing officer shall not accept a written request later
97.8 than 5:00 p.m. on the last day for filing a written request.

97.9 (b) A candidate for president of the United States who files a request under this
97.10 subdivision must file jointly with another individual seeking nomination as a candidate for
97.11 vice president of the United States. A candidate for vice president of the United States who
97.12 files a request under this subdivision must file jointly with another individual seeking
97.13 nomination as a candidate for president of the United States. The request must also include
97.14 the name of at least one candidate for presidential elector. The total number of names of
97.15 candidates for presidential elector on the request may not exceed the total number of electoral
97.16 votes to be cast by Minnesota in the presidential election.

97.17 (c) A candidate for governor who files a request under this subdivision must file jointly
97.18 with another individual seeking nomination as a candidate for lieutenant governor. A
97.19 candidate for lieutenant governor who files a request under this subdivision must file jointly
97.20 with another individual seeking nomination as a candidate for governor.

97.21 Sec. 37. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
97.22 to read:

97.23 Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in
97.24 nomination for a federal office.

97.25 Sec. 38. Minnesota Statutes 2021 Supplement, section 204B.16, subdivision 1, is amended
97.26 to read:

97.27 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing
97.28 body of each municipality and of each county with precincts in unorganized territory must
97.29 designate by ordinance or resolution a ~~polling place for each election precinct. The polling~~
97.30 ~~places designated in the ordinance or resolution are the polling places for the following~~
97.31 ~~calendar year, unless a change is made:~~ any changes to a polling place location. A polling
97.32 place must be maintained for the following calendar year unless changed:

98.1 (1) by ordinance or resolution by December 31 of the previous year;

98.2 ~~(1)~~ (2) pursuant to section 204B.175;

98.3 ~~(2)~~ (3) because a polling place has become unavailable;

98.4 ~~(3)~~ (4) because a township designates one location for all state, county, and federal
98.5 elections and one location for all township only elections; and

98.6 ~~(4)~~ (5) pursuant to section 204B.14, subdivision 3.

98.7 (b) Polling places must be designated and ballots must be distributed so that no one is
98.8 required to go to more than one polling place to vote in a school district and municipal
98.9 election held on the same day. The polling place for a precinct in a city or in a school district
98.10 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
98.11 24, shall be located within the boundaries of the precinct or within one mile of one of those
98.12 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
98.13 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
98.14 precinct in unorganized territory may be located outside the precinct at a place which is
98.15 convenient to the voters of the precinct. If no suitable place is available within a town or
98.16 within a school district located outside the metropolitan area defined by section 200.02,
98.17 subdivision 24, then the polling place for a town or school district may be located outside
98.18 the town or school district within five miles of one of the boundaries of the town or school
98.19 district.

98.20 Sec. 39. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

98.21 Subd. 6. **High school students.** Notwithstanding any other requirements of this section,
98.22 a student enrolled in a high school in Minnesota or who is in a home school in compliance
98.23 with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed
98.24 as a without party affiliation trainee election judge in the county in which the student ~~resides~~
98.25 maintains residence, or a county adjacent to the county in which the student ~~resides~~ maintains
98.26 residence. The student must meet qualifications for trainee election judges specified in rules
98.27 of the secretary of state. A student appointed as a trainee election judge may be excused
98.28 from school attendance during the hours that the student is serving as a trainee election
98.29 judge if the student submits a written request signed and approved by the student's parent
98.30 or guardian to be absent from school and a certificate from the appointing authority stating
98.31 the hours during which the student will serve as a trainee election judge to the principal of
98.32 the school at least ten days prior to the election. Students shall not serve as trainee election
98.33 judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election

99.1 judges may be paid not less than two-thirds of the minimum wage for a large employer.

99.2 The principal of the school may approve a request to be absent from school conditioned on
99.3 acceptable academic performance at the time of service as a trainee election judge.

99.4 Sec. 40. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

99.5 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a
99.6 municipality shall be appointed by the governing body of the municipality. Election judges
99.7 for precincts in unorganized territory and for performing election-related duties assigned
99.8 by the county auditor shall be appointed by the county board. Election judges for a precinct
99.9 composed of two or more municipalities must be appointed by the governing body of the
99.10 municipality or municipalities responsible for appointing election judges as provided in the
99.11 agreement to combine for election purposes. Except as otherwise provided in this section,
99.12 appointments shall be made from the list of voters who ~~reside~~ maintain residence in each
99.13 precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and
99.14 other qualifications established or authorized under section 204B.19. At least two election
99.15 judges in each precinct must be affiliated with different major political parties. If no lists
99.16 have been furnished or if additional election judges are required after all listed names in
99.17 that municipality have been exhausted, the appointing authority may appoint other individuals
99.18 who meet the qualifications to serve as an election judge, including persons on the list
99.19 furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality,
99.20 and persons who are not affiliated with a major political party. An individual who is appointed
99.21 from a source other than the list furnished pursuant to subdivision 1 must provide to the
99.22 appointing authority the individual's major political party affiliation or a statement that the
99.23 individual does not affiliate with any major political party. An individual who refuses to
99.24 provide the individual's major political party affiliation or a statement that the individual
99.25 does not affiliate with a major political party must not be appointed as an election judge.
99.26 The appointments shall be made at least 25 days before the election at which the election
99.27 judges will serve, except that the appointing authority may pass a resolution authorizing
99.28 the appointment of additional election judges within the 25 days before the election if the
99.29 appointing authority determines that additional election judges will be required.

99.30 Sec. 41. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

99.31 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~
99.32 ~~as defined by section 473.121~~, or a city having fewer than 400 registered voters on June 1
99.33 of an election year ~~and not located in a metropolitan county as defined by section 473.121~~,
99.34 may provide balloting by mail at any municipal, county, or state election with no polling

100.1 place other than the office of the auditor or clerk or other locations designated by the auditor
100.2 or clerk. The governing body may apply to the county auditor for permission to conduct
100.3 balloting by mail. The county board may provide for balloting by mail in unorganized
100.4 territory. The governing body of any municipality may designate for mail balloting any
100.5 precinct having fewer than 100 registered voters, subject to the approval of the county
100.6 auditor.

100.7 Voted ballots may be returned in person to any location designated by the county auditor
100.8 or municipal clerk.

100.9 Sec. 42. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

100.10 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given
100.11 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before
100.12 a regularly scheduled election and not more than 30 days nor later than 14 days before any
100.13 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered
100.14 in the city, town, or unorganized territory. No later than 14 days before the election, the
100.15 auditor must make a subsequent mailing of ballots to those voters who register to vote after
100.16 the initial mailing but before the 20th day before the election. Eligible voters not registered
100.17 at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot
100.18 return envelopes, with return postage provided, must be preaddressed to the auditor or clerk
100.19 and the voter may return the ballot by mail or in person to the office of the auditor or clerk.
100.20 The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot
100.21 return envelopes and mark them "accepted" or "rejected" within three days of receipt if
100.22 there are 14 or fewer days before election day, or within five days of receipt if there are
100.23 more than 14 days before election day. The board may consist of deputy county auditors or
100.24 deputy municipal clerks who have received training in the processing and counting of mail
100.25 ballots, who need not be affiliated with a major political party. Election judges performing
100.26 the duties in this section must be of different major political parties, unless they are exempt
100.27 from that requirement under section 205.075, subdivision 4, or section 205A.10. If an
100.28 envelope has been rejected at least five days before the election, the ballots in the envelope
100.29 must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot
100.30 and return envelope in place of the spoiled ballot. If the ballot is rejected within five days
100.31 of the election, the envelope must remain sealed and the official in charge of the ballot board
100.32 must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's
100.33 ballot has been rejected. The official must document the attempts made to contact the voter.

101.1 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
101.2 indicate that the voter has already cast a ballot in that election. After the close of business
101.3 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
101.4 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
101.5 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

101.6 In all other respects, the provisions of the Minnesota Election Law governing deposit
101.7 and counting of ballots apply.

101.8 The mail and absentee ballots for a precinct must be counted together and reported as
101.9 one vote total. No vote totals from mail or absentee ballots may be made public before the
101.10 close of voting on election day.

101.11 The costs of the mailing shall be paid by the election jurisdiction in which the voter
101.12 ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election
101.13 must be counted.

101.14 Sec. 43. Minnesota Statutes 2020, section 204B.46, is amended to read:

101.15 **204B.46 MAIL ELECTIONS; QUESTIONS.**

101.16 A county, municipality, or school district submitting questions to the voters at a special
101.17 election may conduct an election by mail with no polling place other than the office of the
101.18 auditor or clerk. No offices may be voted on at a mail election, except in overlapping school
101.19 and municipality jurisdictions, where a mail election may include an office when one of the
101.20 jurisdictions also has a question on the ballot. Notice of the election must be given to the
101.21 county auditor at least 74 days prior to the election. This notice shall also fulfill the
101.22 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
101.23 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
101.24 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
101.25 voters registered in the county, municipality, or school district. No later than 14 days before
101.26 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
101.27 who register to vote after the initial mailing but before the 20th day before the election.
101.28 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
101.29 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and
101.30 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
101.31 of receipt if there are 14 or fewer days before election day, or within five days of receipt if
101.32 there are more than 14 days before election day. The board may consist of deputy county
101.33 auditors, deputy municipal clerks, or deputy school district clerks who have received training
101.34 in the processing and counting of mail ballots, who need not be affiliated with a major

102.1 political party. Election judges performing the duties in this section must be of different
102.2 major political parties, unless they are exempt from that requirement under section 205.075,
102.3 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
102.4 the election, the ballots in the envelope must remain sealed and the auditor or clerk must
102.5 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.
102.6 If the ballot is rejected within five days of the election, the envelope must remain sealed
102.7 and the official in charge of the ballot board must attempt to contact the voter by telephone
102.8 or e-mail to notify the voter that the voter's ballot has been rejected. The official must
102.9 document the attempts made to contact the voter.

102.10 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
102.11 indicate that the voter has already cast a ballot in that election. After the close of business
102.12 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
102.13 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
102.14 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

102.15 In all other respects, the provisions of the Minnesota Election Law governing deposit
102.16 and counting of ballots apply.

102.17 The mail and absentee ballots for a precinct must be counted together and reported as
102.18 one vote total. No vote totals from ballots may be made public before the close of voting
102.19 on election day.

102.20 Sec. 44. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

102.21 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
102.22 assistance because of inability to read English or physical inability to mark a ballot may
102.23 obtain the aid of two election judges who are members of different major political parties.
102.24 The election judges shall mark the ballots as directed by the voter and in as secret a manner
102.25 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
102.26 of any individual the voter chooses. Only the following persons may not provide assistance
102.27 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
102.28 voter's union, or a candidate for election. The person who assists the voter shall,
102.29 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
102.30 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
102.31 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
102.32 are deposited, the voter may show them privately to an election judge to ascertain that they
102.33 are marked as the voter directed. An election judge or other individual assisting a voter shall
102.34 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to

103.1 vote for any particular political party or candidate. The election judges or other individuals
103.2 who assist the voter shall not reveal to anyone the name of any candidate for whom the
103.3 voter has voted or anything that took place while assisting the voter.

103.4 Sec. 45. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

103.5 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting
103.6 space located in the Capitol complex area on the third Tuesday following the state general
103.7 election to canvass the certified copies of the county canvassing board reports received from
103.8 the county auditors and shall prepare a report that states:

103.9 (1) the number of individuals voting in the state and in each county;

103.10 (2) the number of votes received by each of the candidates, specifying the counties in
103.11 which they were cast; and

103.12 (3) the number of votes counted for and against each constitutional amendment, specifying
103.13 the counties in which they were cast.

103.14 Upon completion of the canvass, the State Canvassing Board shall declare the candidates
103.15 duly elected who received the highest number of votes for each federal and state office. All
103.16 members of the State Canvassing Board shall sign the report and certify its correctness. The
103.17 State Canvassing Board shall declare the result within three days after completing the
103.18 canvass.

103.19 Sec. 46. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

103.20 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
103.21 the legislature which occur at any time between the last day of session in an odd-numbered
103.22 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
103.23 even-numbered year, when a vacancy occurs and the legislature will be in session so that
103.24 the individual elected as provided by this section could take office and exercise the duties
103.25 of the office immediately upon election, the governor shall issue within five days after the
103.26 vacancy occurs a writ calling for a special election. The special election shall be held as
103.27 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
103.28 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
103.29 ~~must not be held during the four days before or the four days after a holiday as defined in~~
103.30 ~~section 645.44, subdivision 5.~~

104.1 Sec. 47. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

104.2 Subd. 3. **Notice of special election.** The county auditor of a county in which a special
104.3 election is to be held shall direct the clerk of each municipality in which the election is to
104.4 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days
104.5 before the special primary and at least ~~14~~ 21 days before the special election in the manner
104.6 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days
104.7 before the special election, a single notice of both elections may be posted seven days before
104.8 the primary.

104.9 When the special primary or special election is to be held on the same day as any other
104.10 election, notice of the special primary or special election may be included in the notice of
104.11 the other election, if practicable.

104.12 Sec. 48. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

104.13 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions
104.14 shall be filed no later than ~~14~~ 21 days before the special primary.

104.15 Sec. 49. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

104.16 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on
104.17 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
104.18 voters who ~~reside~~ maintain residence in the election district from which the candidate is to
104.19 be elected. The number of signers shall be at least 500, or two percent of the total number
104.20 of individuals who voted in the municipality, ward, or other election district at the last
104.21 preceding municipal general election, whichever is greater.

104.22 Sec. 50. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

104.23 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special
104.24 election conducted under section 126C.17, subdivision 9, or 475.59, the school district
104.25 canvassing board shall consist of one member of the school board other than the clerk,
104.26 selected by the board, the clerk of the school board, the county auditor of the county in
104.27 which the greatest number of school district residents ~~reside~~ maintain residence, the court
104.28 administrator of the district court of the judicial district in which the greatest number of
104.29 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board
104.30 of the school district's most populous municipality. Any member of the canvassing board
104.31 may appoint a designee to appear at the meeting of the board, except that no designee may
104.32 be a candidate for public office. If one of the individuals fails to appear at the meeting of

105.1 the canvassing board, the county auditor shall appoint an eligible voter of the school district,
105.2 who must not be a member of the school board, to fill the vacancy. Not more than two
105.3 school board members shall serve on the canvassing board at one time. Four members
105.4 constitute a quorum.

105.5 The school board shall serve as the school district canvassing board for the election of
105.6 school board members.

105.7 Sec. 51. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

105.8 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is
105.9 approved by the voters, the board shall specify the election districts from which vacancies
105.10 shall be filled as they occur until such time as each board member represents an election
105.11 district. A candidate for school board in a subsequent election must file an affidavit of
105.12 candidacy to be elected as a school board member for the election district in which the
105.13 candidate ~~resides~~ maintains residence. If there are as many election districts as there are
105.14 members of the board, one and only one member of the board shall be elected from each
105.15 election district. In school districts where one or more board members are elected by election
105.16 districts, candidates must indicate on the affidavit of candidacy the number of the district
105.17 from which they seek election or, if appropriate, that they seek election from one of the
105.18 offices elected at large. If the election districts have two or three members each, the terms
105.19 of the members must be staggered. Each board member must be a resident of the election
105.20 district for which elected but the creation of an election district or a change in election
105.21 district boundaries shall not disqualify a board member from serving for the remainder of
105.22 a term.

105.23 Sec. 52. Minnesota Statutes 2020, section 207A.12, is amended to read:

105.24 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

105.25 (a) Except as otherwise provided by law, the presidential nomination primary must be
105.26 conducted, and the results canvassed and returned, in the manner provided by law for the
105.27 state primary.

105.28 (b) An individual seeking to vote at the presidential nomination primary must be
105.29 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
105.30 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
105.31 204C.18, subdivision 1, the election judge must record in the polling place roster the name
105.32 of the political party whose ballot the voter requested. When posting voter history pursuant
105.33 to section 201.171, the county auditor must include the name of the political party whose

106.1 ballot the voter requested. The political party ballot selected by a voter is private data on
106.2 individuals as defined under section 13.02, subdivision 12, except as provided in section
106.3 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must
106.4 be permitted to cast a ballot at the presidential nomination primary consistent with the
106.5 requirements of that section.

106.6 (c) Immediately after the state canvassing board declares the results of the presidential
106.7 nomination primary, the secretary of state must notify the chair of each party of the results.

106.8 (d) The results of the presidential nomination primary must bind the election of delegates
106.9 in each party.

106.10 Sec. 53. Minnesota Statutes 2021 Supplement, section 207A.13, subdivision 2, is amended
106.11 to read:

106.12 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential
106.13 nomination primary must determine which candidates are to be placed on the presidential
106.14 nomination primary ballot for that party. The chair of each participating party must submit
106.15 to the secretary of state the names of the candidates to appear on the ballot for that party no
106.16 later than 63 days before the presidential nomination primary. Once submitted, changes
106.17 must not be made to the candidates that will appear on the ballot.

106.18 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the
106.19 chair of each participating party must submit to the secretary of state the names of write-in
106.20 candidates, if any, to be counted for that party.

106.21 Sec. 54. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

106.22 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for
106.23 statewide office, the contestant shall file the notice of contest with the court administrator
106.24 of District Court in Ramsey County. For contests relating to any other office, the contestant
106.25 shall file the notice of contest with the court administrator of district court in the county
106.26 where the contestee ~~resides~~ maintains residence.

106.27 If the contest relates to a constitutional amendment, the contestant shall file the notice
106.28 of contest with the court administrator of District Court in Ramsey County. If the contest
106.29 relates to any other question, the contestant shall file the notice of contest with the court
106.30 administrator of district court for the county or any one of the counties where the question
106.31 appeared on the ballot.

107.1 Sec. 55. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

107.2 Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written
107.3 independent expenditure is: "This is an independent expenditure prepared and paid for by
107.4 (name of entity participating in the expenditure), (address). It is not coordinated
107.5 with or approved by any candidate nor is any candidate responsible for it. The top three
107.6 contributors funding this expenditure are (1)....., (2)....., and (3)....." The address must
107.7 be either the entity's mailing address or the entity's website, if the website includes the
107.8 entity's mailing address. When a written independent expenditure is produced and
107.9 disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

107.10 (b) The required form of the disclaimer on a broadcast independent expenditure is: "This
107.11 independent expenditure is paid for by (name of entity participating in the expenditure).
107.12 It is not coordinated with or approved by any candidate nor is any candidate responsible
107.13 for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)....."
107.14 When a broadcast independent expenditure is produced and disseminated without cost, the
107.15 following disclaimer may be used: "..... (name of entity participating in the expenditure)
107.16 is responsible for the contents of this independent expenditure. It is not coordinated with
107.17 or approved by any candidate nor is any candidate responsible for it."

107.18 (c) The listing of the top three contributors required to be included in a disclaimer under
107.19 this subdivision must identify by name the three individuals or entities making the largest
107.20 aggregate contribution or contributions required to be reported under chapter 10A to the
107.21 expending entity during the 12-month period preceding the first date at which the expenditure
107.22 was published or presented to the public. Contributions to the expending entity that are
107.23 segregated, tracked, and used for purposes other than expenditures requiring the disclaimer
107.24 should not be included in calculating the top three contributors required to be identified
107.25 under this subdivision.

107.26 Sec. 56. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

107.27 Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to
107.28 fund-raising tickets, business cards, personal letters, or similar items that are clearly being
107.29 distributed by the candidate.

107.30 (b) This section does not apply to an individual or association that is not required to
107.31 register or report under chapter 10A or 211A.

107.32 (c) This section does not apply to the following:

108.1 (1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer
108.2 cannot be conveniently printed; and

108.3 (2) skywriting, wearing apparel, or other means of displaying an advertisement of such
108.4 a nature that the inclusion of a disclaimer would be impracticable; and.

108.5 ~~(3) online banner ads and similar electronic communications that link directly to an
108.6 online page that includes the disclaimer.~~

108.7 (d) This section does not modify or repeal section 211B.06.

108.8 Sec. 57. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision
108.9 to read:

108.10 Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding
108.11 subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules
108.12 using the expedited process in section 14.389 to specify the form and content of the disclaimer
108.13 required by those subdivisions for small electronic communications for which it is
108.14 technologically impossible to clearly and conspicuously print the full disclaimer, including
108.15 but not limited to online banner ads, text messages, social media communications, and small
108.16 advertisements appearing on a mobile telephone or other handheld electronic device.

108.17 Sec. 58. **[211B.075] ABSENTEE BALLOT APPLICATIONS DISTRIBUTED BY**
108.18 **COMMITTEES AND PRIVATE ORGANIZATIONS.**

108.19 (a) Any mailing sent by or on behalf of a committee or other private organization that
108.20 includes an absentee ballot application or a sample ballot designed to encourage voting at
108.21 an election must include the applicable set of statements, printed in capital letters on the
108.22 outside of the mailing so that the statements are clearly visible at the time of opening, as
108.23 follows:

108.24 (1) if an absentee ballot application is enclosed, "THIS IS AN ABSENTEE BALLOT
108.25 APPLICATION, NOT AN OFFICIAL BALLOT"; and

108.26 (2) if a sample ballot is enclosed, "THIS IS A SAMPLE BALLOT, NOT AN OFFICIAL
108.27 BALLOT."

108.28 (b) As used in this subdivision, "sample ballot" means a document enclosed in the mailing
108.29 that is formatted and printed in a manner that would lead a reasonable person to believe the
108.30 document is an official ballot. A document that contains the names of particular candidates
108.31 or ballot questions alongside illustrations of a generic ballot or common ballot markings is

109.1 not a sample ballot for purposes of this subdivision, so long as the format and style of the
109.2 document would not lead a reasonable person to mistake it for an official ballot.

109.3 **Sec. 59. [211B.076] INTIMIDATION AND INTERFERENCE RELATED TO THE**
109.4 **PERFORMANCE OF DUTIES BY AN ELECTION OFFICIAL; PENALTIES.**

109.5 **Subdivision 1. Definition.** For the purposes of this section, "election official" means a
109.6 member of a canvassing board, the county auditor or municipal clerk charged with duties
109.7 relating to elections, a member of an absentee ballot board, an election judge, an election
109.8 judge trainee, or any other individual assigned by a state entity or municipal government
109.9 to perform official duties related to elections.

109.10 **Subd. 2. Intimidation.** (a) A person may not directly or indirectly use or threaten force,
109.11 coercion, violence, restraint, damage, harm, or loss, including loss of employment or
109.12 economic reprisal, against another with the intent to influence an election official in the
109.13 performance of a duty of election administration.

109.14 (b) In a civil action brought to prevent and restrain violations of this subdivision or to
109.15 require the payment of civil penalties, the moving party may show that the action or attempted
109.16 action would cause a reasonable person to feel intimidated. The moving party does not need
109.17 to show that the actor intended to cause the victim to feel intimidated.

109.18 **Subd. 3. Interfering with or hindering the administration of an election.** A person
109.19 may not intentionally hinder, interfere with, or prevent an election official's performance
109.20 of a duty related to election administration.

109.21 **Subd. 4. Dissemination of personal information about an election official.** (a) A
109.22 person may not knowingly and without consent, make publicly available, including but not
109.23 limited to through the Internet, personal information about an election official or an election
109.24 official's family or household member if:

109.25 (1) the dissemination poses an imminent and serious threat to the official's safety or the
109.26 safety of an official's family or household member; and

109.27 (2) the person making the information publicly available knows or reasonably should
109.28 know of any imminent and serious threat.

109.29 (b) As used in this subdivision, "personal information" means the home address of the
109.30 election official or a member of an election official's family, directions to that home, or
109.31 photographs of that home.

110.1 Subd. 5. **Obstructing access.** A person may not intentionally and physically obstruct
110.2 an election official's access to or egress from a polling place, meeting of a canvassing board,
110.3 place where ballots and elections equipment are located or stored, or any other place where
110.4 the election official performs a duty related to election administration.

110.5 Subd. 6. **Vicarious liability; conspiracy.** A person may be held vicariously liable for
110.6 any damages resulting from the violation of this section and may be identified in an order
110.7 restraining violations of this section if that person:

110.8 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
110.9 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
110.10 compel, or coerce a person to violate any provision of this section; or

110.11 (2) conspires, combines, agrees, or arranges with another to either commit a violation
110.12 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
110.13 violate any provision of this section.

110.14 Subd. 7. **Criminal penalty.** A person who violates this section is guilty of a gross
110.15 misdemeanor.

110.16 Subd. 8. **Attorney general; civil enforcement.** When the attorney general has
110.17 information providing a reasonable ground to believe that any person has violated or is
110.18 about to violate this section, the attorney general shall have the power to investigate those
110.19 violations, or suspected violations, in the same manner as provided for by section 8.31,
110.20 subdivisions 2 and 2a. The attorney general shall be entitled, on behalf of the state, to sue
110.21 for and recover the same relief and remedies for violations of this section, or violations that
110.22 are about to occur, as provided in section 8.31, subdivisions 3 and 3a.

110.23 Subd. 9. **Election official; civil remedies.** In addition to any remedies otherwise provided
110.24 by law, an election official injured or threatened to be injured by a violation of this section
110.25 may bring a civil action and obtain the following remedies:

110.26 (1) injunctive relief in any court of competent jurisdiction against any such violation or
110.27 threatened violation without abridging the penalties provided by law; and

110.28 (2) damages, together with costs and disbursements, including costs of investigation and
110.29 reasonable attorney fees, and other equitable relief as determined by the court.

110.30 Subd. 10. **Cumulative remedies.** Civil remedies allowable under this section are
110.31 cumulative and do not restrict any other right or remedy otherwise available. Any civil
110.32 action brought under this section must be commenced within two years after the cause of
110.33 action accrues. Sections 211B.31 to 211B.37 do not apply to violations of this section.

111.1 **EFFECTIVE DATE.** This section is effective July 1, 2022, and applies to violations
111.2 committed on or after that date.

111.3 Sec. 60. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

111.4 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
111.5 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
111.6 a polling place or within 100 feet of the building in which a polling place is situated, or
111.7 anywhere on the public property on which a polling place is situated, on primary or election
111.8 day to vote for or refrain from voting for a candidate or ballot question. A person may not
111.9 provide political badges, political buttons, or other political insignia to be worn at or about
111.10 the polling place on the day of a primary or election. A political badge, political button, or
111.11 other political insignia may not be worn at or about the polling place on primary or election
111.12 day. This section applies only during voting hours and to areas established by the county
111.13 auditor or municipal clerk for absentee voting as provided in chapter 203B.

111.14 Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided
111.15 in section 204B.49.

111.16 Sec. 61. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

111.17 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
111.18 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
111.19 filed with the office. The complaint must be finally disposed of by the office before the
111.20 alleged violation may be prosecuted by a county attorney.

111.21 (b) Complaints arising under those sections and related to those individuals and
111.22 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
111.23 Finance and Public Disclosure Board.

111.24 (c) Violations of section 211B.076 may be enforced as provided in section 211B.076.

111.25 Sec. 62. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

111.26 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall
111.27 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
111.28 shall hold office until the next annual town election, when a successor shall be elected for
111.29 the unexpired term.

111.30 (b) When a vacancy occurs in a town office:

111.31 (1) with more than one year remaining in the term; and

112.1 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the
112.2 town election;

112.3 the vacancy must be filled by appointment. The person appointed serves until the next annual
112.4 town election following the election for which affidavits of candidacy are to be filed, when
112.5 a successor shall be elected for the unexpired term.

112.6 (c) A vacancy in the office of supervisor must be filled by an appointment committee
112.7 comprised of the remaining supervisors and the town clerk.

112.8 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon
112.9 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained
112.10 residence in the town for at least 30 days.

112.11 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same
112.12 election, candidates for the offices of supervisor shall file for one of the specific terms being
112.13 filled.

112.14 (f) When, for any reason, the town board or the appointment committee fails to fill a
112.15 vacancy in the position of an elected town officer by appointment, a special election may
112.16 be called. To call a special election, the supervisors and town clerk, or any two of them
112.17 together with at least 12 other town freeholders, must file a statement in the town clerk's
112.18 office. The statement must tell why the election is called and that the interests of the town
112.19 require the election. When the town board or the appointment committee fails to fill a
112.20 vacancy by appointment, a special town election may also be called on petition of 20 percent
112.21 of the electors of the town. The percentage is of the number of voters at the last general
112.22 election. A special town election must be conducted in the manner required for the annual
112.23 town election.

112.24 (g) Law enforcement vacancies must be filled by appointment by the town board.

112.25 Sec. 63. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

112.26 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate
112.27 for the hospital board shall file an affidavit of candidacy for the election either as member
112.28 at large or as a member representing the city or town where the candidate ~~resides~~ maintains
112.29 residence. The affidavit of candidacy must be filed with the city or town clerk not more
112.30 than 98 days nor less than 84 days before the first Tuesday after the first Monday in
112.31 November of the year in which the general election is held. The city or town clerk must
112.32 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
112.33 the clerk of the most populous city or town immediately after the last day of the filing period.

113.1 A candidate may withdraw from the election by filing an affidavit of withdrawal with the
113.2 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
113.3 candidacy.

113.4 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
113.5 necessary ballots for the election of officers. Ballots must be prepared as provided in the
113.6 rules of the secretary of state. The ballots must be marked and initialed by at least two judges
113.7 as official ballots and used exclusively at the election. Any proposition to be voted on may
113.8 be printed on the ballot provided for the election of officers. The hospital board may also
113.9 authorize the use of voting systems subject to chapter 206. Enough election judges may be
113.10 appointed to receive the votes at each polling place. The election judges shall act as clerks
113.11 of election, count the ballots cast, and submit them to the board for canvass.

113.12 After canvassing the election, the board shall issue a certificate of election to the candidate
113.13 who received the largest number of votes cast for each office. The clerk shall deliver the
113.14 certificate to the person entitled to it in person or by certified mail. Each person certified
113.15 shall file an acceptance and oath of office in writing with the clerk within 30 days after the
113.16 date of delivery or mailing of the certificate. The board may fill any office as provided in
113.17 subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
113.18 if made before the board acts to fill the vacancy.

113.19 ARTICLE 4

113.20 BARBERING AND COSMETOLOGY

113.21 Section 1. Minnesota Statutes 2020, section 154.001, subdivision 2, is amended to read:

113.22 Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established
113.23 to consist of four barber members and one public member, as defined in section 214.02,
113.24 appointed by the governor.

113.25 (b) The barber members shall be persons who have practiced as registered barbers in
113.26 this state for at least five years immediately prior to their appointment; shall be graduates
113.27 from the 12th grade of a high school or have equivalent education, and shall have knowledge
113.28 of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One~~
113.29 ~~of the barber members shall be a member of, or recommended by, a union of journeymen~~
113.30 ~~barbers that has existed at least two years, and one barber member shall be a member of,~~
113.31 ~~or recommended by, a professional organization of barbers.~~

114.1 Sec. 2. Minnesota Statutes 2020, section 154.003, is amended to read:

114.2 **154.003 FEES.**

114.3 (a) The fees collected, as required in this chapter, chapter 214, and the rules of the board,
114.4 shall be paid to the board. The board shall deposit the fees in the general fund in the state
114.5 treasury.

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

114.7 (1) examination and certificate, registered barber, \$85;

114.8 (2) retake of written examination, \$10;

114.9 (3) examination and certificate, instructor, \$180;

114.10 (4) certificate, instructor, \$65;

114.11 (5) temporary teacher permit, \$80;

114.12 (6) temporary registered barber, military, \$85;

114.13 (7) temporary barber instructor, military, \$180;

114.14 (8) renewal of registration, registered barber, \$80;

114.15 (9) renewal of registration, instructor, \$80;

114.16 (10) renewal of temporary teacher permit, \$65;

114.17 (11) student permit, \$45;

114.18 (12) renewal of student permit, \$25;

114.19 (13) initial shop registration, \$85;

114.20 (14) initial mobile barber shop registration, \$150;

114.21 ~~(14)~~ (15) initial school registration, \$1,030;

114.22 ~~(15)~~ (16) renewal shop registration, \$85;

114.23 ~~(16)~~ (17) renewal school registration, \$280;

114.24 (18) renewal mobile barber shop registration, \$100;

114.25 ~~(17)~~ (19) restoration of registered barber registration, \$95;

114.26 ~~(18)~~ (20) restoration of shop registration, \$105;

114.27 ~~(19)~~ (21) change of ownership or location, \$55;

114.28 (22) restoration of mobile barber shop registration, \$120;

- 115.1 ~~(20)~~ (23) duplicate registration, \$40;
- 115.2 ~~(21)~~ (24) home study course, \$75;
- 115.3 ~~(22)~~ (25) letter of registration verification, \$25; and
- 115.4 ~~(23)~~ (26) reinspection, \$100.

115.5 (c) If the board uses a board-approved examination provider for the entire comprehensive
115.6 examination or for a portion of the comprehensive examination, any fees required by that
115.7 approved examination provider must be paid directly to the approved examination provider
115.8 by the examinee and is not included and is separate from any required fees paid by the
115.9 examinee to the board.

115.10 Sec. 3. Minnesota Statutes 2020, section 154.01, is amended to read:

115.11 **154.01 REGISTRATION MANDATORY.**

115.12 (a) The registration of the practice of barbering serves the public health and safety of
115.13 the people of the state of Minnesota by ensuring that individuals seeking to practice the
115.14 profession of barbering are appropriately trained in the use of the chemicals, tools, and
115.15 implements of barbering and demonstrate the skills necessary to conduct barber services in
115.16 a safe, sanitary, and appropriate environment required for infection control.

115.17 (b) No person shall practice, offer to practice, or attempt to practice barbering without
115.18 a current certificate of registration as a registered barber, issued pursuant to provisions of
115.19 ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to~~
115.20 ~~154.28~~ this chapter by the Board of Barber Examiners.

115.21 (c) A registered barber must only provide barbering services in a registered barber shop
115.22 ~~or~~, barber school, or mobile barber shop unless prior authorization is given by the board.

115.23 (d) No person shall operate a barber shop unless it is at all times under the direct
115.24 supervision and management of a registered barber and the owner or operator of the barber
115.25 shop possesses a current shop registration card, issued to the barber shop establishment
115.26 ~~address, under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21,~~
115.27 ~~and 154.24 to 154.28~~ by the Board of Barber Examiners.

115.28 (e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering
115.29 without a current certificate of registration as a registered instructor of barbering or a
115.30 temporary permit as an instructor of barbering, as provided for the board by rule, issued
115.31 ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24~~

116.1 ~~to 154.28~~ by the Board of Barber Examiners. Barber instruction must be provided in
116.2 registered barber schools only.

116.3 (f) No person shall operate a barber school unless the owner or operator possesses a
116.4 current certificate of registration as a barber school, issued ~~under sections 154.001, 154.002,~~
116.5 ~~154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber
116.6 Examiners.

116.7 Sec. 4. Minnesota Statutes 2020, section 154.02, subdivision 1, is amended to read:

116.8 Subdivision 1. **What constitutes barbering.** Any one or any combination of the
116.9 following practices when done upon the head, face, and neck for cosmetic purposes and not
116.10 for the treatment of disease or physical or mental ailments and when done for payment
116.11 directly or indirectly or without payment for the public generally constitutes the practice of
116.12 barbering within the meaning of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~
116.13 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter: to shave the face or neck using a straight
116.14 razor or other tool, trim the beard, clean, condition, cut, color, shape, or straighten the hair
116.15 of any person of either sex for compensation or other reward received by the person
116.16 performing such service or any other person; to give facial and scalp massage with oils,
116.17 creams, lotions, or other preparations either by hand or mechanical appliances; to singe,
116.18 shampoo the hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics,
116.19 powders, oils, clays, or lotions to hair, scalp, face, or neck. The removal of hair through the
116.20 process of waxing is not barbering.

116.21 Sec. 5. Minnesota Statutes 2020, section 154.02, subdivision 4, is amended to read:

116.22 Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate
116.23 issued to an individual, barber shop, ~~or~~ barber school, or mobile barber shop that is in
116.24 compliance with ~~the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~
116.25 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter.

116.26 Sec. 6. Minnesota Statutes 2020, section 154.02, subdivision 5, is amended to read:

116.27 Subd. 5. **Designated registered barber.** The "designated registered barber" is a registered
116.28 barber designated as the manager of a barber shop or a mobile barber shop.

117.1 Sec. 7. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
117.2 read:

117.3 Subd. 7. **Mobile barber shop.** A "mobile barber shop" means a barber shop that is
117.4 operated in a mobile vehicle or a mobile structure for the exclusive use of practicing barbering
117.5 services performed by a registered barber in compliance with this chapter.

117.6 Sec. 8. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
117.7 read:

117.8 Subd. 8. **Straight razor.** A razor with a rigid steel cutting blade or a replaceable blade
117.9 that is hinged to a case that forms a handle when the razor is open for use.

117.10 Sec. 9. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
117.11 read:

117.12 Subd. 9. **Waxing.** The process of removing hair from a part of the body by applying
117.13 wax and peeling off the wax.

117.14 Sec. 10. Minnesota Statutes 2020, section 154.05, is amended to read:

117.15 **154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A**
117.16 **REGISTERED BARBER.**

117.17 ~~(a)~~ A person is qualified to receive a certificate of registration as a registered barber if
117.18 the person:

117.19 (1) ~~has successfully completed ten grades of education~~ is at least 17 years of age;

117.20 (2) has successfully completed 1,500 hours of study in a board-approved barber school;
117.21 and

117.22 (3) has passed ~~an~~ a comprehensive examination conducted by the board in accordance
117.23 with section 154.09 to determine the person's fitness to practice barbering.

117.24 ~~(b) A first-time applicant for a certificate of registration to practice as a registered barber~~
117.25 ~~who fails to pass the comprehensive examination conducted by the board and who fails to~~
117.26 ~~pass a onetime retake of the written examination, shall complete an additional 500 hours~~
117.27 ~~of barber education before being eligible to retake the comprehensive examination as many~~
117.28 ~~times as necessary to pass.~~

118.1 Sec. 11. **[154.052] MOBILE BARBER SHOPS.**

118.2 **Subdivision 1. Registration.** (a) No person shall operate a mobile barber shop unless:

118.3 (1) at all times, the mobile barber shop is under the direct supervision and management
118.4 of a registered barber; and

118.5 (2) the owner or operator of the mobile barber shop possesses a current mobile barber
118.6 shop registration that was issued by the Board of Barber Examiners.

118.7 **Subd. 2. Services and location reporting requirements.** (a) A mobile barber shop is
118.8 limited to providing only hair cutting and straight razor shave services.

118.9 (b) A mobile barber shop is subject to the barber shop requirements in this chapter and
118.10 Minnesota Rules, except when this chapter or the rule conflicts with specific mobile barber
118.11 shop requirements. Any reference to a barber shop in this chapter and in Minnesota Rules
118.12 includes mobile barber shops, except when this chapter or the rule conflicts with specific
118.13 mobile barber shop requirements.

118.14 (c) A mobile barber shop registration holder must:

118.15 (1) maintain a permanent address for receiving correspondence and service of process
118.16 and provide an address where the mobile barber shop is kept when the mobile barber shop
118.17 is not in service;

118.18 (2) visibly display the name of the mobile barber shop and the mobile barber shop's
118.19 registration number as shown on the registration certificate on at least one exterior side of
118.20 the mobile barber shop;

118.21 (3) supply to the board the make, model, and vehicle identification and license plate
118.22 number of any vehicle or mobile structure used as a mobile barber shop. Each mobile barber
118.23 shop registration is valid for only one specific mobile vehicle or mobile structure;

118.24 (4) have a functioning phone available at all times;

118.25 (5) submit to the board, on or before the first day of each month, the mobile barber shop's
118.26 schedule of locations and times of operation during the month. The mobile barber shop
118.27 registration holder must report any proposed changes to the schedule to the board via e-mail
118.28 at the beginning of the week during which the changes will occur; and

118.29 (6) comply with the requirements of all federal, state, and local laws, rules, and
118.30 ordinances.

118.31 **Subd. 3. Water and wastewater requirements.** (a) A mobile barber shop must have
118.32 self-contained water holding tanks with gauges that indicate the levels in the tanks and

119.1 reserve capabilities. The water supply tanks must be integrated and plumbed into the
119.2 wastewater tanks or gray water tanks.

119.3 (b) A mobile barber shop must have a potable water capacity of not less than 20 gallons
119.4 and a designated hose that the mobile barber shop only uses to fill the potable water tank.

119.5 (c) A mobile barber shop must have available hot water in a capacity of not less than
119.6 five gallons or hot water on demand.

119.7 (d) A mobile barber shop must have a wastewater tank or gray water tank capacity that
119.8 is 15 percent larger than the water supply holding tank.

119.9 (e) A mobile barber shop must not operate when:

119.10 (1) the available potable water supply is insufficient to comply with the infection control
119.11 requirements in this chapter and Minnesota Rules; or

119.12 (2) a tank for wastewater, black water, or gray water is at 90 percent or greater capacity.

119.13 (f) A mobile barber shop must have a restroom in operating condition inside of the
119.14 mobile barber shop that includes:

119.15 (1) an installed hand sink with potable water;

119.16 (2) soap;

119.17 (3) single-use towels; and

119.18 (4) a self-contained recirculating flush toilet with a holding tank or a properly maintained
119.19 composting toilet.

119.20 (g) A mobile barber shop must discharge wastewater into a sanitary sewage system or
119.21 a sanitary dumping station. When disposing of sewage and wastewater, a mobile barber
119.22 shop must comply with all federal, state, and local environmental and sanitary regulations.

119.23 (h) In addition to the sink required in the restroom, the mobile barber shop must have
119.24 at least one sink with hot and cold running water accessible to persons in the area where
119.25 the mobile barber shop provides services. Sinks must be permanently installed and connected
119.26 to the vehicle's or mobile structure's potable water supply and wastewater tanks.

119.27 **Subd. 4. Electrical and power requirements.** (a) If power for heating, air conditioning,
119.28 and other equipment is supplied by a generator, the generator must be properly vented
119.29 outside and all doors and windows must be closed when the generator is operating to avoid
119.30 exhaust entering the mobile barber shop. The generator must comply with all applicable
119.31 municipal noise ordinances.

120.1 (b) Liquefied petroleum gas systems installed in the mobile barber shop must comply
120.2 with the current edition of the National Fire Protection Association Standard No. 58 LP-Gas
120.3 Code as adopted under the State Fire Code. Use of portable heating units is prohibited.

120.4 (c) All heating and cooling systems must be factory installed and meet all state and
120.5 federal regulations for mobile vehicle or mobile structure heating and cooling.

120.6 (d) The mobile barber shop must have working alarms for carbon monoxide, smoke,
120.7 and combustible gas, either as single alarms or a combined alarm.

120.8 (e) All electrical wiring must comply with the State Electrical Code. Electrical equipment
120.9 plugged into outlets must be UL-listed and must comply with state and local fire codes.

120.10 Subd. 5. **Safety, inspection, and infection control requirements.** (a) In addition to the
120.11 safety and infection control requirements for barber shops in this chapter and Minnesota
120.12 Rules, mobile barber shops must comply with the following requirements:

120.13 (1) the mobile barber shop must not provide services unless the mobile barber shop is
120.14 parked with the engine off, stable, and leveled. The mobile barber shop must use stabilizing
120.15 jacks when it is recommended by the manufacturer's instructions for the vehicle or mobile
120.16 structure. The mobile barber shop must use at least two wheel chocks when the mobile
120.17 barber shop is operating;

120.18 (2) the mobile barber shop must provide all services inside of the vehicle or mobile
120.19 structure;

120.20 (3) all hazardous substances in the mobile barber shop must be stored upright in secured
120.21 cabinets when the mobile barber shop is moving;

120.22 (4) the mobile barber shop must have a ventilation system that is sufficient to provide
120.23 fresh air in the mobile barber shop; and

120.24 (5) all moving parts, including slide outs, disability ramps, and steps must be in good
120.25 working order.

120.26 (b) Any duly authorized employee of the Board of Barber Examiners shall have authority
120.27 to enter and inspect a mobile barber shop during normal business hours.

120.28 Subd. 6. **Compliance with local government law.** The mobile barber shop must comply
120.29 with all city, township, and county ordinances regarding wastewater disposal, commercial
120.30 motor vehicles, vehicle insurance, noise, signage, parking, commerce, business, and other
120.31 local government requirements. The mobile barber shop owner must be informed about the
120.32 requirements that apply to the mobile barber shop in each jurisdiction where the mobile

121.1 barber shop operates, and must ensure that the mobile barber shop complies with those
121.2 requirements.

121.3 Sec. 12. Minnesota Statutes 2020, section 154.07, subdivision 1, is amended to read:

121.4 Subdivision 1. **Admission requirements; course of instruction.** No barber school shall
121.5 be approved by the board unless it the barber school requires, ~~as a prerequisite to admission,~~
121.6 ~~ten grades of an approved school or its equivalent, as determined by educational transcript,~~
121.7 ~~high school diploma, high school equivalency certificate, or an examination conducted by~~
121.8 ~~the commissioner of education, which shall issue a certificate that the student has passed~~
121.9 ~~the required examination, and unless it requires,~~ as a prerequisite to graduation, a course of
121.10 instruction of at least 1,500 hours of not more than ten hours of schooling in any one working
121.11 day. The course of instruction must include the following subjects: scientific fundamentals
121.12 for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of
121.13 the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization
121.14 and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the
121.15 muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting
121.16 and dyeing the hair; and the chemical waving and straightening of hair.

121.17 Sec. 13. Minnesota Statutes 2020, section 154.08, is amended to read:

121.18 **154.08 APPLICATION; FEE.**

121.19 Subdivision 1. Application and fee requirements. Each applicant for an examination
121.20 shall:

121.21 (1) make an application to the Board of Barber Examiners or a board-approved
121.22 examination provider on blank forms prepared and furnished by it, the application to the
121.23 board or the provider. The application must contain proof under the applicant's oath of the
121.24 particular qualifications and identity of the applicant;

121.25 (2) provide all documentation required in support of the application;

121.26 (3) pay to the board the required fee; ~~and~~

121.27 (4) upon acceptance of the notarized application, present a corresponding
121.28 government-issued photo identification when the applicant appears for the examination;
121.29 and

121.30 (5) file an application with the board no later than the twentieth day of the month
121.31 preceding the month when the practical portion of the exam is administered.

122.1 Sec. 14. Minnesota Statutes 2020, section 154.09, is amended to read:

122.2 **154.09 EXAMINATIONS, CONDUCT AND SCOPE.**

122.3 Subdivision 1. Examination dates. The board or a board-approved examination provider
122.4 shall conduct practical examinations of applicants for certificates of registration to practice
122.5 as registered barbers not ~~more than six~~ less than four times each year, at such time and place
122.6 as the board may determine. ~~Additional~~ Written examinations may be scheduled ~~by the~~
122.7 ~~board~~ and conducted by board staff or a board-approved provider as designated by the board.

122.8 Subd. 2. Documentation required. The ~~proprietor~~ owner or operator of a barber school
122.9 must file an affidavit with the board of hours completed by students applying to take the
122.10 ~~registered barber~~ comprehensive examination. Students must complete the full 1,500-hour
122.11 curriculum in a barber school approved by the board ~~within the past four years~~ to be eligible
122.12 for examination. ~~Barber students who have completed barber school more than four years~~
122.13 ~~prior to application, that have not obtained a barber registration, license, or certificate in~~
122.14 ~~any jurisdiction must complete an additional 500 hours of barber school education to be~~
122.15 ~~eligible for the registered barber examination.~~

122.16 Subd. 3. Examinations for registration restoration. ~~Registered barbers that fail~~ An
122.17 individual who fails to renew ~~their~~ the individual's barber registration for four or more years
122.18 ~~are~~ is required to purchase and complete the "Home Study Course for Barbers" program
122.19 that was prepared and approved by the board before the individual is eligible to take the
122.20 ~~registered barber~~ comprehensive examination to reinstate the individual's registration.

122.21 Subd. 4. Examinations for individuals seeking reciprocity. An individual who must
122.22 pass the comprehensive examination under section 154.11 must purchase and complete the
122.23 "Home Study Course for Barbers" program that was prepared and approved by the board
122.24 before the individual is eligible to take the comprehensive examination.

122.25 Subd. 5. Contents of examination. The comprehensive examination ~~of applicants for~~
122.26 ~~certificates of registration as barbers~~ shall include:

122.27 (1) a practical demonstration portion that consists of: a haircut, and three of the following
122.28 practical services that the board shall determine: shave, beard trim, shampoo, perm wrap,
122.29 facial, or color application; and

122.30 (2) a written test. The examination must cover portion that covers the subjects taught in
122.31 barber schools registered with the board, including as required by this chapter, applicable
122.32 state statute statutes, and rule rules.

123.1 Subd. 6. Examination grading. The comprehensive examination must be graded as
123.2 follows:

123.3 (1) the grading for the practical portion of the examination must be on a scale of one to
123.4 100, with 100 representing a perfect score. A score of 75 must be the minimum passing
123.5 grade for the haircut portion and 75 must be the minimum passing score for the average of
123.6 the remaining parts of the practical examination; and

123.7 (2) the grading criteria for the written portion of the examination and the passing grade
123.8 must be established by the board or a board-approved examination provider for each written
123.9 examination at the time of the examination's preparation. The lowest passing grade
123.10 established must not be less than 55.

123.11 Subd. 7. Failure of examination. (a) An individual who does not pass one portion of
123.12 the comprehensive examination within a year of passing the other portion of the
123.13 comprehensive examination must retake the entire comprehensive examination.

123.14 (b) An individual who has failed a portion of the comprehensive examination may retake
123.15 that portion of the examination within a year of passing the other portion after meeting the
123.16 requirements of this chapter, paying any required fees and making an application to the
123.17 board as required by section 154.08.

123.18 Sec. 15. Minnesota Statutes 2020, section 154.11, subdivision 1, is amended to read:

123.19 Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the
123.20 requirements for barber registration in ~~sections 154.001, 154.002, 154.003, 154.01 to~~
123.21 ~~154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter and either has a currently
123.22 active license, certificate of registration, or equivalent as a practicing barber or instructor
123.23 of barbering as verified from another state or, if presenting foreign country credentials as
123.24 verified by a board-approved professional credential evaluation provider, which in the
123.25 discretion of the board has substantially the same requirements for registering barbers and
123.26 instructors of barbering as required by ~~sections 154.001, 154.002, 154.003, 154.01 to~~
123.27 ~~154.162, 154.19 to 154.21, and 154.24 to 154.28~~ in this chapter shall, upon payment of the
123.28 required fee, be issued a certificate of registration without examination.

123.29 (b) Individuals without a current documented license, certificate of registration, or
123.30 equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber
123.31 education as verified by the barber school attended in the other state or if presenting foreign
123.32 country education as verified by a board-approved professional credential evaluation provider,
123.33 completed within the previous four years, which, in the discretion of the board, has

124.1 substantially the same requirements as required in ~~sections 154.001, 154.002, 154.003,~~
124.2 ~~154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter will be eligible for
124.3 examination.

124.4 (c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject
124.5 to all the requirements of section 154.05.

124.6 Sec. 16. Minnesota Statutes 2020, section 154.11, is amended by adding a subdivision to
124.7 read:

124.8 Subd. 4. Examination of cosmetologists. a) A person may be credited with up to 1,000
124.9 hours of study, which in the discretion of the board has curriculum requirements that are
124.10 equivalent to the requirements in section 154.07 toward the 1,500 hours of study required
124.11 under section 154.05 if the person:

124.12 (1) has a currently active license as a practicing cosmetologist and the license is verified
124.13 by the issuing state;

124.14 (2) has a certificate of registration or equivalent as a practicing cosmetologist and the
124.15 certificate is verified by the issuing state; or

124.16 (3) has credentials as a practicing cosmetologist from a foreign country that are verified
124.17 by a board-approved professional credential evaluation provider and the board has determined
124.18 that the foreign country's curriculum requirements are substantially similar to the
124.19 requirements in section 154.07.

124.20 (b) After a person with credited hours under paragraph (a) completes the remaining
124.21 required hours in a board-approved barber school and meets the requirement of section
124.22 154.05, clause (1), the person is eligible for examination.

124.23 Sec. 17. Minnesota Statutes 2020, section 155A.20, is amended to read:

124.24 **155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.**

124.25 (a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ nine members,
124.26 appointed by the governor as follows:

124.27 (1) two cosmetologists, one of whom is recommended by a professional association of
124.28 cosmetologists, nail technicians, and estheticians;

124.29 (2) two school instructors, one of whom is teaching at a public cosmetology school in
124.30 the state and one of whom is teaching at a private cosmetology school in the state;

124.31 (3) one esthetician;

125.1 (4) one advanced practice esthetician;

125.2 ~~(4)~~ (5) one nail technician; and

125.3 (6) one hair technician; and

125.4 ~~(5)~~ (7) one public member, as defined in section 214.02.

125.5 (b) All cosmetologist, esthetician, and nail technician members must be currently licensed
125.6 in the field of cosmetology, nail technology, or ~~esthetology~~, esthiology in Minnesota, have
125.7 practiced in the licensed occupation for at least five years immediately prior to their
125.8 appointment, be graduates from grade 12 of high school or have equivalent education, and
125.9 have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and
125.10 2110.

125.11 (c) Membership terms, compensation of members, removal of members, the filling of
125.12 membership vacancies, and fiscal year and reporting requirements shall be as provided in
125.13 sections 214.07 to 214.09. The provision of staff, administrative services, and office space;
125.14 the review and processing of complaints; the setting of board fees; and other provisions
125.15 relating to board operations shall be as provided in chapter 214.

125.16 (d) Members appointed to fill vacancies caused by death, resignation, or removal shall
125.17 serve during the unexpired term of their predecessors.

125.18 **EFFECTIVE DATE.** This section is effective January 1, 2023.

125.19 Sec. 18. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

125.20 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,
125.21 advanced practice esthetician, hair technician, nail technician ~~practitioner~~, or eyelash
125.22 technician ~~practitioner~~, and who has a manager license and provides any services under that
125.23 license, as defined in subdivision 3.

125.24 **EFFECTIVE DATE.** This section is effective January 1, 2024.

125.25 Sec. 19. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

125.26 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare
125.27 and present the theoretical and practical education of cosmetology to persons who seek to
125.28 practice cosmetology. ~~An instructor must maintain an active operator or manager's license~~
125.29 ~~in the area in which the instructor holds an instructor's license.~~ As long as an instructor
125.30 holds an active instructor license, the board must ensure that the instructor's license as an
125.31 operator or a salon manager in the same field automatically continues to be active. The

126.1 board must not assess an instructor any fees for an operator or a salon manager license while
126.2 an instructor holds an active instructor license.

126.3 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.4 Sec. 20. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

126.5 Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager
126.6 in the practice of cosmetology, esthiology, advanced practice esthiology, hair technology
126.7 services, nail technology services, or eyelash technology services.

126.8 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.9 Sec. 21. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
126.10 to read:

126.11 Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation,
126.12 performs personal services for the cosmetic care of hair on the scalp. Hair technician services
126.13 include cutting hair and the application of dyes, bleach, reactive chemicals, keratin, or other
126.14 preparations to color or alter the structure of hair. A person who only performs hairstyling
126.15 as defined by subdivision 19 is not a hair technician.

126.16 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.17 Sec. 22. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

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

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

126.21 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

126.22 (i) \$155 for each initial license; and

126.23 (ii) \$40 for each initial license application fee;

126.24 (2) \$115 renewal of practitioner license, divided as follows:

126.25 (i) \$100 for each renewal license; and

126.26 (ii) \$15 for each renewal application fee;

126.27 (3) \$145 renewal of manager or instructor license, divided as follows:

126.28 (i) \$130 for each renewal license; and

- 127.1 (ii) \$15 for each renewal application fee;
- 127.2 (4) \$350 initial salon license, divided as follows:
- 127.3 (i) \$250 for each initial license; and
- 127.4 (ii) \$100 for each initial license application fee;
- 127.5 (5) \$225 renewal of salon license, divided as follows:
- 127.6 (i) \$175 for each renewal; and
- 127.7 (ii) \$50 for each renewal application fee;
- 127.8 (6) \$4,000 initial school license, divided as follows:
- 127.9 (i) \$3,000 for each initial license; and
- 127.10 (ii) \$1,000 for each initial license application fee; and
- 127.11 (7) \$2,500 renewal of school license, divided as follows:
- 127.12 (i) \$2,000 for each renewal; and
- 127.13 (ii) \$500 for each renewal application fee.
- 127.14 (c) Penalties may be assessed in amounts up to the following:
- 127.15 (1) reinspection fee, \$150;
- 127.16 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 127.17 (3) expired practitioner or instructor found on inspection, \$200;
- 127.18 (4) expired salon found on inspection, \$500;
- 127.19 (5) expired school found on inspection, \$1,000;
- 127.20 (6) failure to display current license, \$100;
- 127.21 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 127.22 under section 155A.355, subdivision 1, \$500;
- 127.23 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 127.24 subdivision 2, \$500;
- 127.25 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 127.26 or cosmetology services in a nail salon, \$500;
- 127.27 (10) owner and manager allowing an operator to work as an independent contractor,
- 127.28 \$200;

- 128.1 (11) operator working as an independent contractor, \$100;
- 128.2 (12) refusal or failure to cooperate with an inspection, \$500;
- 128.3 (13) practitioner late renewal fee, \$45; and
- 128.4 (14) salon or school late renewal fee, \$50.
- 128.5 (d) Administrative fees are as follows:
- 128.6 (1) homebound service permit, \$50 three-year fee;
- 128.7 (2) name change, \$20;
- 128.8 (3) certification of licensure, \$30 each;
- 128.9 (4) duplicate license, \$20;
- 128.10 (5) special event permit, \$75 per year;
- 128.11 ~~(6) \$100 for each temporary military license for a cosmetologist, nail technician,~~
- 128.12 ~~esthetician, or advanced practice esthetician one-year fee;~~
- 128.13 ~~(7)~~ (6) expedited initial individual license, \$150;
- 128.14 ~~(8)~~ (7) expedited initial salon license, \$300;
- 128.15 ~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and
- 128.16 ~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.

128.17 **EFFECTIVE DATE.** This section is effective January 1, 2024.

128.18 Sec. 23. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:

128.19 Subdivision 1. **Licensing.** A person must hold an individual license to practice in the
 128.20 state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician,
 128.21 advanced practice esthetician, manager, or instructor.

128.22 **EFFECTIVE DATE.** This section is effective January 1, 2024.

128.23 Sec. 24. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:

128.24 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses
 128.25 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with
 128.26 section 197.4552. A temporary license is valid for a three-year license cycle. An applicant
 128.27 may only apply once for a temporary license.

128.28 **EFFECTIVE DATE.** This section is effective January 1, 2024.

129.1 Sec. 25. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

129.2 Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of
129.3 three years. The board may extend a licensee's operator or salon manager license when
129.4 issuing a new instructor license to the licensee to match expiration dates.

129.5 **EFFECTIVE DATE.** This section is effective January 1, 2024.

129.6 Sec. 26. Minnesota Statutes 2020, section 155A.27, subdivision 10, is amended to read:

129.7 Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail
129.8 technician, ~~or~~ esthetician, or eyelash technician may be licensed in Minnesota if the individual
129.9 has completed cosmetology school in a state or country with the same or greater school
129.10 hour requirements, has an active license in that state or country, and has passed a
129.11 board-approved theory and practice-based examination, the Minnesota-specific written
129.12 operator examination for cosmetologist, hair technician, nail technician, ~~or~~ esthetician, or
129.13 eyelash technician. If a test is used to verify the qualifications of trained cosmetologists,
129.14 the test should be translated into the nonresident's native language within the limits of
129.15 available resources. Licenses shall not be issued under this subdivision for managers or
129.16 instructors.

129.17 (b) If an individual has less than the required number of school hours, the individual
129.18 must have had a current active license in another state or country for at least three years and
129.19 have passed a board-approved theory and practice-based examination, and the
129.20 Minnesota-specific written operator examination for cosmetologist, hair technician, nail
129.21 technician, ~~or~~ esthetician, or eyelash technician. If a test is used to verify the qualifications
129.22 of trained cosmetologists, the test should be translated into the nonresident's native language
129.23 within the limits of available resources. Licenses must not be issued under this subdivision
129.24 for managers or instructors.

129.25 (c) Applicants claiming training and experience in a foreign country shall supply official
129.26 English-language translations of all required documents from a board-approved source.

129.27 **EFFECTIVE DATE.** This section is effective January 1, 2024.

129.28 Sec. 27. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
129.29 to read:

129.30 Subd. 11. **Reciprocity for barbers.** A barber who has a currently active registration
129.31 under Minnesota Statutes, chapter 154, may be granted credit, as determined by rule, toward
129.32 the required hours of study required for licensure in cosmetology or hair technology.

130.1 **EFFECTIVE DATE.** This section is effective January 1, 2024.

130.2 Sec. 28. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

130.3 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal
130.4 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,
130.5 advanced practice esthetician, eyelash technician, or salon manager, the applicant must
130.6 complete four hours of continuing education credits from a board-approved continuing
130.7 education provider during the three years prior to the applicant's renewal date. One credit
130.8 hour of the requirement must include instruction pertaining to state laws and rules governing
130.9 the practice of cosmetology. Three credit hours must include instruction pertaining to health,
130.10 safety, and infection control matters consistent with the United States Department of Labor's
130.11 Occupational Safety and Health Administration standards applicable to the practice of
130.12 cosmetology, or other applicable federal health, infection control, and safety standards, and
130.13 must be regularly updated so as to incorporate newly developed standards and accepted
130.14 professional best practices. Credit hours earned are valid for three years and may be applied
130.15 simultaneously to all individual licenses held by a licensee under this chapter.

130.16 (b) ~~Effective August 1, 2017,~~ In addition to the hours of continuing education credits
130.17 required under paragraph (a), to qualify for license renewal under this chapter as an individual
130.18 cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician,
130.19 or salon manager, the applicant must also complete a four credit hour continuing education
130.20 course from a board-approved continuing education provider based on any of the following
130.21 within the licensee's scope of practice:

130.22 (1) product chemistry and chemical interaction;

130.23 (2) proper use and maintenance of machines and instruments;

130.24 (3) business management, professional ethics, and human relations; or

130.25 (4) techniques relevant to the type of license held.

130.26 Credits are valid for three years and must be completed with a board-approved provider of
130.27 continuing education during the three years prior to the applicant's renewal date and may
130.28 be applied simultaneously to other individual licenses held as applicable, except that credits
130.29 completed under this paragraph must not duplicate credits completed under paragraph (a).

130.30 (c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license,
130.31 or an inactive license.

131.1 Sec. 29. Minnesota Statutes 2020, section 155A.29, subdivision 1, is amended to read:

131.2 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation
131.3 unless the services are provided by a licensee in a licensed salon or as otherwise provided
131.4 in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician~~
131.5 ~~salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold~~
131.6 ~~more than one type of salon license.~~

131.7 Sec. 30. Minnesota Statutes 2020, section 155A.30, subdivision 2, is amended to read:

131.8 Subd. 2. **Standards.** The board shall by rule establish minimum standards of course
131.9 content and length specific to the educational preparation prerequisite to testing and licensing
131.10 as cosmetologist, hair technician, esthetician, ~~and~~ advanced practice esthetician, nail
131.11 technician, and eyelash technician.

131.12 **EFFECTIVE DATE.** This section is effective January 1, 2024.

131.13 Sec. 31. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

131.14 Subd. 3. **Applications.** Application for a license shall be prepared on forms furnished
131.15 by the board and shall contain the following and such other information as may be required:

131.16 (1) the name of the school, together with ownership and controlling officers, members,
131.17 and managing employees;

131.18 (2) the specific fields of instruction which will be offered and reconciliation of the course
131.19 content and length to meet the minimum standards, as prescribed in subdivision 2;

131.20 (3) the place or places where instruction will be given;

131.21 (4) a listing of the equipment available for instruction in each course offered;

131.22 (5) the maximum enrollment to be accommodated;

131.23 (6) a listing of instructors, all of whom shall be licensed as provided in section 155A.27,
131.24 subdivision 2, except that any school may use occasional instructors or lecturers who would
131.25 add to the general or specialized knowledge of the students but who need not be licensed;

131.26 (7) a current balance sheet, income statement or documentation to show sufficient
131.27 financial worth and responsibility to properly conduct a school and to assure financial
131.28 resources ample to meet the school's financial obligations;

131.29 (8) other financial guarantees which would assure protection of the public as determined
131.30 by rule; and

132.1 (9) ~~a copy of all written material which the school uses to solicit prospective students,~~
 132.2 ~~including but not limited to a tuition and fee schedule, and all catalogues, brochures and~~
 132.3 ~~other recruitment advertisements. Each school shall annually, on a date determined by the~~
 132.4 ~~board, file with the board any new or amended materials which it has distributed during the~~
 132.5 ~~past year.~~ written materials that the school will use for prospective student enrollment,
 132.6 including the enrollment contract, student handbook, and tuition and fee information.

132.7 **EFFECTIVE DATE.** This section is effective January 1, 2024.

132.8 Sec. 32. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

132.9 Subd. 4. **Verification of application.** Each application shall be signed and certified to
 132.10 under oath by the proprietor if the applicant is a proprietorship, by the managing partner if
 132.11 the applicant is a partnership, or by the authorized officers of the applicant if the applicant
 132.12 is a corporation, association, company, firm, society or trust-, except that schools in the
 132.13 Minnesota State Colleges and Universities system and secondary schools must provide a
 132.14 signature from the dean, principal, or other authorized signatory.

132.15 **EFFECTIVE DATE.** This section is effective January 1, 2024.

132.16 Sec. 33. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

132.17 Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than
 132.18 ten hours per day per student.

132.19 (b) Instruction must be given within a licensed school building except as provided for
 132.20 in paragraph (c). ~~Online instruction is permitted for board-approved theory-based classes.~~
 132.21 Instruction may be given online for theory-based portions of a board-approved curriculum.
 132.22 Practice-based classes portions of a board-approved curriculum must not be given online.

132.23 (c) Schools may offer field trips outside of a licensed school building if the field trips
 132.24 are related to the course curriculum for industry educational purposes.

132.25 Sec. 34. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING**
 132.26 **GROUP.**

132.27 The board shall establish a working group to study and report to the legislative committees
 132.28 with jurisdiction over the Board of Cosmetologist Examiners by January 1, 2024, on:

132.29 (1) evaluating the salon manager license and school manager license;

132.30 (2) evaluating the scope and requirements for special event services and homebound
 132.31 services permits and considering merging both permits; and

133.1 (3) evaluating an endorsement-based licensing structure.

133.2 Sec. 35. **REVISOR INSTRUCTION.**

133.3 The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board of
 133.4 Cosmetology" wherever it appears in Minnesota Statutes.

133.5 Sec. 36. **REPEALER.**

133.6 Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; and 2100.3200,
 133.7 are repealed.

133.8 **ARTICLE 5**

133.9 **VETERANS AND MILITARY AFFAIRS APPROPRIATIONS**

133.10 Section 1. **APPROPRIATIONS.**

133.11 The sums shown in the columns marked "Appropriations" are added to or, if shown in
 133.12 parentheses, subtracted from the appropriations in Laws 2021, First Special Session chapter
 133.13 12, article 1, to the agencies and for the purposes specified in this article. The appropriations
 133.14 are from the general fund, or another named fund, and are available for the fiscal years
 133.15 indicated for each purpose. The figures "2022" and "2023" used in this article mean that
 133.16 the addition to or subtraction from the appropriation listed under them is available for the
 133.17 fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is the fiscal
 133.18 year ending June 30, 2022. "The second year" is the fiscal year ending June 30, 2023.
 133.19 Supplemental appropriations and reductions to appropriations for the fiscal year ending
 133.20 June 30, 2022, are effective the day following final enactment.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2022</u>	<u>2023</u>

133.25 Sec. 2. **MILITARY AFFAIRS**

133.26 <u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>2,865,000</u>
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133.27 The base is increased \$3,242,000 in fiscal year
 133.28 2024 and each year thereafter.

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

134.1 Subd. 2. **General Support** -0- 865,000

134.2 (a) **Holistic Health and Fitness Program.**

134.3 \$765,000 in fiscal year 2023 is for

134.4 administrative and payroll costs to create and

134.5 operate Holistic Health and Fitness (H2F)

134.6 initiatives across the Minnesota Army National

134.7 Guard. The base for this program is \$742,000

134.8 in fiscal year 2024 and each year thereafter.

134.9 (b) **USS Minneapolis-St. Paul**

134.10 **Commissioning.** \$100,000 in fiscal year 2023

134.11 is for a grant to the Minnesota Navy League

134.12 to support activities related to the

134.13 commissioning of the USS Minneapolis-St.

134.14 Paul. This is a onetime appropriation.

134.15 Subd. 3. **Enlistment Incentives** -0- 2,000,000

134.16 \$2,000,000 in fiscal year 2023 is appropriated

134.17 from the general fund to the adjutant general

134.18 of military affairs for the purpose of providing

134.19 enlistment incentives to attract highly qualified

134.20 candidates for enlistment in the Minnesota

134.21 National Guard. The base for this

134.22 appropriation is \$2,500,000 in fiscal year 2024

134.23 and each year thereafter.

134.24 Sec. 3. **VETERANS AFFAIRS**

134.25 Subdivision 1. **Total Appropriation** \$ 500,000 \$ 40,514,000

134.26 The base is increased \$10,809,000 in fiscal

134.27 year 2024 and \$7,491,000 in fiscal year 2025.

134.28 The amounts that may be spent for each

134.29 purpose are specified in the following

134.30 subdivisions.

135.1 Subd. 2. **Veterans Programs and Services** 500,000 40,514,000

135.2 (a) **Base Adjustment.** The base is increased

135.3 \$10,809,000 in fiscal year 2024 and

135.4 \$7,491,000 in fiscal year 2025.

135.5 (b) **Veterans Bonus Program.** \$24,880,000

135.6 in fiscal year 2023 is for service bonuses to

135.7 Post-9/11 Veterans and Gold Star families

135.8 under Minnesota Statutes, section 197.79. This

135.9 is a onetime appropriation.

135.10 (c) **Veterans Service Organizations Grant**

135.11 **Program.** \$147,000 in fiscal year 2023 and

135.12 each year thereafter is for grants to

135.13 congressionally chartered veterans service

135.14 organizations meeting eligibility requirements

135.15 under Minnesota Statutes, section 197.61,

135.16 subdivision 3, as designated by the

135.17 commissioner.

135.18 (d) **County Veterans Service Office Grant**

135.19 **Program.** \$450,000 in fiscal year 2023 and

135.20 each year thereafter is for funding the County

135.21 Veterans Service Office grant program under

135.22 Minnesota Statutes, section 197.608.

135.23 (e) **Fisher House.** \$500,000 in fiscal year

135.24 2023 is for the purpose of supporting the

135.25 creation of a new Fisher House near the Fargo

135.26 Veterans Affairs (VA) Medical Center

135.27 campus. The facility will provide temporary

135.28 accommodations at no charge to families and

135.29 caregivers of veterans receiving care at the

135.30 Fargo VA Health Care System. This is a

135.31 onetime appropriation and is available until

135.32 the project is completed or abandoned, subject

135.33 to Minnesota Statutes, section 16A.642.

- 136.1 (f) Redwood Falls State Veterans Cemetery.
136.2 \$830,000 in fiscal year 2023 and each year
136.3 thereafter is for operations of the state's
136.4 veterans cemeteries, including operations in
136.5 Redwood County.
- 136.6 (g) Minnesota Assistance Council for
136.7 Veterans. \$8,000,000 in fiscal year 2023 is
136.8 for a grant to the Minnesota Assistance
136.9 Council for Veterans to provide assistance
136.10 throughout Minnesota to veterans and former
136.11 service members and their families who are
136.12 homeless or in danger of homelessness,
136.13 including assistance with the following:
- 136.14 (1) supportive services to maintain housing;
136.15 (2) employment;
136.16 (3) legal issues;
136.17 (4) housing and housing-related costs; and
136.18 (5) transportation.
- 136.19 The assistance authorized under this paragraph
136.20 must be made only to veterans or former
136.21 service members who have resided in
136.22 Minnesota for 30 days prior to application for
136.23 assistance and according to other guidelines
136.24 established by the commissioner. In order to
136.25 avoid duplication of services, the
136.26 commissioner must ensure that this assistance
136.27 is coordinated with all other available
136.28 programs for veterans.
- 136.29 This appropriation must be used for the
136.30 establishment and management of permanent
136.31 supportive housing options for homeless
136.32 veterans and former service members.

137.1 The base for this appropriation is \$4,200,000
137.2 in fiscal year 2024 and \$1,200,000 each year
137.3 thereafter.

137.4 Any unencumbered balance remaining in this
137.5 subdivision in fiscal year 2023 is available in
137.6 fiscal years 2024 and 2025.

137.7 **(h) Increase Engagement and Outreach**

137.8 **Activities; Support Temporary Housing**

137.9 **Options.** \$1,714,000 in fiscal year 2023 and

137.10 each year thereafter is for temporary

137.11 alternative housing options for homeless

137.12 veterans and former service members and for

137.13 staff to increase outreach activities to end

137.14 homelessness. The commissioner of veterans

137.15 affairs may use funds for personnel, research,

137.16 marketing, and professional or technical

137.17 contracts.

137.18 **(i) Tenancy Supports and Landlord**

137.19 **Engagement.** \$1,100,000 in fiscal year 2023

137.20 is for incentives for landlords to assist in

137.21 housing homeless veterans and former service

137.22 members, staff, and funding to remove barriers

137.23 to permanent housing. The commissioner of

137.24 veterans affairs may use funds for financial

137.25 assistance, personnel, research, marketing, and

137.26 professional or technical contracts. The base

137.27 in fiscal year 2024 and each year thereafter is

137.28 \$975,000.

137.29 **(j) Minnesota Veteran Suicide Prevention**

137.30 **Initiative.** \$2,125,000 in fiscal year 2023 is

137.31 to address the problem of death by suicide

137.32 among veterans in Minnesota. The

137.33 commissioner of veterans affairs may use

137.34 funds for personnel, training, research,

137.35 marketing, and professional or technical

138.1 contracts. Of this amount, the commissioner
138.2 may use up to:

138.3 (1) \$400,000 to initiate a veteran connections
138.4 pilot project by issuing a request for proposals
138.5 to identify a community-based, mobile, mental
138.6 health, and recovery tool to provide a secure
138.7 environment for veterans to connect with other
138.8 veterans; and

138.9 (2) \$150,000 to develop, in consultation with
138.10 stakeholders, written information on the safe
138.11 storage of firearms and means restriction.
138.12 Stakeholders include organizations
138.13 representing gun sellers and gun owners and
138.14 organizations supporting suicide prevention
138.15 and mental health. The written information
138.16 must include information on Minnesota
138.17 Statutes, section 609.666, and on how to store
138.18 firearms safely, suicide risk factors, suicide
138.19 lifelines, and mental health crisis services. The
138.20 commissioner must provide the written
138.21 information to licensed firearm dealers,
138.22 shooting ranges, chiefs of police, sheriffs,
138.23 county public health departments, and
138.24 instructors on the safe use of firearms to
138.25 distribute to people buying or using firearms.

138.26 The base for this appropriation is \$2,025,000
138.27 in fiscal year 2024 and \$2,175,000 in fiscal
138.28 year 2025.

138.29 (k) **Metro Meals on Wheels.** \$468,000 in
138.30 fiscal year 2023 is for a grant to Metro Meals
138.31 on Wheels to provide:

138.32 (1) home-delivered meals to veterans; and

139.1 (2) technical, enrollment, fund-raising,
 139.2 outreach, and volunteer recruitment assistance
 139.3 to member programs.

139.4 The base for this appropriation is \$468,000 in
 139.5 fiscal year 2024 and \$0 in fiscal year 2025.

139.6 **(1) Veterans Campground Wastewater**
 139.7 **System Upgrades.** \$800,000 in fiscal year
 139.8 2023 is for one or more grants to the Veterans
 139.9 Campground on Big Marine Lake, a 501(c)(3)
 139.10 nonprofit organization, to design, engineer,
 139.11 permit, and construct wastewater systems on
 139.12 campground property to increase the capacity
 139.13 of wastewater systems. This is a onetime
 139.14 appropriation.

139.15 Sec. 4. Laws 2021, First Special Session chapter 12, article 1, section 37, subdivision 2,
 139.16 is amended to read:

139.17 Subd. 2. Veterans Programs and Services	27,073,000	22,153,000
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139.18 (a) **CORE Program.** \$750,000 each year is
 139.19 for the Counseling and Case Management
 139.20 Outreach Referral and Education (CORE)
 139.21 program.

139.22 (b) **Veterans Service Organizations.**
 139.23 \$353,000 each year is for grants to the
 139.24 following congressionally chartered veterans
 139.25 service organizations as designated by the
 139.26 commissioner: Disabled American Veterans,
 139.27 Military Order of the Purple Heart, the
 139.28 American Legion, Veterans of Foreign Wars,
 139.29 Vietnam Veterans of America, AMVETS, and
 139.30 Paralyzed Veterans of America. This funding
 139.31 must be allocated in direct proportion to the
 139.32 funding currently being provided by the
 139.33 commissioner to these organizations.

140.1 **(c) Minnesota Assistance Council for**
140.2 **Veterans.** \$750,000 each year is for a grant
140.3 to the Minnesota Assistance Council for
140.4 Veterans to provide assistance throughout
140.5 Minnesota to veterans and their families who
140.6 are homeless or in danger of homelessness,
140.7 including assistance with the following:

140.8 (1) utilities;
140.9 (2) employment; and
140.10 (3) legal issues.

140.11 The assistance authorized under this paragraph
140.12 must be made only to veterans who have
140.13 resided in Minnesota for 30 days prior to
140.14 application for assistance and according to
140.15 other guidelines established by the
140.16 commissioner. In order to avoid duplication
140.17 of services, the commissioner must ensure that
140.18 this assistance is coordinated with all other
140.19 available programs for veterans.

140.20 **(d) State's Veterans Cemeteries.** \$6,172,000
140.21 the first year and \$1,672,000 the second year
140.22 are for the state's veterans cemeteries. Of these
140.23 amounts, \$4,500,000 the first year is to
140.24 construct and equip the new veterans cemetery
140.25 in Redwood Falls.

140.26 **(e) Honor Guards.** \$200,000 each year is for
140.27 compensation for honor guards at the funerals
140.28 of veterans under Minnesota Statutes, section
140.29 197.231.

140.30 **(f) Minnesota GI Bill.** \$200,000 each year is
140.31 for the costs of administering the Minnesota
140.32 GI Bill postsecondary educational benefits,
140.33 on-the-job training, and apprenticeship

- 141.1 program under Minnesota Statutes, section
141.2 197.791.
- 141.3 **(g) Gold Star Program.** \$100,000 each year
141.4 is for administering the Gold Star Program for
141.5 surviving family members of deceased
141.6 veterans.
- 141.7 **(h) County Veterans Service Office.**
141.8 \$1,100,000 each year is for funding the
141.9 County Veterans Service Office grant program
141.10 under Minnesota Statutes, section 197.608.
- 141.11 **(i) Veteran Homelessness Initiative.**
141.12 \$3,165,000 each year is for an initiative to
141.13 prevent and end veteran homelessness. The
141.14 commissioner of veterans affairs may provide
141.15 housing vouchers and other services to
141.16 alleviate homelessness among veterans and
141.17 former service members in Minnesota. The
141.18 commissioner may contract for program
141.19 administration and may establish a vacancy
141.20 reserve fund. The base for this appropriation
141.21 in fiscal year 2024 and each year thereafter is
141.22 \$1,311,000.
- 141.23 **(j) Camp Bliss.** \$75,000 each year is for a
141.24 grant to Independent Lifestyles, Inc. for
141.25 expenses related to retreats for veterans at
141.26 Camp Bliss in Walker, Minnesota, including
141.27 therapy, transportation, and activities
141.28 customized for veterans.
- 141.29 **(k) Veterans On The Lake.** \$50,000 in the
141.30 first year is for a grant to Veterans on the Lake
141.31 for expenses related to retreats for veterans,
141.32 including therapy, transportation, and activities
141.33 customized for veterans.

142.1 **(l) ~~Veterans~~ Veteran Resilience Project.**
142.2 \$400,000 each year is for a grant to the
142.3 ~~veterans~~ veteran resilience project. Grant funds
142.4 must be used to make eye movement
142.5 desensitization and reprocessing therapy
142.6 available to veterans and current military
142.7 service members who are suffering from
142.8 posttraumatic stress disorder ~~and~~ or trauma.
142.9 The base for this appropriation in fiscal year
142.10 2024 and each year thereafter is \$200,000.

142.11 The veterans resilience project must report to
142.12 the commissioner of veterans affairs and the
142.13 chairs and ranking minority members of the
142.14 legislative committees with jurisdiction over
142.15 veterans affairs policy and finance by January
142.16 15 of each year on the program. The report
142.17 must include an overview of the program's
142.18 budget, a detailed explanation of program
142.19 expenditures, the number of veterans and
142.20 service members served by the program, and
142.21 a list and explanation of the services provided
142.22 to program participants.

142.23 **(m) 9/11 Task Force.** \$500,000 the first year
142.24 is for the Advisory Task Force on 9/11 and
142.25 Global War on Terrorism Remembrance. The
142.26 task force must collect, memorialize, and
142.27 publish stories of Minnesotans' service in the
142.28 Global War on Terrorism and impacts on their
142.29 dependents. The task force must host a
142.30 remembrance program in September 2021.
142.31 This is a onetime appropriation.

143.1

ARTICLE 6

143.2

VETERANS AND MILITARY AFFAIRS POLICY

143.3 Section 1. Minnesota Statutes 2021 Supplement, section 196.081, is amended to read:

143.4

196.081 VETERANS STABLE HOUSING INITIATIVE; DATA; REPORT.

143.5

143.6 Subdivision 1. Veterans stable housing initiative. (a) The commissioner may establish
143.7 a veterans stable housing initiative. If the commissioner establishes a veterans stable housing
143.8 initiative under this section, the commissioner must provide resources and support to assist
143.9 veterans experiencing homelessness in obtaining or maintaining stable housing.

143.9

143.10 (b) Data on individuals maintained by the commissioner in the Homeless Veteran Registry
143.11 for purposes of the veterans stable housing initiative is private data on individuals as defined
143.12 in section 13.02, subdivision 12, and must not be disclosed or shared except for coordinating
143.13 homelessness prevention efforts with:

143.13

(1) members of the Minnesota Interagency Council on Homelessness; and

143.14

143.15 (2) Homeless Veteran Registry partners to address a veteran's episode of homelessness
143.16 or maintain a veteran's housing plan through Department of Veterans Affairs funded
143.17 programs.

143.17

143.18 (c) For purposes of this section, "homelessness" means that a veteran lacks a fixed,
143.19 nighttime residence.

143.19

143.20 Subd. 2. Annual report. Beginning January 15, 2023, and each year thereafter, the
143.21 commissioner must submit a report to the chairs and ranking minority members of the
143.22 legislative committees with jurisdiction over veterans affairs and housing on the department's
143.23 homelessness activities. The report must include the annual inflow and outflow of former
143.24 service members on the homeless veteran registry, the number of currently homeless former
143.25 service members, the utilization of homeless programs to prevent and end a former service
143.26 member's episode of homelessness, and identify trends in the homeless response system.

143.26

Sec. 2. Minnesota Statutes 2020, section 197.608, subdivision 4, is amended to read:

143.27

143.28 Subd. 4. **Grant process.** (a) The commissioner shall determine the process for awarding
143.29 grants. A grant may be used only for the purpose of enhancing the operations of the County
143.30 Veterans Service Office.

143.30

143.31 (b) The commissioner shall provide a list of qualifying uses for grant expenditures as
developed in subdivision 5 and shall approve a grant under subdivision 6 only for a qualifying

144.1 use and if there are sufficient funds remaining in the grant program to cover the full amount
144.2 of the grant.

144.3 (c) The commissioner is authorized to use any unexpended funding for this program to
144.4 ~~provide training and education for county veterans service officers.~~ for the following
144.5 purposes:

144.6 (1) to provide training and education for county veterans service officers; and

144.7 (2) to provide additional grants on a competitive basis to any county that proposes to
144.8 provide programs and services that the commissioner determines to be new and innovative
144.9 in serving veterans and their families.

144.10 Sec. 3. Minnesota Statutes 2020, section 197.608, subdivision 6, is amended to read:

144.11 Subd. 6. **Grant amount.** (a) Each county is eligible to receive an annual grant of \$7,500
144.12 for the following purposes:

144.13 (1) to provide outreach to the county's veterans;

144.14 (2) to assist in the reintegration of combat veterans into society;

144.15 (3) to collaborate with other social service agencies, educational institutions, and other
144.16 community organizations for the purposes of enhancing services offered to veterans;

144.17 (4) to reduce homelessness among veterans; and

144.18 (5) to enhance the operations of the county veterans service office.

144.19 (b) In addition to the grant amount in paragraph (a), each county is eligible to receive
144.20 an additional annual grant under this paragraph. The amount of each additional annual grant
144.21 must be determined by the commissioner and may not exceed:

144.22 (1) \$0, if the county's veteran population is less than 1,000;

144.23 (2) \$2,500, if the county's veteran population is 1,000 or more but less than 3,000;

144.24 (3) \$5,000, if the county's veteran population is 3,000 or more but less than ~~4,999~~ 5,000;

144.25 (4) \$7,500, if the county's veteran population is 5,000 or more but less than ~~9,999~~ 10,000;

144.26 (5) \$10,000, if the county's veteran population is 10,000 or more but less than ~~19,999~~
144.27 20,000;

144.28 (6) \$15,000, if the county's veteran population is 20,000 or more but less than ~~29,999~~
144.29 30,000; or

144.30 (7) \$20,000, if the county's veteran population is 30,000 or more.

145.1 (c) The Minnesota Association of County Veterans Service Officers is eligible to receive
145.2 an annual grant of ~~\$50,000~~ \$100,000. The grant shall be used for administrative costs of
145.3 the association, certification of mandated county veterans service officer training and
145.4 accreditation, and costs associated with reintegration services.

145.5 The veteran population of each county shall be determined by the figure supplied by the
145.6 United States Department of Veterans Affairs, as adopted by the commissioner.

145.7 Sec. 4. [197.61] VETERANS SERVICE ORGANIZATIONS GRANT PROGRAM.

145.8 Subdivision 1. Grant program. A veterans service organization grant program is
145.9 established to provide grants to congressionally chartered veterans service organizations
145.10 (VSO) to enhance the effectiveness of veterans services. The program shall be administered
145.11 by the commissioner of veterans affairs.

145.12 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the
145.13 meanings given.

145.14 (b) "Accredited representation" means providing representation under the authority
145.15 granted by the VA to representatives, agents, and attorneys to assist claimants in the
145.16 preparation, presentation, and prosecution of claims for VA benefits.

145.17 (c) "Commissioner" means the commissioner of veterans affairs or a designee.

145.18 (d) "Congressionally chartered veterans service organizations" are organizations that
145.19 have been granted charters by Congress through the enactment of public laws. Each
145.20 congressionally chartered VSO is listed in United States Code, title 36, subtitle II: Patriotic
145.21 and National Organizations.

145.22 (e) "Department" means the Department of Veterans Affairs.

145.23 (f) "Full member" means a veteran who meets the requirements for membership in a
145.24 congressionally chartered veterans service organization and is entitled to all of the rights
145.25 and privileges thereof. Full member does not include an associate or auxiliary member.

145.26 (g) "VA" means the United States Department of Veterans Affairs.

145.27 Subd. 3. Eligibility. To be eligible for a grant under subdivision 6, a veterans service
145.28 organization must provide:

145.29 (1) accredited representation for the preparation and presentation of veteran claims to
145.30 the United States government for compensation and other benefits to which a veteran is
145.31 entitled as a result of the veteran's military service;

146.1 (2) a state or department level veterans service officer to provide programs and services
146.2 to veterans; or

146.3 (3) statewide transportation services to veterans.

146.4 Subd. 4. **Grant process.** (a) A grant may be used only for the purpose of enhancing the
146.5 operations of congressionally chartered veterans service organizations.

146.6 (b) The commissioner shall provide a list of qualifying uses for grant expenditures as
146.7 required in subdivision 5 and shall approve a grant for a qualifying use if there is sufficient
146.8 grant money remaining in the grant program to cover the full amount of the grant.

146.9 Subd. 5. **Qualifying uses.** The commissioner shall develop a list of qualifying uses for
146.10 grants awarded under this section.

146.11 Subd. 6. **Grant amount.** (a) Each congressionally chartered veterans service organization
146.12 is eligible to receive an annual grant determined by the commissioner as follows:

146.13 (1) a dollar amount per full member for each organization member to be established by
146.14 the commissioner. The dollar amount may be adjusted every biennium, subject to available
146.15 funding; and

146.16 (2) a dollar amount for each organization, established by the commissioner, based on
146.17 the organization's share of the VA claims workload for veterans and their dependents who
146.18 reside in Minnesota. The VA claims workload must be reported as a percentage of the state's
146.19 total VA workload.

146.20 (b) The VA claims workload for each congressionally chartered veterans service
146.21 organization must be determined by a report supplied by the VA, as adopted by the
146.22 commissioner.

146.23 Subd. 7. **Recapture.** If a congressionally chartered veterans service organization fails
146.24 to use the grant for a qualified use approved by the commissioner or does not spend the
146.25 allocated grant money, the commissioner shall seek recovery of the grant from the
146.26 organization and the organization must repay the grant amount or any unused grant money.

146.27 Sec. 5. Minnesota Statutes 2020, section 197.79, subdivision 1, is amended to read:

146.28 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
146.29 meanings given them.

146.30 (a) "Applicant" means a veteran or a veteran's guardian, conservator, or personal
146.31 representative or a beneficiary or a beneficiary's guardian, conservator, or personal

147.1 representative who has filed an application with the commissioner for a bonus under this
147.2 section.

147.3 (b) "Application" means a request for a bonus payment by a veteran, a veteran's
147.4 beneficiary, or a veteran's guardian, conservator, or personal representative through
147.5 submission of written information on a form designed by the commissioner for this purpose.

147.6 (c) "Beneficiary" means in relation to a deceased veteran and in the order named:

147.7 (1) the surviving spouse, if not remarried;

147.8 (2) the children of the veteran, if there is no surviving spouse or the surviving spouse
147.9 has remarried;

147.10 (3) the veteran's surviving parent or parents;

147.11 (4) the veteran's surviving sibling or siblings; or

147.12 (5) the veteran's estate.

147.13 (d) "Commissioner" means the commissioner of the Department of Veterans Affairs.

147.14 (e) "Department" means the Department of Veterans Affairs.

147.15 (f) "Eligibility period for the bonus" means the period from ~~August 2, 1990, to July 31,~~
147.16 ~~1991~~ September 11, 2001, to August 30, 2021.

147.17 (g) "Guardian" or "conservator" means the legally appointed representative of a minor
147.18 or incapacitated beneficiary or ~~incompetent~~ veteran, the chief officer of a hospital or
147.19 institution in which the ~~incompetent~~ incapacitated veteran is placed if the officer is authorized
147.20 to accept money for the benefit of the minor or ~~incompetent~~ incapacitated, the person
147.21 determined by the commissioner to be the person who is legally charged with the
147.22 responsibility for the care of the minor or incapacitated beneficiary or ~~incompetent~~ veteran,
147.23 or the person determined by the commissioner to be the person who has assumed the
147.24 responsibility for the care of the minor or incapacitated beneficiary or ~~incompetent~~ veteran.

147.25 (h) "Honorable service" means honorable federal service in the United States armed
147.26 forces, as evidenced by:

147.27 (1) an honorable discharge;

147.28 (2) a general discharge under honorable conditions;

147.29 (3) in the case of an officer, a certificate of honorable service; or

148.1 (4) in the case of an applicant who is currently serving in active duty in the United States
148.2 armed forces, a certificate from an appropriate service authority that the applicant's service
148.3 to date has been honorable.

148.4 (i) "Incapacitated person" means an individual who, for reasons other than being a minor,
148.5 lacks sufficient understanding or the capacity to make personal decisions and who is unable
148.6 to meet the individual's own personal needs for medical care, nutrition, clothing, shelter, or
148.7 safety even when assisted by appropriate technology or supported decision making.

148.8 ~~(i)~~ (j) "Resident veteran" means a veteran who served in active duty in the United States
148.9 armed forces at any time during the eligibility period for the bonus, and who also:

148.10 (1) ~~has been separated or discharged from the United States armed forces, and whose~~
148.11 ~~home of record at the time of entry into active duty in the United States armed forces, as~~
148.12 ~~indicated on the person's form DD-214 or other documents the commissioner may authorize,~~
148.13 ~~is the state of Minnesota~~ has lived in Minnesota for at least 30 days at the time of application
148.14 with the intention of residing in the state and not for any temporary purpose. An applicant
148.15 may verify a residence address by presenting a valid state driver's license; a state
148.16 identification card; a voter registration card; a rent receipt; a statement by the landlord,
148.17 apartment manager, or homeowner verifying that the individual is residing at the address;
148.18 or other form of verification approved by the commissioner; or

148.19 (2) is currently serving in the United States armed forces, and has a certificate from an
148.20 appropriate service authority stating that the person: (i) served in active duty in the United
148.21 States armed forces at any time during the eligibility period for the bonus; and (ii) ~~had~~ has
148.22 Minnesota listed as the veteran's home of record at the time of entry into active duty in the
148.23 United States armed forces in the veteran's official military personnel file.

148.24 ~~(i)~~ (k) "Service connected" means caused by an injury or disease incurred or aggravated
148.25 while on active duty, as determined by the United States Department of Veterans Affairs.

148.26 ~~(k)~~ (l) "Veteran" has the meaning given in section 197.447; and does not include a
148.27 member of the National Guard or the reserve components of the United States armed forces
148.28 ordered to active duty for the sole purpose of training. Veteran also includes:

148.29 ~~(1)~~ a person who is providing honorable service on active duty in the United States
148.30 armed forces and has not been separated or discharged; or

148.31 ~~(2) a member of a reserve component of the armed forces of the United States, including~~
148.32 ~~the National Guard, who was ordered to active duty under United States Code, title 10,~~
148.33 ~~section 673b, during the eligibility period for the bonus and who was deployed to a duty~~

149.1 ~~station outside the state of Minnesota, as verified by the appropriate service authority. An~~
149.2 ~~applicant's DD-214 form showing eligibility for or award of the Southwest Asia service~~
149.3 ~~medal during the eligibility period for the bonus will suffice as verification.~~

149.4 ~~"Veteran" does not include a member of the National Guard or the reserve components~~
149.5 ~~of the United States armed forces ordered to active duty for the sole purpose of training.~~

149.6 Sec. 6. Minnesota Statutes 2020, section 197.79, subdivision 2, is amended to read:

149.7 Subd. 2. **Bonus amount.** (a) For a resident veteran who provided honorable service in
149.8 the United States armed forces at any time during the eligibility period for the bonus, the
149.9 bonus amount is:

149.10 (1) ~~\$300~~ \$600, if the veteran did not receive the ~~Southwest Asia service medal~~ Armed
149.11 Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign
149.12 Medal, or Afghanistan Campaign Medal during the eligibility period for the bonus;

149.13 (2) ~~\$600~~ \$1200, if the veteran received the ~~Southwest Asia service medal~~ Armed Forces
149.14 Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal,
149.15 or Afghanistan Campaign Medal during the eligibility period for the bonus; or

149.16 (3) \$2,000, if the veteran was eligible for the ~~Southwest Asia service medal~~ Armed
149.17 Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign
149.18 Medal, or Afghanistan Campaign Medal during the eligibility period for the bonus, and
149.19 died during that time period as a direct result of a service connected injury, disease, or
149.20 condition.

149.21 (b) In the case of a deceased veteran, the commissioner shall pay the bonus to the veteran's
149.22 beneficiary.

149.23 ~~(c) No payment may be made to a veteran or beneficiary who has received a similar~~
149.24 ~~bonus payment from another state.~~

149.25 Sec. 7. Minnesota Statutes 2020, section 197.79, subdivision 3, is amended to read:

149.26 Subd. 3. **Application process.** A veteran, or the beneficiary of a veteran, entitled to a
149.27 bonus may make application for a bonus to the department ~~on a form~~ as prescribed by the
149.28 commissioner and verified by the applicant. If the veteran is ~~incompetent~~ incapacitated or
149.29 the veteran's beneficiary is a minor or ~~incompetent~~ incapacitated, the application must be
149.30 made by the person's guardian or conservator. An application must be accompanied by
149.31 evidence of residency, honorable service, active duty service during the eligibility period
149.32 for the bonus, and any other information the commissioner requires. The applicant must

150.1 indicate on the application form the bonus amount for which the applicant expects to be
150.2 eligible.

150.3 If the information provided in the application is incomplete, the department must notify
150.4 the applicant in writing of that fact and must identify the items of information needed to
150.5 make a determination. After notifying an applicant that the person's application is incomplete,
150.6 the department shall hold the application open for up to 120 days while awaiting further
150.7 information from the applicant, and the applicant may submit that information within the
150.8 120-day period without filing an appeal and request for review.

150.9 Sec. 8. Minnesota Statutes 2020, section 197.79, subdivision 5, is amended to read:

150.10 Subd. 5. **Notices.** Notices and correspondence to an applicant must be directed to the
150.11 applicant by mail at the address listed in the application or electronically. Notices and
150.12 correspondence to the commissioner must be addressed to the commissioner's office ~~in St.~~
150.13 ~~Paul~~ or the designated department system.

150.14 Sec. 9. Minnesota Statutes 2020, section 197.79, subdivision 10, is amended to read:

150.15 Subd. 10. **Deadline for applications.** The application period for the bonus program
150.16 established in this section shall be ~~November 1, 1997, to June 30, 2001~~ July 1, 2022, to
150.17 June 30, 2024. The department may not receive or accept new applications after June 30,
150.18 ~~2001~~ 2024.

150.19

ARTICLE 7

150.20

TEMPORARY POSTRETIREMENT ADJUSTMENTS

150.21 Section 1. TEMPORARY POSTRETIREMENT ADJUSTMENTS.

150.22 On January 31, 2023, and January 31, 2024, each pension plan that is a covered retirement
150.23 plan listed in Minnesota Statutes, section 356.32, subdivision 2, the judges retirement plan,
150.24 and the unclassified employees retirement plan must pay to each individual who is receiving
150.25 an annuity from the plan a lump sum payment equal to 2.5 percent of the annual amount
150.26 received by the individual for the prior calendar year. If the lump sum payment is an eligible
150.27 rollover distribution, as defined in Minnesota Statutes, section 356.635, subdivisions 4 and
150.28 5, the plan must permit the individual to elect a direct rollover, as provided under Minnesota
150.29 Statutes, section 356.635, subdivisions 3 to 7.

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

ARTICLE 8

ACTUARIAL ASSUMPTION FOR INVESTMENT RATE OF RETURN

Section 1. Minnesota Statutes 2020, section 356.215, subdivision 8, is amended to read:

Subd. 8. **Actuarial assumptions.** (a) The actuarial valuation must use the applicable following investment return assumption:

plan	investment return assumption
general state employees retirement plan	7.5% <u>7%</u>
correctional state employees retirement plan	7.5 <u>7</u>
State Patrol retirement plan	7.5 <u>7</u>
legislators retirement plan, and for the constitutional officers calculation of total plan liabilities	0
judges retirement plan	7.5 <u>7</u>
general public employees retirement plan	7.5 <u>7</u>
public employees police and fire retirement plan	7.5 <u>7</u>
local government correctional service retirement plan	7.5 <u>7</u>
teachers retirement plan	7.5 <u>7</u>
St. Paul teachers retirement plan	7.5 <u>7</u>
Bloomington Fire Department Relief Association	6
local monthly benefit volunteer firefighter relief associations	5
monthly benefit retirement plans in the statewide volunteer firefighter retirement plan	6

(b) The actuarial valuation for each of the covered retirement plans listed in section 356.415, subdivision 2, and the St. Paul Teachers Retirement Fund Association must take into account the postretirement adjustment rate or rates applicable to the plan as specified in section 354A.29, subdivision 7, or 356.415, whichever applies.

(c) The actuarial valuation must use the applicable salary increase and payroll growth assumptions found in the appendix to the standards for actuarial work adopted by the Legislative Commission on Pensions and Retirement pursuant to section 3.85, subdivision 10. The appendix must be updated whenever new assumptions have been approved or deemed approved under subdivision 18.

(d) The assumptions set forth in the appendix to the standards for actuarial work continue to apply, unless a different salary assumption or a different payroll increase assumption:

(1) has been proposed by the governing board of the applicable retirement plan;

152.1 (2) is accompanied by the concurring recommendation of the actuary retained under
152.2 section 356.214, subdivision 1, if applicable, or by the approved actuary preparing the most
152.3 recent actuarial valuation report if section 356.214 does not apply; and

152.4 (3) has been approved or deemed approved under subdivision 18.

152.5 **EFFECTIVE DATE.** This section is effective June 30, 2022.

152.6 ARTICLE 9

152.7 DIRECT STATE AID

152.8 Section 1. Minnesota Statutes 2020, section 353.65, subdivision 3b, is amended to read:

152.9 Subd. 3b. **Direct state aid.** (a) ~~The state shall pay \$4,500,000 on October 1, 2018, and~~
152.10 ~~October 1, 2019, to the public employees police and fire retirement plan.~~ By October 1 of
152.11 each year ~~after 2019~~, the state shall pay ~~\$9,000,000~~ \$13,500,000 to the public employees
152.12 police and fire retirement plan. The commissioner of management and budget shall pay the
152.13 aid specified in this subdivision. The amount required is annually appropriated from the
152.14 general fund to the commissioner of management and budget.

152.15 (b) The aid under paragraph (a) continues until the earlier of:

152.16 (1) the first day of the fiscal year following the fiscal year in which the actuarial value
152.17 of assets of the fund equals or exceeds 100 percent of the actuarial accrued liabilities as
152.18 reported by the actuary retained under section 356.214 in the annual actuarial valuation
152.19 prepared under section 356.215; or

152.20 (2) July 1, ~~2048~~ 2068.

152.21 Sec. 2. Minnesota Statutes 2020, section 354A.12, subdivision 3a, is amended to read:

152.22 Subd. 3a. **Direct state aid to first class city teachers retirement fund associations.** (a)
152.23 The state shall pay \$2,827,000 to the St. Paul Teachers Retirement Fund Association.

152.24 (b) In addition to other amounts specified in this subdivision, the state shall pay
152.25 \$7,000,000 as state aid to the St. Paul Teachers Retirement Fund Association.

152.26 (c) In addition to the amounts specified in paragraphs (a) and (b), the state shall pay
152.27 ~~\$5,000,000~~ \$7,500,000 as state aid to the St. Paul Teachers Retirement Fund Association.

152.28 (d) The aid under this subdivision is payable October 1 annually. The commissioner of
152.29 management and budget shall pay the aid specified in this subdivision. The amount required
152.30 is appropriated annually from the general fund to the commissioner of management and
152.31 budget.

153.1 Sec. 3. Minnesota Statutes 2020, section 354A.12, subdivision 3c, is amended to read:

153.2 Subd. 3c. **Termination of supplemental contributions and direct matching and state**

153.3 **aid.** (a) The supplemental contributions payable to the St. Paul Teachers Retirement Fund
153.4 Association by Independent School District No. 625 under section 423A.02, subdivision 3,
153.5 and the aid under subdivision 3a, paragraphs (a) and (b), continue until the earlier of:

153.6 (1) the first day of the fiscal year following the year in which the actuarial value of assets
153.7 of the fund equals or exceeds 100 percent of the actuarial accrued liability as reported by
153.8 the actuary retained under section 356.214 in the most recent annual actuarial valuation
153.9 prepared under section 356.215; or

153.10 (2) July 1, 2048.

153.11 (b) The aid under subdivision 3a, paragraph (c), continues until the earlier of:

153.12 (1) the first day of the fiscal year following the fiscal year in which the actuarial value
153.13 of assets of the fund equals or exceeds 100 percent of the actuarial accrued liabilities as
153.14 reported by the actuary retained under section 356.214 in the annual actuarial valuation
153.15 prepared under section 356.215; or

153.16 (2) July 1, ~~2048~~ 2068.

153.17 Sec. 4. Minnesota Statutes 2020, section 490.123, subdivision 5, is amended to read:

153.18 Subd. 5. **Direct state aid.** (a) The state shall pay ~~\$6,000,000~~ \$9,000,000 annually to the
153.19 judges' retirement fund. The aid is payable each July 1. The amount required is annually
153.20 appropriated from the general fund to the judges' retirement fund.

153.21 (b) The aid under paragraph (a) continues until the earlier of:

153.22 (1) the first day of the fiscal year following the fiscal year in which the actuarial value
153.23 of assets of the fund equals or exceeds 100 percent of the actuarial accrued liabilities as
153.24 reported by the actuary retained under section 356.214 in the annual actuarial valuation
153.25 prepared under section 356.215; or

153.26 (2) July 1, ~~2048~~ 2068.

153.27 Sec. 5. **EFFECTIVE DATE.**

153.28 Sections 1 to 4 are effective June 30, 2022.

154.1

ARTICLE 10

154.2

PENSION PLANS APPROPRIATION

154.3

Section 1. **APPROPRIATION.**

154.4

(a) \$390,000,000 in fiscal year 2023 is appropriated from the general fund to the pension

154.5

plans specified in paragraph (b), to be allocated by the commissioner of management and

154.6

budget among the pension plans in the same ratio that the market value of assets as of the

154.7

most recent June 30 for each pension plan bears to the sum of the market value of assets

154.8

for all specified pension plans as of the most recent June 30. This is a onetime appropriation.

154.9

(b) The amount appropriated under paragraph (a) shall be allocated among the following

154.10

pension plans:

154.11

(1) the general state employees retirement plan of the Minnesota State Retirement System;

154.12

(2) the general employees retirement plan of the Public Employees Retirement

154.13

Association;

154.14

(3) the Teachers Retirement Association;

154.15

(4) the St. Paul Teachers Retirement Fund Association;

154.16

(5) the State Patrol retirement plan;

154.17

(6) the public employees police and fire plan of the Public Employees Retirement

154.18

Association;

154.19

(7) the correctional state employees retirement plan of the Minnesota State Retirement

154.20

System;

154.21

(8) the local government correctional service retirement plan of the Public Employees

154.22

Retirement Association; and

154.23

(9) the judges' retirement plan.

154.24

(c) The commissioner of management and budget must determine the amount of the

154.25

allocation under paragraph (a) for each pension plan specified in paragraph (b). Each

154.26

allocation is directly appropriated to the pension fund for each pension plan by the

154.27

commissioner. The commissioner must report the amounts appropriated under this section

154.28

to the chairs and ranking minority members of the house of representatives Ways and Means

154.29

Committee and the senate Finance Committee by August 15, 2022.

154.30

EFFECTIVE DATE. This section is effective June 30, 2022.

ARTICLE 11

TRANSPORTATION APPROPRIATIONS

Section 1. APPROPRIATIONS.

The sums shown in the column under "Appropriations" are added to the appropriations in Laws 2021, First Special Session chapter 5, article 1, to the agencies and for the purposes specified in this article. The appropriations are from the trunk highway fund, or another named fund, and are available for the fiscal years indicated for each purpose. Amounts for "Total Appropriation" and sums shown in the corresponding columns marked "Appropriations by Fund" are summary only and do not have legal effect. The figures "2022" and "2023" used in this article mean that the addition to the appropriations listed under them is available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. Supplemental appropriations and reductions to appropriations for the fiscal year ending June 30, 2022, are effective the day following final enactment.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2022</u>	<u>2023</u>

Sec. 2. DEPARTMENT OF TRANSPORTATION

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>197,423,000</u>	<u>\$</u>	<u>430,534,000</u>
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Appropriations by Fund

	<u>2022</u>	<u>2023</u>
<u>General</u>	<u>-0-</u>	<u>189,715,000</u>
<u>Airports</u>	<u>-0-</u>	<u>5,500,000</u>
<u>Trunk Highway</u>	<u>197,423,000</u>	<u>235,319,000</u>

The appropriations in this section are to the commissioner of transportation.

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

Subd. 2. Multimodal Systems

(a) Aeronautics

<u>(1) Aviation Support Services</u>	<u>-0-</u>	<u>7,000,000</u>
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156.1	<u>This appropriation is from the general fund to</u>		
156.2	<u>purchase two utility aircraft for the</u>		
156.3	<u>Department of Transportation. This is a</u>		
156.4	<u>onetime appropriation.</u>		
156.5	<u>(2) IIJA Match</u>	<u>-0-</u>	<u>5,500,000</u>
156.6	<u>This appropriation is from the state airports</u>		
156.7	<u>fund for expenditure in accordance with</u>		
156.8	<u>Minnesota Statutes, section 360.305,</u>		
156.9	<u>subdivision 4. This is a onetime appropriation.</u>		
156.10	<u>(b) Transit and Active Transportation</u>		
156.11	<u>(1) IIJA Match; Operating Adjustment</u>	<u>-0-</u>	<u>10,000,000</u>
156.12	<u>This appropriation is from the general fund</u>		
156.13	<u>for the public transit participation program</u>		
156.14	<u>under Minnesota Statutes, section 174.24. This</u>		
156.15	<u>is a onetime appropriation.</u>		
156.16	<u>(2) Active Transportation</u>	<u>-0-</u>	<u>12,500,000</u>
156.17	<u>This appropriation is from the general fund</u>		
156.18	<u>for the active transportation program under</u>		
156.19	<u>Minnesota Statutes, section 174.38. This is a</u>		
156.20	<u>onetime appropriation and is available until</u>		
156.21	<u>June 30, 2024.</u>		
156.22	<u>The base is \$6,150,000 in each of fiscal years</u>		
156.23	<u>2024 and 2025.</u>		
156.24	<u>(c) Safe Routes to School</u>	<u>-0-</u>	<u>1,859,000</u>
156.25	<u>This appropriation is from the general fund</u>		
156.26	<u>for the safe routes to school program under</u>		
156.27	<u>Minnesota Statutes, section 174.40. This is a</u>		
156.28	<u>onetime appropriation.</u>		
156.29	<u>(d) Passenger Rail</u>		
156.30	<u>(1) Rail Service</u>	<u>-0-</u>	<u>740,000</u>
156.31	<u>This appropriation is from the general fund</u>		
156.32	<u>for operating costs related to second daily</u>		

157.1 passenger rail train service between
 157.2 Minneapolis and St. Paul and Chicago.
 157.3 The base is \$1,490,000 in fiscal year 2024 and
 157.4 \$2,200,000 in fiscal year 2025.

157.5 **(2) Northern Lights Express** -0- 51,000,000

157.6 This appropriation is from the general fund
 157.7 for capital improvements and betterments,
 157.8 including preliminary engineering, design,
 157.9 engineering, environmental analysis and
 157.10 mitigation, acquisition of land and
 157.11 right-of-way, and construction of the
 157.12 Minneapolis-Duluth Northern Lights Express
 157.13 inter-city passenger rail project. This
 157.14 appropriation is available until June 30, 2027.

157.15 The base is \$17,000,000 in each of fiscal years
 157.16 2024 and 2025 and \$0 in fiscal year 2026 and
 157.17 thereafter.

157.18 **(e) Freight** -0- 1,000,000

157.19 This appropriation is from the general fund
 157.20 for Minnesota rail service improvement
 157.21 program grants under Minnesota Statutes,
 157.22 section 222.50. This is a onetime
 157.23 appropriation.

157.24 **Subd. 3. State Roads**

157.25 **(a) Operations and Maintenance** 4,000,000 8,805,000

157.26	<u>Appropriations by Fund</u>	
157.27	<u>2022</u>	<u>2023</u>
157.28	<u>General</u>	<u>-0- 1,000,000</u>
157.29	<u>Trunk Highway</u>	<u>4,000,000 7,805,000</u>

157.30 \$330,000 in fiscal year 2023 from the trunk
 157.31 highway fund is to acquire, build, plant, and
 157.32 improve living snow fences consisting of trees,
 157.33 shrubs, native grasses, and wildflowers. This

158.1 appropriation includes costs of acquiring and
 158.2 planting trees and shrubs that are climate
 158.3 adaptive to Minnesota, contracts, easements,
 158.4 rental agreements, and program delivery.

158.5 \$1,000,000 in fiscal year 2023 from the
 158.6 general fund is for the highways for habitat
 158.7 program under Minnesota Statutes, section
 158.8 160.2325. This is a onetime appropriation.

158.9 The base is \$367,681,000 in each of fiscal
 158.10 years 2024 and 2025.

158.11 **(b) Program Delivery** -0- 10,802,000

158.12 This appropriation includes use of consultants
 158.13 to support development and management of
 158.14 projects.

158.15 The base is \$242,920,000 in fiscal year 2024
 158.16 and \$244,101,000 in fiscal year 2025.

158.17 **(c) State Road Construction** 191,223,000 213,463,000

158.18	<u>Appropriations by Fund</u>	
158.19	<u>2022</u>	<u>2023</u>
158.20	<u>-0-</u>	<u>2,000,000</u>
158.21	<u>191,223,000</u>	<u>211,463,000</u>

158.22 This appropriation is for the actual
 158.23 construction, reconstruction, and improvement
 158.24 of trunk highways, including design-build
 158.25 contracts, internal department costs associated
 158.26 with delivering the construction program,
 158.27 consultant usage to support these activities,
 158.28 and the cost of actual payments to landowners
 158.29 for lands acquired for highway rights-of-way,
 158.30 payment to lessees, interest subsidies, and
 158.31 relocation expenses.

158.32 \$2,000,000 in fiscal year 2023 from the
 158.33 general fund is to acquire, build, plant, and

159.1 improve living snow fences consisting of trees,
 159.2 shrubs, native grasses, and wildflowers. This
 159.3 appropriation includes costs of acquiring and
 159.4 planting trees and shrubs that are climate
 159.5 adaptive to Minnesota, contracts, easements,
 159.6 rental agreements, and program delivery. This
 159.7 is a onetime appropriation and is available
 159.8 until June 30, 2026.

159.9 The base for the trunk highway fund is
 159.10 \$1,148,794,000 in fiscal year 2024 and
 159.11 \$1,160,413,000 in fiscal year 2025.

159.12 **(d) Highway Debt Service** -0- 1,511,000

159.13 Any excess appropriation cancels to the trunk
 159.14 highway fund.

159.15 **(e) Statewide Radio Communications** -0- 2,000,000

159.16 This appropriation is from the general fund to
 159.17 predesign, design, construct, equip, and
 159.18 furnish the system backbone of the public
 159.19 safety radio and communication system plan
 159.20 under Minnesota Statutes, section 403.36. This
 159.21 is a onetime appropriation and is available
 159.22 until June 30, 2025.

159.23 **Subd. 4. Local Roads**

159.24 **(a) County State-Aid Highways**

159.25 **(1) HJA Match** -0- 30,868,000

159.26 This appropriation is from the general fund
 159.27 for county state-aid highways, to be distributed
 159.28 in the manner provided under Minnesota
 159.29 Statutes, chapter 162. This is a onetime
 159.30 appropriation.

159.31 **(2) Town Roads** -0- 4,000,000

159.32 This appropriation is from the general fund
 159.33 for town roads, to be distributed in the manner

160.1	<u>provided under Minnesota Statutes, section</u>		
160.2	<u>162.081. This is a onetime appropriation.</u>		
160.3	<u>(b) Municipal State-Aid Streets; IIJA Match</u>	<u>-0-</u>	<u>9,748,000</u>
160.4	<u>This appropriation is from the general fund</u>		
160.5	<u>for municipal state-aid streets, to be distributed</u>		
160.6	<u>in the manner provided under Minnesota</u>		
160.7	<u>Statutes, chapter 162. This is a onetime</u>		
160.8	<u>appropriation.</u>		
160.9	<u>(c) Small Cities Assistance</u>	<u>-0-</u>	<u>10,000,000</u>
160.10	<u>This appropriation is from the general fund</u>		
160.11	<u>for the small cities assistance program under</u>		
160.12	<u>Minnesota Statutes, section 162.145.</u>		
160.13	<u>The base is \$10,000,000 in each of fiscal years</u>		
160.14	<u>2024 and 2025.</u>		
160.15	<u>Subd. 5. Agency Management</u>		
160.16	<u>(a) Agency Services</u>	<u>-0-</u>	<u>3,378,000</u>
160.17	<u>The base for the trunk highway fund is</u>		
160.18	<u>\$66,784,000 in fiscal year 2024 and</u>		
160.19	<u>\$67,192,000 in fiscal year 2025.</u>		
160.20	<u>(b) Buildings</u>	<u>2,200,000</u>	<u>-0-</u>
160.21	<u>This appropriation is to predesign, design,</u>		
160.22	<u>construct, and equip the Hutchinson Area</u>		
160.23	<u>Transportation Services addition.</u>		
160.24	<u>(c) IIJA Match and Funding Maximization</u>		
160.25	<u>(1) Federal Funds Local Assistance</u>	<u>-0-</u>	<u>36,800,000</u>
160.26	<u>This appropriation is from the general fund</u>		
160.27	<u>for the federal funds local assistance program</u>		
160.28	<u>under Minnesota Statutes, section 174.125.</u>		
160.29	<u>This is a onetime appropriation and is</u>		
160.30	<u>available until June 30, 2026.</u>		
160.31	<u>(2) Federal Grants Technical Assistance</u>	<u>-0-</u>	<u>400,000</u>

161.1 This appropriation is from the general fund
 161.2 for federal grants technical assistance under
 161.3 Minnesota Statutes, section 174.127.

161.4 The base is \$400,000 in each of fiscal years
 161.5 2024 and 2025.

161.6 **(3) Electric Vehicle Infrastructure** -0- 6,800,000

161.7 This appropriation is from the general fund
 161.8 for the match requirements for formula and
 161.9 discretionary grant programs enacted in the
 161.10 federal Infrastructure Investment and Jobs Act,
 161.11 Public Law 117-58, related to electric vehicle
 161.12 infrastructure and alternative fuel corridors.

161.13 From this amount, the commissioner may
 161.14 make grants to local units of government. This
 161.15 is a onetime appropriation and is available
 161.16 until June 30, 2026. If the match requirements
 161.17 are met, the commissioner may expend any
 161.18 unspent portion of this appropriation under
 161.19 the federal funds local assistance program in
 161.20 Minnesota Statutes, section 174.125.

161.21 The base is \$3,400,000 in each of fiscal years
 161.22 2024 and 2025.

161.23 **(4) Climate Funding Maximization** -0- 2,000,000

161.24 This appropriation is from the general fund
 161.25 for implementation of climate-related
 161.26 programs under the federal Infrastructure
 161.27 Investment and Jobs Act, Public Law 117-58.

161.28 The base is \$2,000,000 in each of fiscal years
 161.29 2024 and 2025.

161.30 **Sec. 3. METROPOLITAN COUNCIL**

161.31 **Subdivision 1. Total Appropriation** **\$ -0- \$ 31,180,000**

161.32 The appropriations in this section are from the
 161.33 general fund to the Metropolitan Council.

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

162.4 **Subd. 2. Transit System Operations**

162.5 **(a) IIJA Match; Operating Adjustment** -0- 20,075,000

162.6 This appropriation is for transit system
 162.7 operations under Minnesota Statutes, sections
 162.8 473.371 to 473.449. This is a onetime
 162.9 appropriation.

162.10 \$75,000 in fiscal year 2023 is for transit signal
 162.11 priority systems planning.

162.12 **(b) Zero-Emission Bus Transition** -0- 5,000,000

162.13 This appropriation is for zero-emission bus
 162.14 procurement, charging infrastructure, and
 162.15 associated costs, in conformance with the
 162.16 zero-emission and electric transit vehicle
 162.17 transition plan under Minnesota Statutes,
 162.18 section 473.3927.

162.19 The base is \$5,000,000 in each of fiscal years
 162.20 2024 and 2025 and \$0 in fiscal year 2026 and
 162.21 thereafter.

162.22 **(c) Arterial Bus Rapid Transit Planning** -0- 500,000

162.23 This appropriation is for arterial bus rapid
 162.24 transit planning on the J, K, and L Line
 162.25 projects.

162.26 The base is \$500,000 in each of fiscal years
 162.27 2024 and 2025.

162.28 **(d) Transit Shelter Improvements** -0- 2,000,000

162.29 This appropriation is for transit shelter
 162.30 replacement and improvements under
 162.31 Minnesota Statutes, section 473.41. This is a
 162.32 onetime appropriation.

163.1	<u>Subd. 3. Microtransit Service</u>	-0-	<u>1,300,000</u>
163.2	<u>This appropriation is for financial assistance</u>		
163.3	<u>to replacement service providers under</u>		
163.4	<u>Minnesota Statutes, section 473.388, to</u>		
163.5	<u>provide expansion and improvements to</u>		
163.6	<u>demand response transit service. The council</u>		
163.7	<u>must make grants to Maple Grove Transit,</u>		
163.8	<u>Minnesota Valley Transit Authority, Plymouth</u>		
163.9	<u>Metrolink, and SouthWest Transit in the</u>		
163.10	<u>amounts specified by the Suburban Transit</u>		
163.11	<u>Association. The council must not retain any</u>		
163.12	<u>portion of the funds under this appropriation.</u>		
163.13	<u>This is a onetime appropriation.</u>		
163.14	<u>Subd. 4. Transit Fare Temporary Reduction</u>	-0-	<u>2,305,000</u>
163.15	<u>(a) This appropriation is for transit system</u>		
163.16	<u>operations under Minnesota Statutes, sections</u>		
163.17	<u>473.371 to 473.449, to provide for foregone</u>		
163.18	<u>revenue due to the requirements in paragraph</u>		
163.19	<u>(b). From this amount, the Metropolitan</u>		
163.20	<u>Council must provide grants to replacement</u>		
163.21	<u>service providers under Minnesota Statutes,</u>		
163.22	<u>section 473.388, in amounts that reflect</u>		
163.23	<u>calculated foregone revenue for each provider</u>		
163.24	<u>due to the requirements in paragraph (b). This</u>		
163.25	<u>is a onetime appropriation.</u>		
163.26	<u>(b) From July 1, 2022, to August 31, 2022,</u>		
163.27	<u>the Metropolitan Council must: (1) establish</u>		
163.28	<u>a uniform fare schedule that does not exceed</u>		
163.29	<u>\$1 for all bus and light rail transit service</u>		
163.30	<u>during peak and nonpeak service hours,</u>		
163.31	<u>including but not limited to express bus and</u>		
163.32	<u>bus rapid transit; and (2) establish a discount</u>		
163.33	<u>under the student, collegiate, and Metropass</u>		
163.34	<u>transit pass programs. The Metropolitan</u>		

165.1 This appropriation is from the general fund
 165.2 for soft body armor reimbursements under
 165.3 Minnesota Statutes, section 299A.38.

165.4 The base is \$950,000 in each of fiscal years
 165.5 2024 and 2025.

165.6 **Subd. 3. State Patrol; Commercial Vehicle**
 165.7 **Enforcement**

-0-

2,000,000

165.8 This appropriation is from the trunk highway
 165.9 fund.

165.10 The base is \$15,110,000 in each of fiscal years
 165.11 2024 and 2025.

165.12 **Subd. 4. Driver and Vehicle Services**

165.13 **(a) Driver Services**

-0-

2,286,000

165.14 This appropriation is from the driver services
 165.15 operating account in the special revenue fund
 165.16 under Minnesota Statutes, section 299A.705,
 165.17 subdivision 2.

165.18 \$1,029,000 in fiscal year 2023 is for
 165.19 installation and maintenance of security
 165.20 cameras at Driver and Vehicle Services exam
 165.21 sites that are open five or more days per week
 165.22 and for replacement of existing security
 165.23 cameras at the St. Paul examination station.

165.24 This is a onetime appropriation.

165.25 \$153,000 in fiscal year 2023 is for the ongoing
 165.26 costs, including costs of staff and information
 165.27 technology operations, of the security cameras
 165.28 installed at Driver and Vehicle Services
 165.29 examination sites.

165.30 \$100,000 in fiscal year 2023 is for
 165.31 reimbursement to deputy registrars and driver's
 165.32 license agents for the purchase and installation
 165.33 of security cameras at deputy registrar or

166.1 driver's license agent office locations. Deputy
166.2 registrars and driver's license agents may
166.3 submit an application to the commissioner for
166.4 reimbursement of funds spent to purchase and
166.5 install security cameras. Upon approval of an
166.6 application for reimbursement, the
166.7 commissioner must pay the applicant the lesser
166.8 of one-half the purchase and installation price
166.9 or \$5,000. When approving applications, the
166.10 commissioner must prioritize offices that do
166.11 not currently have security cameras installed.
166.12 This is a onetime appropriation.

166.13 \$91,000 in fiscal year 2023 is for data auditing
166.14 capacity enhancements, including costs of staff
166.15 and equipment.

166.16 \$750,000 in fiscal year 2023 is for
166.17 reimbursement to limited-service driver's
166.18 license agents for the purchase of equipment
166.19 necessary for a full-service provider, as
166.20 defined in section 171.01, subdivision 33a,
166.21 following application to the commissioner.
166.22 The commissioner may provide no more than
166.23 \$15,000 to each driver's license agent. This is
166.24 a onetime appropriation.

166.25 \$80,000 in fiscal year 2023 is for card vendor
166.26 costs to implement the requirements under
166.27 Minnesota Statutes, section 171.301. This is
166.28 a onetime appropriation.

166.29 \$83,000 in fiscal year 2023 is only available
166.30 if legislation is enacted in the 2022 regular
166.31 legislative session that establishes
166.32 requirements for the commissioner of public
166.33 safety governing a watercraft operator's permit
166.34 indicator on drivers' licenses and Minnesota

167.1 identification cards, and this amount is for the
 167.2 applicable implementation costs.

167.3 The base is \$36,640,000 in each of fiscal years
 167.4 2024 and 2025.

167.5 **(b) Vehicle Services** 3,925,000 191,000

167.6 This appropriation is from the vehicle services
 167.7 operating account in the special revenue fund
 167.8 under Minnesota Statutes, section 299A.705.

167.9 \$3,925,000 in fiscal year 2022 is for the
 167.10 mailing and production costs of license plates.

167.11 \$90,000 in fiscal year 2023 is for data auditing
 167.12 capacity enhancements, including costs of staff
 167.13 and equipment.

167.14 \$101,000 in fiscal year 2023 is for an appeals
 167.15 process for information technology system
 167.16 data access revocations, including costs of
 167.17 staff and equipment.

167.18 The base is \$33,970,000 in each of fiscal years
 167.19 2024 and 2025.

167.20 **Subd. 5. Traffic Safety** -0- 2,500,000

167.21 This appropriation is from the general fund
 167.22 for traffic safety activities, including: (1) for
 167.23 staff and operating costs of the Traffic Safety
 167.24 Advisory Council under Minnesota Statutes,
 167.25 section 4.075; (2) to develop the speed safety
 167.26 camera pilot project implementation plan
 167.27 under article 3, section 58; and (3) to expand
 167.28 public outreach and education, coordination
 167.29 and assistance on traffic safety initiatives,
 167.30 grants, and program and project management.

167.31 The commissioner may expend up to \$20,000
 167.32 in fiscal year 2023 from the driver and vehicle
 167.33 services technology account in the special

168.1 revenue fund under Minnesota Statutes,
 168.2 section 299A.705, for records access
 168.3 enhancements to the MNCrash information
 168.4 technology system.

168.5 The base for the general fund is \$2,978,000
 168.6 in each of fiscal years 2024 and 2025.

168.7 Sec. 5. Laws 2021, First Special Session chapter 5, article 1, section 4, subdivision 3, is
 168.8 amended to read:

168.9 **Subd. 3. State Patrol**

168.10 **(a) Patrolling Highways** 113,823,000 112,170,000

168.11 Appropriations by Fund

168.12	2022	2023
168.13 General	37,000	37,000
168.14 H.U.T.D.	92,000	92,000
168.15 Trunk Highway	113,694,000	112,041,000

168.16 \$3,524,000 in fiscal year 2022 and \$2,822,000
 168.17 in fiscal year 2023 are from the trunk highway
 168.18 fund for the purchase, deployment, and
 168.19 management of body-worn cameras.

168.20 \$7,718,000 in fiscal year 2022 and \$6,767,000
 168.21 in fiscal year 2023 are from the trunk highway
 168.22 fund for staff and equipment costs of
 168.23 additional patrol troopers.

168.24 **(b) Commercial Vehicle Enforcement** 10,180,000 10,046,000

168.25 \$494,000 in fiscal year 2022 and \$360,000 in
 168.26 fiscal year 2023 are for the purchase,
 168.27 deployment, and management of body-worn
 168.28 cameras.

168.29 **(c) Capitol Security** 20,610,000 16,667,000

168.30 This appropriation is from the general fund.
 168.31 \$449,000 in fiscal year 2022 and \$395,000 in
 168.32 fiscal year 2023 are for the purchase,

169.1 deployment, and management of body-worn
 169.2 cameras.

169.3 Up to \$8,863,000 in fiscal year 2022 and
 169.4 \$4,420,000 in fiscal year 2023 are available
 169.5 for staff and equipment costs of additional
 169.6 troopers and nonsworn officers.

169.7 The commissioner must not:

169.8 (1) spend any money from the trunk highway
 169.9 fund for capitol security; or

169.10 (2) permanently transfer any state trooper from
 169.11 the patrolling highways activity to capitol
 169.12 security.

169.13 The commissioner must not transfer any
 169.14 money appropriated to the commissioner under
 169.15 this section:

169.16 (1) to capitol security; or

169.17 (2) from capitol security.

169.18 **(d) Vehicle Crimes Unit** 888,000 884,000

169.19 This appropriation is from the highway user
 169.20 tax distribution fund to investigate:

169.21 (1) registration tax and motor vehicle sales tax
 169.22 liabilities from individuals and businesses that
 169.23 currently do not pay all taxes owed; and

169.24 (2) illegal or improper activity related to the
 169.25 sale, transfer, titling, and registration of motor
 169.26 vehicles.

169.27 \$22,000 in fiscal year 2022 and \$18,000 in
 169.28 fiscal year 2023 are for the purchase,
 169.29 deployment, and management of body-worn
 169.30 cameras.

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

170.1 **Sec. 6. TRANSFERS; REINSTATEMENT FEE AND SURCHARGE FOREGONE**
 170.2 **REVENUE.**

170.3 (a) Each of the following are transferred in fiscal year 2023 from the vehicle services
 170.4 operating account in the special revenue fund to the commissioner of public safety:

170.5 (1) \$303,000 for deposit in the general fund;

170.6 (2) \$36,000 for deposit in the Bureau of Criminal Apprehension account under Minnesota
 170.7 Statutes, section 171.29, subdivision 2, paragraph (b), clause (3);

170.8 (3) \$23,000 for deposit in the vehicle forfeiture account in the special revenue fund
 170.9 under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), clause (4);

170.10 (4) \$90,000 for deposit in the traumatic brain injury and spinal cord injury account under
 170.11 Minnesota Statutes, section 171.29, subdivision 2, paragraph (c); and

170.12 (5) \$684,000 for deposit in the remote electronic alcohol-monitoring program account
 170.13 under Minnesota Statutes, section 171.29, subdivision 2, paragraph (d).

170.14 (b) Notwithstanding Minnesota Statutes, section 171.29, subdivision 2, paragraph (d),
 170.15 until July 1, 2025, the amount deposited under paragraph (a), clause (5), is not subject to
 170.16 transfer to the general fund.

170.17 **ARTICLE 12**

170.18 **TRUNK HIGHWAY BONDS**

170.19 **Section 1. BOND APPROPRIATIONS.**

170.20 The sums shown in the column under "Appropriations" are appropriated from the bond
 170.21 proceeds account in the trunk highway fund to the state agencies or officials indicated to
 170.22 be spent for public purposes. Appropriations of bond proceeds must be spent as authorized
 170.23 by the Minnesota Constitution, articles XI and XIV. Unless otherwise specified, money
 170.24 appropriated in this article for a capital program or project may be used to pay state agency
 170.25 staff costs that are attributed directly to the capital program or project in accordance with
 170.26 accounting policies adopted by the commissioner of management and budget.

170.27 **SUMMARY**

170.28 <u>Department of Transportation</u>	<u>\$</u> <u>149,000,000</u>
170.29 <u>Department of Management and Budget</u>	<u>\$</u> <u>149,000</u>
170.30 <u>TOTAL</u>	<u>\$</u> <u>149,149,000</u>

170.31 **APPROPRIATIONS**

171.1 **Sec. 2. DEPARTMENT OF**
 171.2 **TRANSPORTATION**

171.3 **Subdivision 1. High-Priority Bridges** \$ 80,000,000

171.4 (a) This appropriation is to the commissioner
 171.5 of transportation for land acquisition,
 171.6 environmental analysis, predesign, design,
 171.7 engineering, construction, reconstruction, and
 171.8 improvement of priority trunk highway
 171.9 bridges, including design-build contracts,
 171.10 internal department costs associated with
 171.11 delivering the construction program,
 171.12 consultant usage to support these activities,
 171.13 and costs of payments to landowners for lands
 171.14 acquired for highway rights-of-way. The
 171.15 commissioner must conform with the
 171.16 investment priorities identified in the
 171.17 Minnesota state highway investment plan
 171.18 under Minnesota Statutes, section 174.03,
 171.19 subdivision 1c.

171.20 (b) The commissioner may use up to 17
 171.21 percent of the amount for program delivery.

171.22 **Subd. 2. Facilities Capital Improvement**
 171.23 **Program** 69,000,000

171.24 (a) This appropriation is to the commissioner
 171.25 of transportation for construction, renovation,
 171.26 and expansion of Department of
 171.27 Transportation buildings and facilities.

171.28 (b) The commissioner may use up to 17
 171.29 percent of the amount for program delivery.

171.30 **Sec. 3. BOND SALE EXPENSES** \$ 149,000

171.31 This appropriation is to the commissioner of
 171.32 management and budget for bond sale
 171.33 expenses under Minnesota Statutes, sections

172.1 16A.641, subdivision 8, and 167.50,
 172.2 subdivision 4.

172.3 **Sec. 4. BOND SALE AUTHORIZATION.**

172.4 To provide the money appropriated in this article from the bond proceeds account in the
 172.5 trunk highway fund, the commissioner of management and budget shall sell and issue bonds
 172.6 of the state in an amount up to \$149,149,000 in the manner, upon the terms, and with the
 172.7 effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota
 172.8 Constitution, article XIV, section 11, at the times and in the amounts requested by the
 172.9 commissioner of transportation. The proceeds of the bonds, except accrued interest and any
 172.10 premium received from the sale of the bonds, must be deposited in the bond proceeds account
 172.11 in the trunk highway fund.

172.12 Sec. 5. Laws 2021, First Special Session chapter 5, article 2, section 2, subdivision 1, is
 172.13 amended to read:

172.14 Subdivision 1. **Corridors of Commerce** \$ 200,000,000

172.15 (a) This appropriation is to the commissioner
 172.16 of transportation for the corridors of commerce
 172.17 program under Minnesota Statutes, section
 172.18 161.088.

172.19 (b) This appropriation is available in the
 172.20 amounts of:

172.21 (1) \$100,000,000 in fiscal year 2024; and

172.22 (2) \$100,000,000 in fiscal year 2025.

172.23 (c) For all available funds under paragraph

172.24 (b), the commissioner must commence the
 172.25 project selection process under the program
 172.26 by ~~August 1, 2022~~ February 1, 2023.

172.27 (d) The commissioner may use up to 17
 172.28 percent of the amount for program delivery.

172.29 (e) The appropriation in this subdivision
 172.30 cancels as specified under Minnesota Statutes,
 172.31 section 16A.642, except that the commissioner
 172.32 of management and budget must count the

173.1 start of authorization for issuance of state
173.2 bonds as the first day of the fiscal year during
173.3 which the bonds are available to be issued as
173.4 specified under paragraph (b), and not as the
173.5 date of enactment of this section.

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

173.7

ARTICLE 13

173.8

TRANSPORTATION FINANCE AND POLICY

173.9 Section 1. Minnesota Statutes 2020, section 4.075, is amended by adding a subdivision
173.10 to read:

173.11 Subd. 4. **Traffic Safety Advisory Council; established.** The Traffic Safety Advisory
173.12 Council is established to advise, consult with, coordinate, and make program
173.13 recommendations to the commissioners of public safety, transportation, and health on the
173.14 development and implementation of projects and programs intended to improve traffic
173.15 safety on all Minnesota road systems. The advisory council serves as the lead for the state
173.16 Toward Zero Deaths program.

173.17 Sec. 2. Minnesota Statutes 2020, section 4.075, is amended by adding a subdivision to
173.18 read:

173.19 Subd. 5. **Traffic Safety Advisory Council; membership.** The advisory council consists
173.20 of the following members:

173.21 (1) the chair, which is filled on a two-year rotating basis by:

173.22 (i) a designee from the Office of Traffic Safety in the Department of Public Safety;

173.23 (ii) a designee from the Office of Traffic Engineering in the Department of Transportation;

173.24 and

173.25 (iii) a designee from the Injury and Violence Prevention Section in the Department of
173.26 Health;

173.27 (2) two vice chairs, which must be filled by the two designees who are not currently
173.28 serving as chair of the advisory council under clause (1);

173.29 (3) the director of the state Toward Zero Deaths program;

173.30 (4) the chief of the State Patrol or a designee;

- 174.1 (5) a regional coordinator from the Toward Zero Deaths program;
- 174.2 (6) the state traffic safety engineer in the Department of Transportation or a designee;
- 174.3 (7) a law enforcement liaison from the Department of Public Safety;
- 174.4 (8) a representative from the Department of Human Services;
- 174.5 (9) a representative from the Department of Education;
- 174.6 (10) a representative from the Council on Disability;
- 174.7 (11) a representative for Tribal governments appointed by the commissioner of public
174.8 safety;
- 174.9 (12) a representative from the Center for Transportation Studies at the University of
174.10 Minnesota;
- 174.11 (13) a representative from the Minnesota Chiefs of Police Association;
- 174.12 (14) a representative from the Minnesota Sheriffs' Association;
- 174.13 (15) a representative from the Minnesota Safety Council;
- 174.14 (16) a representative from AAA Minnesota;
- 174.15 (17) a representative from the Minnesota Trucking Association;
- 174.16 (18) a representative from the Insurance Federation of Minnesota;
- 174.17 (19) a representative from the Association of Minnesota Counties;
- 174.18 (20) a representative from the League of Minnesota Cities;
- 174.19 (21) the American Bar Association State Judicial Outreach Liaison;
- 174.20 (22) a representative from the City Engineers Association of Minnesota;
- 174.21 (23) a representative from the Minnesota County Engineers Association;
- 174.22 (24) a representative from the Bicycle Alliance of Minnesota;
- 174.23 (25) an individual representing vulnerable road users, including pedestrians, bicyclists,
174.24 and other operators of a personal conveyance, appointed by the Bicycle Alliance of
174.25 Minnesota;
- 174.26 (26) a representative from Our Streets Minneapolis; and
- 174.27 (27) a representative from Minnesota Operation Lifesaver.

175.1 Sec. 3. Minnesota Statutes 2020, section 4.075, is amended by adding a subdivision to
175.2 read:

175.3 Subd. 6. **Traffic Safety Advisory Council; administration.** (a) The Department of
175.4 Public Safety Office of Traffic Safety, in cooperation with the Departments of Transportation
175.5 and Health, must serve as the host agency for the advisory council and must manage the
175.6 financial, administrative, and operational aspects of the advisory council's activities.

175.7 (b) The Traffic Safety Advisory Council must meet no less than four times per year or
175.8 more frequently as determined by the chair, a majority of the council members, or any of
175.9 the designated commissioners.

175.10 (c) The chair must regularly report to the respective commissioners on the activities of
175.11 the advisory council and on the state of traffic safety in Minnesota.

175.12 (d) The terms, compensation, and appointment of members are governed by section
175.13 15.059.

175.14 (e) The advisory council may appoint subcommittees and working groups. Subcommittees
175.15 must consist of council members. Working groups may include nonmembers. Nonmembers
175.16 on working groups must be compensated pursuant to section 15.059, subdivision 3, only
175.17 for expenses incurred for working group activities.

175.18 Sec. 4. Minnesota Statutes 2020, section 4.075, is amended by adding a subdivision to
175.19 read:

175.20 Subd. 7. **Traffic Safety Advisory Council; duties.** The Traffic Safety Advisory Council
175.21 must:

175.22 (1) advise the governor and heads of state departments and agencies on policy, programs,
175.23 and services affecting traffic safety;

175.24 (2) advise the director of the state Toward Zero Deaths program and state department
175.25 representatives on the activities of the Toward Zero Deaths program, including informing
175.26 and educating the public about traffic safety;

175.27 (3) encourage state departments and other agencies to conduct needed research in the
175.28 field of traffic safety;

175.29 (4) review recommendations of the subcommittees and working groups; and

175.30 (5) review and comment on all grants dealing with traffic safety and on the development
175.31 and implementation of state and local traffic safety plans.

176.1 Sec. 5. Minnesota Statutes 2020, section 4.075, is amended by adding a subdivision to
176.2 read:

176.3 Subd. 8. **Traffic safety report.** Annually by January 2, the commissioner of public
176.4 safety must provide a traffic safety report to the governor and the chairs and ranking minority
176.5 members of the legislative committees with jurisdiction over traffic safety. The report must
176.6 analyze the safety of Minnesota's roads and transportation system, including but not limited
176.7 to:

176.8 (1) injuries and fatalities that occur on or near a roadway or transportation system facility;

176.9 (2) factors that caused crashes resulting in injuries and fatalities;

176.10 (3) roadway and system improvements broadly and at specific locations that could reduce
176.11 injuries and fatalities;

176.12 (4) enforcement and education efforts that could reduce injuries and fatalities;

176.13 (5) other safety improvements, programs, or features that will improve the quality of
176.14 the roadway and transportation use experience; and

176.15 (6) existing and needed resources to make roadway and transportation system safety
176.16 improvements.

176.17 Sec. 6. Minnesota Statutes 2020, section 160.08, subdivision 7, is amended to read:

176.18 Subd. 7. **No commercial establishment within right-of-way; exceptions.** No
176.19 commercial establishment, including but not limited to automotive service stations, for
176.20 serving motor vehicle users shall be constructed or located within the right-of-way of, or
176.21 on publicly owned or publicly leased land acquired or used for or in connection with, a
176.22 controlled-access highway; except that:

176.23 (1) structures may be built within safety rest and travel information center areas;

176.24 (2) space within state-owned buildings in those areas may be leased for the purpose of
176.25 providing information to travelers through advertising as provided in section 160.276;

176.26 (3) advertising signs may be erected within the right-of-way of interstate or
176.27 controlled-access trunk highways by franchise agreements under section 160.80;

176.28 (4) vending machines may be placed in rest areas, travel information centers, or weigh
176.29 stations constructed or located within trunk highway rights-of-way; ~~and~~

176.30 (5) acknowledgment signs may be erected under sections 160.272 and 160.2735; and

177.1 (6) electric vehicle charging stations may be installed, operated, and maintained in safety
177.2 rest areas.

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

177.4 Sec. 7. **[160.2325] HIGHWAYS FOR HABITAT PROGRAM.**

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

177.7 (b) "Integrated roadside vegetation management" means an approach to right-of-way
177.8 maintenance that combines a variety of techniques with sound ecological principles to
177.9 establish and maintain safe, healthy, and functional roadsides. Integrated roadside vegetation
177.10 management includes but is not limited to judicious use of herbicides, spot mowing,
177.11 biological control, prescribed burning, mechanical tree and brush removal, erosion prevention
177.12 and treatment, and prevention and treatment of other right-of-way disturbances.

177.13 (c) "Program" means the highways for habitat program established in this section.

177.14 Subd. 2. **Program establishment.** The commissioner must establish a highways for
177.15 habitat program to enhance roadsides with pollinator and other wildlife habitat and vegetative
177.16 buffers.

177.17 Subd. 3. **General requirements.** In implementing the program, the commissioner must:

177.18 (1) identify and prioritize highways for habitat installations under an integrated roadside
177.19 vegetation management plan with priority given to new construction and reconstruction;

177.20 (2) develop and erect signage, where appropriate, that identifies highways for habitat
177.21 projects and clearly marks the habitat and management restrictions;

177.22 (3) develop and require training for department personnel and contractors that apply
177.23 pesticides and manage vegetation on the use of integrated roadside vegetation management
177.24 and native plant identification;

177.25 (4) assess, in consultation with the commissioners of natural resources and agriculture,
177.26 the categorization and management of noxious weeds to reduce the use of mowing and
177.27 pesticides;

177.28 (5) maintain a website that includes information on program implementation, integrated
177.29 roadside vegetation management, and related best management practices; and

177.30 (6) identify funding sources and develop proposals for ongoing funding for the program.

178.1 Subd. 4. **Management standards.** (a) The commissioner, in consultation with the
 178.2 commissioner of natural resources and the Board of Water and Soil Resources, must develop
 178.3 standards and best management practices for integrated roadside vegetation management
 178.4 plans under the program.

178.5 (b) The standards and best management practices must include:

178.6 (1) guidance on seed and vegetation selection based on the Board of Water and Soil
 178.7 Resources' native vegetation establishment and enhancement guidelines;

178.8 (2) requirements for roadside vegetation management protocols that avoid the use of
 178.9 pollinator lethal insecticides as defined under section 18H.02, subdivision 28a;

178.10 (3) practices that are designed to avoid habitat destruction and protect nesting birds,
 178.11 pollinators, and other wildlife; and

178.12 (4) identification of appropriate right-of-way tracts for wildflower and native habitat
 178.13 establishment.

178.14 Sec. 8. Minnesota Statutes 2020, section 160.266, is amended by adding a subdivision to
 178.15 read:

178.16 Subd. 7. **North Star Bikeway.** The North Star Bikeway is designated as a state bicycle
 178.17 route. It must originate in the city of St. Paul in Ramsey County, then proceed north and
 178.18 east to Duluth in St. Louis County, then proceed north and east along the shore of Lake
 178.19 Superior through Grand Marais in Cook County to Minnesota's boundary with Canada, and
 178.20 there terminate.

178.21 Sec. 9. Minnesota Statutes 2020, section 161.088, subdivision 1, is amended to read:

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

178.24 ~~(b)~~ (b) "Beyond the project limits" means any point that is located:

178.25 ~~(i)~~ (1) outside of the project limits;

178.26 ~~(ii)~~ (2) along the same trunk highway; and

178.27 ~~(iii)~~ (3) within the same region of the state;

178.28 ~~(c)~~ (c) "City" means a statutory or home rule charter city;

178.29 (d) "Department" means the Department of Transportation.

179.1 ~~(3)~~(e) "Program" means the corridors of commerce program established in this section;
179.2 ~~and.~~

179.3 ~~(4)~~(f) "Project limits" means the estimated construction limits of a project for trunk
179.4 highway construction, reconstruction, or maintenance, that is a candidate for selection under
179.5 the corridors of commerce program.

179.6 (g) "Screening entity" means an area transportation partnership, the Metropolitan Council
179.7 in consultation with the transportation advisory board under section 473.146, subdivision
179.8 4, or a specified county.

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

179.10 Sec. 10. Minnesota Statutes 2020, section 161.088, subdivision 2, is amended to read:

179.11 Subd. 2. **Program authority; funding.** (a) As provided in this section, the commissioner
179.12 ~~shall~~ must establish a corridors of commerce program for trunk highway construction,
179.13 reconstruction, and improvement, including maintenance operations, that improves commerce
179.14 in the state.

179.15 (b) The commissioner may expend funds under the program from appropriations to the
179.16 commissioner that are:

179.17 (1) made specifically by law for use under this section;

179.18 (2) at the discretion of the commissioner, made for the budget activities in the state roads
179.19 program of operations and maintenance, program planning and delivery, or state road
179.20 construction; and

179.21 (3) made for the corridor investment management strategy program, unless specified
179.22 otherwise.

179.23 (c) The commissioner ~~shall~~ must include in the program the cost participation policy
179.24 for local units of government.

179.25 (d) The commissioner may use up to 17 percent of any appropriation ~~to the program~~
179.26 under this section for program delivery and for project scoring, ranking, and selection under
179.27 subdivision 5.

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

180.1 Sec. 11. Minnesota Statutes 2020, section 161.088, subdivision 4, is amended to read:

180.2 Subd. 4. **Project eligibility.** (a) The eligibility requirements for projects that can be
180.3 funded under the program are:

180.4 (1) consistency with the statewide multimodal transportation plan under section 174.03;

180.5 (2) location of the project on ~~an interregional corridor~~ the national highway system, as
180.6 provided under Code of Federal Regulations, title 23, part 470, and successor requirements,
180.7 for a project located outside of the Department of Transportation metropolitan district;

180.8 (3) placement into at least one project classification under subdivision 3;

180.9 (4) project construction work will commence within ~~three~~ four years, ~~or a longer length~~
180.10 ~~of time as determined by the commissioner; and~~

180.11 (5) for each type of project classification under subdivision 3, a maximum allowable
180.12 amount for the total project cost estimate, as determined by the commissioner with available
180.13 data; and

180.14 (6) determination of a total project cost estimate with a reasonable degree of accuracy.

180.15 (b) A project whose construction is programmed in the state transportation improvement
180.16 program is not eligible for funding under the program. This paragraph does not apply to a
180.17 project that is programmed as result of selection under this section.

180.18 (c) A project may be, but is not required to be, identified in the 20-year state highway
180.19 investment plan under section 174.03.

180.20 (d) For each project, the commissioner must consider all of the eligibility requirements
180.21 under paragraph (a). The commissioner is prohibited from considering any eligibility
180.22 requirement not specified under paragraph (a).

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

180.24 Sec. 12. Minnesota Statutes 2020, section 161.088, is amended by adding a subdivision
180.25 to read:

180.26 Subd. 4a. **Project funding; regional balance.** (a) To ensure regional balance throughout
180.27 the state, the commissioner must distribute all available funds under the program within the
180.28 following funding categories:

180.29 (1) Metro Projects: at least 30 percent and no more than 35 percent of the funds are for
180.30 projects that are located within, on, or directly adjacent to an area bounded by marked
180.31 Interstate Highways 494 and 694;

181.1 (2) Metro Connector Projects: at least 30 percent and no more than 35 percent of the
 181.2 funds are for projects that:

181.3 (i) are not included in clause (1); and

181.4 (ii) are located within the department's metropolitan district or within 40 miles of marked
 181.5 Interstate Highway 494 or marked Interstate Highway 694; and

181.6 (3) Regional Center Projects: at least 30 percent of the funds are for projects that are not
 181.7 included in clause (1) or (2).

181.8 (b) The commissioner must calculate the percentages under paragraph (a) using total
 181.9 funds under the program for (1) the current project selection round, and (2) to the extent
 181.10 applicable, the two most recent prior selection rounds performed on or after the effective
 181.11 date of this section.

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

181.13 Sec. 13. Minnesota Statutes 2021 Supplement, section 161.088, subdivision 5, is amended
 181.14 to read:

181.15 Subd. 5. **Project selection process; criteria.** (a) The commissioner must establish a
 181.16 process to identify, evaluate, and select projects under the program. The process must be
 181.17 consistent with the requirements of this subdivision and must not include any additional
 181.18 ~~evaluation~~ scoring criteria. The process must include phases as provided in this subdivision.

181.19 ~~(b) As part of the project selection process, the commissioner must annually accept~~
 181.20 ~~recommendations on candidate projects from area transportation partnerships and other~~
 181.21 ~~interested stakeholders in each Department of Transportation district. The commissioner~~
 181.22 ~~must determine the eligibility for each candidate project identified under this paragraph.~~
 181.23 ~~For each eligible project, the commissioner must classify and evaluate the project for the~~
 181.24 ~~program, using all of the criteria established under paragraph (c).~~ **Phase 1: Project**
 181.25 **solicitation.** Following enactment of each law that makes additional funds available for the
 181.26 program, the commissioner must undertake a public solicitation of potential projects for
 181.27 consideration. The solicitation must be performed through an Internet recommendation
 181.28 process that allows for an interested party, including an individual, business, local unit of
 181.29 government, corridor group, or interest group, to submit a project for consideration.

181.30 **(c) Phase 2: Local screening and recommendations.** The commissioner must present
 181.31 the projects submitted during the open solicitation under Phase 1 to the appropriate screening
 181.32 entity where each project is located. A screening entity must:

- 182.1 (1) consider all of the submitted projects for its area;
- 182.2 (2) solicit input from members of the legislature who represent the area for project review
- 182.3 and nonbinding approval or disapproval; and
- 182.4 (3) recommend projects to the commissioner for formal scoring, as provided in Phase
- 182.5 3.
- 182.6 (d) Each screening entity may recommend up to three projects to the commissioner,
- 182.7 except that (1) the Metropolitan Council may recommend up to four projects, and (2) Anoka,
- 182.8 Carver, Chisago, Dakota, Hennepin, Ramsey, Scott, and Washington Counties may each
- 182.9 independently recommend up to two projects. A screening entity may recommend a
- 182.10 replacement project for a project that the commissioner determines is ineligible under
- 182.11 subdivision 4. Each recommendation must identify any approvals or disapprovals provided
- 182.12 by a member of the legislature.
- 182.13 (e) **Phase 3: Project scoring.** The commissioner must confirm project eligibility under
- 182.14 subdivision 4 and perform a complete scoring assessment on each of the eligible projects
- 182.15 recommended by the screening entities under Phase 2.
- 182.16 (f) Projects must be ~~evaluated~~ scored using all of the following criteria:
- 182.17 (1) a return on investment measure that provides for comparison across eligible projects;
- 182.18 (2) measurable impacts on commerce and economic competitiveness;
- 182.19 (3) efficiency in the movement of freight, including but not limited to:
- 182.20 (i) measures of annual average daily traffic and commercial vehicle miles traveled, which
- 182.21 may include data near the project location on that trunk highway or on connecting trunk
- 182.22 and local highways; and
- 182.23 (ii) measures of congestion or travel time reliability, which may be within or near the
- 182.24 project limits, or both;
- 182.25 (4) improvements to traffic safety;
- 182.26 (5) connections to regional trade centers, local highway systems, and other transportation
- 182.27 modes;
- 182.28 (6) the extent to which the project addresses multiple transportation system policy
- 182.29 objectives and principles;
- 182.30 (7) support and consensus for the project among members of the surrounding community;
- 182.31 and

183.1 (8) the time and work needed before construction may begin on the project; ~~and,~~

183.2 ~~(9) regional balance throughout the state.~~

183.3 The commissioner must give the criteria in clauses (1) to (8) equal weight in the ~~selection~~
183.4 scoring process.

183.5 (g) Phase 4: Project ranking and selection. Upon completion of project scoring under
183.6 Phase 3, the commissioner must develop a ranked list of projects based on total score and
183.7 must select projects in rank order for funding under the program, subject to subdivision 4a.
183.8 The commissioner must specify the amounts and known or anticipated sources of funding
183.9 for each selected project.

183.10 ~~(d) The list of all projects evaluated must be made public and must include the score of~~
183.11 ~~each project.~~

183.12 (h) Phase 5: Public information. The commissioner must publish information regarding
183.13 the selection process on the department's website. The information must include:

183.14 (1) lists of all projects submitted for consideration and all projects recommended by the
183.15 screening entities;

183.16 (2) the scores and ranking for each project; and

183.17 (3) an overview of each selected project, including amounts and sources of funding.

183.18 ~~(e) As part of the project selection process, the commissioner may divide funding to be~~
183.19 ~~separately available among projects within each classification under subdivision 3, and may~~
183.20 ~~apply separate or modified criteria among those projects falling within each classification.~~

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

183.22 Sec. 14. Minnesota Statutes 2020, section 161.115, is amended by adding a subdivision
183.23 to read:

183.24 Subd. 271. **Route No. 340.** Beginning at a point in or adjacent to Upper Sioux Agency
183.25 State Park; thence extending in a general northwesterly direction to a point on Route No.
183.26 67 at or near Granite Falls.

183.27 Sec. 15. Minnesota Statutes 2020, section 161.14, is amended by adding a subdivision to
183.28 read:

183.29 Subd. 102. **John Schlegel Memorial Highway.** The segment of marked U.S. Highway
183.30 71 from Willmar to the intersection with marked Trunk Highway 7 in Kandiyohi County

184.1 is designated as "John Schlegel Memorial Highway." Subject to section 161.139, the
184.2 commissioner must adopt a suitable design to mark this highway and erect appropriate signs.

184.3 Sec. 16. Minnesota Statutes 2020, section 161.14, is amended by adding a subdivision to
184.4 read:

184.5 Subd. 103. **Prince Rogers Nelson Memorial Highway.** The segment of marked Trunk
184.6 Highway 5 within the city limits of Chanhassen is designated "Prince Rogers Nelson
184.7 Memorial Highway." The commissioner must adopt a suitable design to mark this highway
184.8 that conforms to the Manual on Uniform Traffic Control Devices adopted by the
184.9 commissioner under section 169.06, except that to the extent feasible, the sign must include
184.10 the symbol associated with the artist and be purple in color. Subject to section 161.139, the
184.11 commissioner must erect appropriate signs.

184.12 Sec. 17. [161.369] INDIAN EMPLOYMENT PREFERENCE.

184.13 As authorized by United States Code, title 23, section 104, paragraph (d), the
184.14 commissioner may implement an Indian employment preference for members of federally
184.15 recognized Tribes on projects carried out under United States Code, title 23, on or near an
184.16 Indian reservation. For purposes of this section, a project is near an Indian reservation if
184.17 the project is within the distance a person seeking employment could reasonably be expected
184.18 to commute to and from each workday. The commissioner, in consultation with federally
184.19 recognized Minnesota Tribes, may determine when a project is near an Indian reservation.

184.20 Sec. 18. Minnesota Statutes 2020, section 162.07, subdivision 2, is amended to read:

184.21 Subd. 2. **Money needs defined.** For the purpose of this section, money needs of each
184.22 county are defined as the estimated total annual costs of constructing, over a period of 25
184.23 years, the county state-aid highway system ~~in~~ located and established by that county. Costs
184.24 incidental to construction, or a specified portion thereof as set forth in the commissioner's
184.25 rules may be included in determining money needs. To avoid variances in costs due to
184.26 differences in construction policy, construction costs shall be estimated on the basis of the
184.27 engineering standards developed cooperatively by the commissioner and the county engineers
184.28 of the several counties.

184.29 Sec. 19. Minnesota Statutes 2020, section 162.13, subdivision 2, is amended to read:

184.30 Subd. 2. **Money needs defined.** For the purpose of this section money needs of each
184.31 city having a population of 5,000 or more are defined as the estimated cost of constructing

185.1 and maintaining over a period of 25 years the municipal state-aid street system ~~in~~ located
185.2 and established by such city. Right-of-way costs and drainage shall be included in money
185.3 needs. Lighting costs and other costs incidental to construction and maintenance, or a
185.4 specified portion of such costs, as set forth in the commissioner's rules, may be included in
185.5 determining money needs. To avoid variances in costs due to differences in construction
185.6 and maintenance policy, construction and maintenance costs shall be estimated on the basis
185.7 of the engineering standards developed cooperatively by the commissioner and the engineers,
185.8 or a committee thereof, of the cities.

185.9 Sec. 20. Minnesota Statutes 2020, section 162.13, subdivision 3, is amended to read:

185.10 Subd. 3. **Screening board.** On or before September 1 of each year, the engineer of each
185.11 city having a population of 5,000 or more ~~shall~~ must update their data and forward to the
185.12 ~~commissioner on forms prepared by the commissioner,~~ all information relating to the money
185.13 needs of the city that the commissioner deems necessary in order to apportion the municipal
185.14 state-aid street fund in accordance with the apportionment formula ~~heretofore set forth.~~
185.15 Upon receipt of the information the commissioner ~~shall~~ must appoint a board of city
185.16 engineers. The board ~~shall~~ must be composed of ~~one engineer from each state highway~~
185.17 ~~construction district, and in addition thereto;~~ (1) two city engineers from the metropolitan
185.18 district; (2) one city engineer from each nonmetropolitan district; and (3) one engineer from
185.19 each city of the first class. The board ~~shall~~ must investigate and review the information
185.20 submitted by each city. On or before November 1 of each year, the board ~~shall~~ must submit
185.21 its findings and recommendations in writing as to each city's money needs to the
185.22 commissioner on a form prepared by the commissioner. Final determination of the money
185.23 needs of each city ~~shall~~ must be made by the commissioner. In the event that any city ~~shall~~
185.24 ~~fail~~ fails to submit the required information ~~provided for herein,~~ the commissioner ~~shall~~
185.25 must estimate the money needs of the city. The estimate ~~shall~~ must be used in solving the
185.26 apportionment formula. The commissioner may withhold payment of the amount apportioned
185.27 to the city until the information is submitted.

185.28 Sec. 21. Minnesota Statutes 2020, section 168.1235, subdivision 1, is amended to read:

185.29 Subdivision 1. **General requirements; fees.** (a) The commissioner shall issue a special
185.30 plate emblem for each plate to an applicant who:

185.31 (1) is a member of a congressionally chartered veterans service organization and is a
185.32 registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational
185.33 vehicle;

186.1 (2) pays the registration tax required by law;

186.2 (3) pays a fee in the amount specified for special plates under section 168.12, subdivision
186.3 5, for each set of two plates, and any other fees required by this chapter; and

186.4 (4) complies with this chapter and rules governing the registration of motor vehicles and
186.5 licensing of drivers.

186.6 (b) The additional fee is payable at the time of initial application for the special plate
186.7 emblem and when the plates must be replaced or renewed. An applicant must not be issued
186.8 more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and
186.9 registered to the applicant.

186.10 (c) The applicant must present a valid card indicating membership in the American
186.11 Legion ~~or~~, Veterans of Foreign Wars, or Disabled American Veterans.

186.12 Sec. 22. Minnesota Statutes 2020, section 168.1253, subdivision 3, is amended to read:

186.13 Subd. 3. **No fee.** The commissioner shall issue a set of Gold Star plates, or a single plate
186.14 for a motorcycle, to an eligible person free of charge, and shall replace the plate or plates
186.15 without charge if they become damaged. If the eligible person requests personalized Gold
186.16 Star plates, the commissioner must not charge the fees listed in section 168.12, subdivision
186.17 2a.

186.18 Sec. 23. Minnesota Statutes 2020, section 168.27, subdivision 11, is amended to read:

186.19 Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for a dealer's
186.20 license or notification of a change of location of the place of business on a dealer's license
186.21 must include a street address, not a post office box, and is subject to the commissioner's
186.22 approval.

186.23 (b) Upon the filing of an application for a dealer's license and the proper fee, unless the
186.24 application on its face appears to be invalid, the commissioner shall grant a 90-day temporary
186.25 license. During the 90-day period following issuance of the temporary license, the
186.26 commissioner shall inspect the place of business site and insure compliance with this section
186.27 and rules adopted under this section.

186.28 (c) The commissioner may extend the temporary license 30 days to allow the temporarily
186.29 licensed dealer to come into full compliance with this section and rules adopted under this
186.30 section.

187.1 (d) In no more than 120 days following issuance of the temporary license, the dealer
187.2 license must either be granted or denied.

187.3 (e) A license must be denied under the following conditions:

187.4 (1) ~~The license must be denied~~ if within the previous ten years the applicant was enjoined
187.5 due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15,
187.6 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen
187.7 vehicles, or convicted of violating United States Code, title 15, ~~sections 1981 to 1991~~ 49,
187.8 sections 32701 to 32711, or pleaded guilty, entered a plea of nolo contendere or no contest,
187.9 or has been found guilty in a court of competent jurisdiction of any charge of failure to pay
187.10 state or federal income or sales taxes or felony charge of forgery, embezzlement, obtaining
187.11 money under false pretenses, theft by swindle, extortion, conspiracy to defraud, or bribery;

187.12 (2) ~~A license must be denied~~ if the applicant has had a dealer license revoked within the
187.13 previous ten years; or

187.14 (3) if, at the time of inspection, the applicant is not in compliance with location
187.15 requirements or has intentionally or negligently misrepresented any information on the
187.16 application that would be grounds for suspension or revocation under subdivision 12.

187.17 (f) If the application is approved, the commissioner shall license the applicant as a dealer
187.18 for one year from the date the temporary license is granted and issue a certificate of license
187.19 that must include a distinguishing number of identification of the dealer. The license must
187.20 be displayed in a prominent place in the dealer's licensed place of business.

187.21 (g) Each initial application for a license must be accompanied by a fee of \$100 in addition
187.22 to the annual fee. The annual fee is \$150. The initial fees and annual fees must be paid into
187.23 the state treasury and credited to the general fund except that \$50 of each initial and annual
187.24 fee must be paid into the vehicle services operating account in the special revenue fund
187.25 under section 299A.705.

187.26 Sec. 24. Minnesota Statutes 2020, section 168A.11, subdivision 3, is amended to read:

187.27 Subd. 3. **Records.** Every dealer shall maintain for three years at an established place of
187.28 business a record in the form the department prescribes of every vehicle bought, sold, or
187.29 exchanged, or received for sale or exchange, which shall be open to inspection by a
187.30 representative of the department or peace officer during ~~reasonable business hours~~ inspection
187.31 hours as listed on the initial dealer license application or as noted on the dealer record. With
187.32 respect to motor vehicles subject to the provisions of section 325E.15, the record shall
187.33 include either the true mileage as stated by the previous owner or the fact that the previous

188.1 owner stated the actual cumulative mileage was unknown; the record also shall include
188.2 either the true mileage the dealer stated upon transferring the vehicle or the fact the dealer
188.3 stated the mileage was unknown.

188.4 Sec. 25. Minnesota Statutes 2020, section 168B.07, subdivision 3, is amended to read:

188.5 Subd. 3. **Retrieval of contents; right to reclaim.** (a) For purposes of this subdivision:

188.6 (1) "contents" does not include any permanently affixed mechanical or nonmechanical
188.7 automobile parts; automobile body parts; or automobile accessories, including audio or
188.8 video players; and

188.9 (2) "relief based on need" includes, but is not limited to, receipt of MFIP and Diversionary
188.10 Work Program, medical assistance, general assistance, emergency general assistance,
188.11 Minnesota supplemental aid, MSA-emergency assistance, MinnesotaCare, Supplemental
188.12 Security Income, energy assistance, emergency assistance, Supplemental Nutrition Assistance
188.13 Program (SNAP) benefits, earned income tax credit, or Minnesota working family tax credit.

188.14 (b) A unit of government or impound lot operator ~~shall~~ must establish reasonable
188.15 procedures for retrieval of vehicle contents, and may establish reasonable procedures to
188.16 protect the safety and security of the impound lot and its personnel.

188.17 (c) At any time before the expiration of the waiting periods provided in section 168B.051,
188.18 a registered owner of a vehicle who provides proof of identity that includes photographic
188.19 identification and documentation from a government or nonprofit agency or legal aid office
188.20 that the registered owner is homeless, receives relief based on need, or is eligible for legal
188.21 aid services, has the unencumbered right to retrieve any and all contents without charge and
188.22 regardless of whether the registered owner pays incurred charges or fees, transfers title, or
188.23 reclaims the vehicle. A refusal by the impound lot operator to allow the registered owner
188.24 to retrieve the vehicle contents after the owner provides valid documentation is a violation
188.25 of this paragraph.

188.26 (d) An impound lot operator may make copies of the documents presented by the
188.27 registered owner under paragraph (c), and the impound lot operator must return all of the
188.28 original documents to the registered owner immediately after copying them.

188.29 Sec. 26. Minnesota Statutes 2020, section 168B.07, is amended by adding a subdivision
188.30 to read:

188.31 Subd. 3a. **Retrieval of contents; identification, medicine, and medical equipment.** An
188.32 impound lot operator must allow any registered vehicle owner to retrieve, or must retrieve

189.1 for the vehicle owner, proof of identification, prescription medicine, and durable medical
189.2 equipment, including wheelchairs, prosthetics, canes, crutches, walkers, and external braces,
189.3 from the impounded vehicle.

189.4 Sec. 27. Minnesota Statutes 2020, section 168B.07, is amended by adding a subdivision
189.5 to read:

189.6 Subd. 3b. **Retrieval of contents; notice of denial.** (a) This subdivision applies to an
189.7 impound lot operator who operates a nonpublic impound lot or who exclusively contracts
189.8 with a unit of government under section 168B.09 to operate a public impound lot solely for
189.9 public use.

189.10 (b) An impound lot operator who denies a request of a registered vehicle owner to retrieve
189.11 vehicle contents after the registered owner presents documentation pursuant to subdivision
189.12 3, paragraph (c), must, at the time of denial, provide the registered owner with a written
189.13 statement that identifies the specific reasons for the denial.

189.14 Sec. 28. Minnesota Statutes 2020, section 168B.07, is amended by adding a subdivision
189.15 to read:

189.16 Subd. 3c. **Retrieval of contents; public notice.** (a) This subdivision applies to an
189.17 impound lot operator who operates a nonpublic impound lot or who exclusively contracts
189.18 with a unit of government under section 168B.09 to operate a public impound lot solely for
189.19 public use.

189.20 (b) An impound lot operator must post a conspicuous notice at its place of operation in
189.21 the following form:

189.22 "If you receive government benefits, are currently homeless, or are eligible for legal aid
189.23 services, you have the right to get the contents out of your car free of charge IF you give
189.24 us:

189.25 (1) a photo ID (such as a driver's license, passport, or employer ID); AND

189.26 (2) documentation from a government or nonprofit agency or from a legal aid office that
189.27 you get benefits from a government program based on your income; you are homeless; or
189.28 you are eligible for legal aid services. Examples of this documentation include BUT ARE
189.29 NOT LIMITED TO:

189.30 - an EBT card;

189.31 - a Medical Assistance or MinnesotaCare card;

190.1 - a Supplemental Nutrition Assistance Program (SNAP) card; and
190.2 - a letter, e-mail, or other document from a government agency, a nonprofit organization,
190.3 or a legal aid organization showing that you get benefits from a government program based
190.4 on your income, you are homeless, or you are eligible for legal aid services."

190.5 Sec. 29. Minnesota Statutes 2020, section 168B.07, is amended by adding a subdivision
190.6 to read:

190.7 Subd. 3d. **Retrieval of contents; remedy.** (a) An aggrieved registered vehicle owner
190.8 has a cause of action as provided in this subdivision against an impound lot operator who
190.9 operates a nonpublic impound lot or who exclusively contracts with a unit of government
190.10 under section 168B.09 to operate a public impound lot solely for public use if the impound
190.11 lot operator denies the registered owner the right to retrieve the vehicle contents in violation
190.12 of subdivision 3, paragraph (c).

190.13 (b) If the vehicle and its contents remain in the possession of the impound lot operator
190.14 and retrieval of the vehicle contents was denied in violation of subdivision 3, paragraph (c),
190.15 an aggrieved registered vehicle owner is entitled to injunctive relief to retrieve the vehicle
190.16 contents as well as reasonable attorney fees and costs.

190.17 (c) If an impound lot operator sells or disposes of the vehicle contents after the registered
190.18 owner has provided the documentation required under subdivision 3, paragraph (c), an
190.19 aggrieved registered vehicle owner is entitled to statutory damages in an amount of \$1,000
190.20 and reasonable attorney fees and costs. An action brought pursuant to this paragraph must
190.21 be brought within 12 months of when the vehicle was impounded.

190.22 Sec. 30. Minnesota Statutes 2020, section 169.14, is amended by adding a subdivision to
190.23 read:

190.24 Subd. 5i. **Certain speed limits in Ramsey County.** (a) For purposes of this subdivision,
190.25 "suburban residential roadway" means a county highway that is (1) in an area zoned
190.26 exclusively for housing, or (2) adjacent to a city, county, or regional park.

190.27 (b) Ramsey County may establish a speed limit of 30 miles per hour on a suburban
190.28 residential roadway under its jurisdiction, without conducting an engineering and traffic
190.29 investigation.

190.30 (c) A speed limit under paragraph (b) is effective once the county erects signs designating
190.31 the speed limit and indicating the beginning and end of the suburban residential roadway
190.32 on which the speed limit applies.

191.1 Sec. 31. Minnesota Statutes 2020, section 169.18, subdivision 3, is amended to read:

191.2 Subd. 3. **Passing.** ~~The following rules shall govern the overtaking and passing of vehicles~~
 191.3 ~~proceeding in the same direction, subject to the limitations, exceptions, and special rules~~
 191.4 ~~hereinafter stated:~~

191.5 ~~(1)(a)~~ (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction
 191.6 ~~shall~~ must pass to the left ~~thereof~~ of the other vehicle at a safe distance and ~~shall not again~~
 191.7 ~~drive~~ is prohibited from returning to the right side of the roadway until safely clear of the
 191.8 overtaken vehicle;

191.9 ~~(2)(b)~~ (b) Except when overtaking and passing on the right is permitted, the driver of an
 191.10 overtaken vehicle ~~shall~~ must give way to the right in favor of the overtaking vehicle ~~on~~
 191.11 ~~audible warning,~~ and ~~shall~~ must not increase the speed ~~of the overtaken vehicle~~ until
 191.12 completely passed by the overtaking vehicle; ~~and.~~

191.13 ~~(3)(c)~~ (c) The operator of a motor vehicle overtaking a bicycle or individual proceeding in
 191.14 the same direction on the roadway ~~shall leave~~ or shoulder must:

191.15 (1) either:

191.16 (i) maintain a safe clearance distance while passing, but in no case less than which must
 191.17 be at least the greater of three feet clearance, when passing the bicycle or individual or
 191.18 one-half the width of the motor vehicle; or

191.19 (ii) completely enter another lane of the roadway while passing; and shall

191.20 (2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle
 191.21 or individual.

191.22 **EFFECTIVE DATE.** This section is effective August 1, 2022.

191.23 Sec. 32. Minnesota Statutes 2021 Supplement, section 169.222, subdivision 4, is amended
 191.24 to read:

191.25 Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall~~ on a
 191.26 road must ride as close as ~~practicable~~ to the right-hand curb or edge of the roadway ~~except~~
 191.27 ~~under any of the following situations~~ road as the bicycle operator determines is safe. A
 191.28 person operating a bicycle is not required to ride as close to the right-hand curb or edge
 191.29 when:

191.30 (1) ~~when~~ overtaking and passing another vehicle proceeding in the same direction;

191.31 (2) ~~when~~ preparing for a left turn at an intersection or into a private road or driveway;

192.1 (3) ~~when~~ reasonably necessary to avoid conditions that make it unsafe to continue along
 192.2 the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals,
 192.3 surface hazards, or ~~narrow-width~~ narrow-width lanes, that make it unsafe to continue along
 192.4 the right-hand curb or edge; or;

192.5 (4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane; or

192.6 (5) operating in a right-hand turn lane before entering an intersection.

192.7 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must
 192.8 travel in the same direction as adjacent vehicular traffic.

192.9 (c) Persons riding bicycles upon a roadway or shoulder ~~shall~~ must not ride more than
 192.10 two abreast and ~~shall not impede the normal and reasonable movement of traffic and,~~ on a
 192.11 laned roadway, ~~shall~~ must ride within a single lane.

192.12 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
 192.13 crosswalk, ~~shall~~ must yield the right-of-way to any pedestrian and ~~shall~~ give an audible
 192.14 signal when necessary before overtaking and passing any pedestrian. ~~No~~ A person shall
 192.15 must not ride a bicycle upon a sidewalk within a business district unless permitted by local
 192.16 authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or
 192.17 crosswalk under their jurisdiction.

192.18 (e) An individual operating a bicycle or other vehicle on a bikeway ~~shall~~ must (1) give
 192.19 an audible signal a safe distance before overtaking a bicycle or individual, (2) leave a safe
 192.20 clearance distance when overtaking a bicycle or individual proceeding in the same direction
 192.21 ~~on the bikeway,~~ and ~~shall~~ (3) maintain clearance until safely past the overtaken bicycle or
 192.22 individual.

192.23 (f) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an
 192.24 intersection proceeding from the leftmost one-third of a dedicated right-hand turn lane
 192.25 without turning right.

192.26 Sec. 33. [169.4476] EMERGENCY RESPONSE SCHOOL BUS USE.

192.27 Subdivision 1. Emergency school bus use authority. A school bus, when operated by
 192.28 a school district or by an operator under an agreement with a school district, may be used
 192.29 to assist in the response to an emergency or disaster as defined in section 12.03 for the
 192.30 purpose of evacuating a region or community.

192.31 Subd. 2. Requirements. (a) A school district or operator may operate a school bus under
 192.32 this section if:

193.1 (1) an emergency or disaster has been declared by the chief fire or law enforcement
193.2 officer overseeing the response;

193.3 (2) immediate emergency evacuation or relocation is required to remove individuals
193.4 from an imminent threat to health or safety; and

193.5 (3) the transportation of individuals takes place only within the state of Minnesota.

193.6 (b) Nothing in this section exempts the school bus driver from the licensing requirements
193.7 under section 171.02.

193.8 Subd. 3. **Registration exemption.** A school bus operated under this section and displaying
193.9 registration in accordance with section 168.012, subdivision 1, paragraph (a), clause (2), or
193.10 168.013, subdivision 18, may be operated without reregistration of the bus, issuance of new
193.11 plates, or payment of additional taxes and fees, as may be required under chapter 168.

193.12 Subd. 4. **Annual inspection requirement.** For purposes of this section, a school bus
193.13 displaying a current inspection certificate issued in accordance with section 169.451,
193.14 subdivision 2, is exempt from the inspection requirements under section 169.781, subdivision
193.15 2.

193.16 Subd. 5. **School bus equipment.** (a) Notwithstanding section 169.441, subdivision 3,
193.17 paragraph (b), or 169.448, subdivision 1, a school bus operated under this section may be:

193.18 (1) painted national school bus glossy yellow; and

193.19 (2) equipped with school bus-related equipment and printing.

193.20 (b) A school bus operated under this section is prohibited from using the equipment
193.21 required under section 169.442.

193.22 Sec. 34. Minnesota Statutes 2020, section 169.8261, is amended to read:

193.23 **169.8261 GROSS WEIGHT LIMITATIONS; FOREST PRODUCTS SPECIAL**
193.24 **PERMIT.**

193.25 Subdivision 1. **Exemption Definition.** (a) For purposes of this section, "raw or unfinished
193.26 forest products" include wood chips, paper, pulp, oriented strand board, laminated strand
193.27 lumber, hardboard, treated lumber, untreated lumber, or barrel staves.

193.28 ~~(b) In compliance with this section, a person may operate a vehicle or combination of~~
193.29 ~~vehicles to haul raw or unfinished forest products by the most direct route to the nearest~~
193.30 ~~paved highway on any highway with gross weights permitted under sections 169.823 to~~
193.31 ~~169.829.~~

194.1 Subd. 1a. **Six-axle vehicle permit.** (a) A road authority may issue an annual permit
194.2 authorizing a vehicle or combination of vehicles with a total of six or more axles to haul
194.3 raw or unfinished forest products by the most direct route to the nearest paved highway on
194.4 any highway with gross weights permitted under sections 169.823 to 169.829 and be operated
194.5 with a gross vehicle weight of up to:

194.6 (1) 90,000 pounds; and

194.7 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
194.8 subdivision 1.

194.9 (b) A vehicle or combination of vehicles with a permit under this subdivision must not
194.10 be operated on an interstate highway, except as provided under United States Code, title
194.11 23, section 127(q), for operation on the specified segment of marked Interstate Highway
194.12 35.

194.13 Subd. 1b. **Six-axle and over-width vehicle permit.** (a) A road authority may issue an
194.14 annual permit authorizing a vehicle or combination of vehicles with a total of six or more
194.15 axles to haul raw or unfinished forest products by the most direct route to the nearest paved
194.16 highway on any highway with gross weights permitted under sections 169.823 to 169.829
194.17 and be operated with:

194.18 (1) a gross vehicle weight of up to:

194.19 (i) 90,000 pounds; and

194.20 (ii) 99,000 pounds during the period set by the commissioner under section 169.826,
194.21 subdivision 1; and

194.22 (2) a total outside width of the vehicle or the load that does not exceed 114 inches.

194.23 (b) In addition to the conditions in subdivision 2, a vehicle or combination of vehicles
194.24 operated with a permit under this subdivision must:

194.25 (1) display red or orange flags, 18 inches square, as markers at the front and rear and on
194.26 both sides of the load; and

194.27 (2) not be operated on any road in a metropolitan county, as defined in section 473.121,
194.28 subdivision 4.

194.29 (c) A vehicle or combination of vehicles with a permit under this subdivision may only
194.30 be operated on an interstate highway:

194.31 (1) as provided under United States Code, title 23, section 127(q), for operation on the
194.32 specified segment of marked Interstate Highway 35; or

195.1 (2) if the gross vehicle weight does not exceed 80,000 pounds.

195.2 Subd. 2. **Conditions.** (a) A vehicle or combination of vehicles ~~described in subdivision~~
195.3 ~~4~~ operated under this section must:

195.4 (1) comply with seasonal load restrictions in effect between the dates set by the
195.5 commissioner under section 169.87, subdivision 2;

195.6 (2) comply with bridge load limits posted under section 169.84;

195.7 (3) be equipped and operated with six or more axles and brakes on all wheels;

195.8 ~~(4) not exceed 90,000 pounds gross vehicle weight, or 99,000 pounds gross vehicle~~
195.9 ~~weight during the time when seasonal increases are authorized under section 169.826;~~

195.10 ~~(5) not be operated on interstate highways;~~

195.11 ~~(6) obtain an annual permit from the commissioner of transportation;~~

195.12 (4) be operated under a permit issued by each road authority having jurisdiction over a
195.13 road on which the vehicle is operated if required;

195.14 ~~(7)~~ (5) obey all road and bridge postings, including those pertaining to lane or roadway
195.15 width; and

195.16 ~~(8)~~ (6) not exceed 20,000 pounds gross weight on any single axle.

195.17 (b) A vehicle operated under this section may exceed the legal axle weight limits listed
195.18 in section 169.824 by not more than 12.5 percent; except that, the weight limits may be
195.19 exceeded by not more than 23.75 percent during the time when seasonal increases are
195.20 authorized under section 169.826, subdivision 1.

195.21 ~~(c) Notwithstanding paragraph (a), clause (5), a vehicle or combination of vehicles~~
195.22 ~~hauling raw or unfinished forest products may operate on the segment of marked Interstate~~
195.23 ~~Highway 35 provided under United States Code, title 23, section 127(q)(2)(D).~~

195.24 Subd. 3. **Expiration date.** Upon request of the permit applicant, the expiration date for
195.25 a permit issued under this section must be the same as the expiration date of the permitted
195.26 vehicle's registration.

195.27 **EFFECTIVE DATE.** This section is effective August 1, 2022.

196.1 Sec. 35. Minnesota Statutes 2021 Supplement, section 169A.60, subdivision 13, is amended
196.2 to read:

196.3 Subd. 13. **Special registration plates.** (a) At any time during the effective period of an
196.4 impoundment order, a violator or registered owner may apply to the commissioner for new
196.5 registration plates, which must bear a special series of numbers or letters so as to be readily
196.6 identified by traffic law enforcement officers. ~~The commissioner may authorize the issuance~~
196.7 ~~of special plates if:~~

196.8 ~~(1) the violator has a qualified licensed driver whom the violator must identify;~~

196.9 ~~(2) the violator or registered owner has a limited license issued under section 171.30;~~

196.10 ~~(3) the registered owner is not the violator and the registered owner has a valid or limited~~
196.11 ~~driver's license;~~

196.12 ~~(4) a member of the registered owner's household has a valid driver's license; or~~

196.13 ~~(5) the violator has been reissued a valid driver's license.~~

196.14 (b) The commissioner may not issue new registration plates for that vehicle subject to
196.15 plate impoundment for a period of at least one year from the date of the impoundment order.
196.16 In addition, if the owner is the violator, new registration plates may not be issued for the
196.17 vehicle unless the person has been reissued a valid driver's license in accordance with chapter
196.18 171.

196.19 (c) A violator may not apply for new registration plates for a vehicle at any time before
196.20 the person's driver's license is reinstated.

196.21 (d) The commissioner may issue the special plates on payment of a \$50 fee for each
196.22 vehicle for which special plates are requested, except that a person who paid the fee required
196.23 under paragraph (f) must not be required to pay an additional fee if the commissioner issued
196.24 an impoundment order pursuant to paragraph (g).

196.25 (e) Paragraphs (a) to (d) notwithstanding, the commissioner must issue upon request
196.26 new registration plates for any vehicle owned by a violator or registered owner for which
196.27 the registration plates have been impounded if:

196.28 (1) the impoundment order is rescinded;

196.29 (2) the vehicle is transferred in compliance with subdivision 14; or

196.30 (3) the vehicle is transferred to a Minnesota automobile dealer licensed under section
196.31 168.27, a financial institution that has submitted a repossession affidavit, or a government
196.32 agency.

197.1 (f) Notwithstanding paragraphs (a) to (d), the commissioner, upon request and payment
197.2 of a \$100 fee for each vehicle for which special plates are requested, must issue new
197.3 registration plates for any vehicle owned by a violator or registered owner for which the
197.4 registration plates have been impounded if the violator becomes a program participant in
197.5 the ignition interlock program under section 171.306. This paragraph does not apply if the
197.6 registration plates have been impounded pursuant to paragraph (g).

197.7 (g) The commissioner shall issue a registration plate impoundment order for new
197.8 registration plates issued pursuant to paragraph (f) if, before a program participant in the
197.9 ignition interlock program under section 171.306 has been restored to full driving privileges,
197.10 the program participant:

197.11 (1) either voluntarily or involuntarily ceases to participate in the program for more than
197.12 30 days; or

197.13 (2) fails to successfully complete the program as required by the Department of Public
197.14 Safety due to:

197.15 (i) two or more occasions of the participant's driving privileges being withdrawn for
197.16 violating the terms of the program, unless the withdrawal is determined to be caused by an
197.17 error of the department or the interlock provider; or

197.18 (ii) violating the terms of the contract with the provider as determined by the provider.

197.19 Sec. 36. Minnesota Statutes 2021 Supplement, section 171.0605, subdivision 5, is amended
197.20 to read:

197.21 Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of
197.22 documentation from the following is satisfactory evidence of an applicant's principal
197.23 residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

197.24 (1) a home utility services bill issued no more than 12 months before the application;

197.25 (2) a home utility services hook-up work order issued no more than 12 months before
197.26 the application;

197.27 (3) United States bank or financial information issued no more than 12 months before
197.28 the application, with account numbers redacted, including:

197.29 (i) a bank account statement;

197.30 (ii) a credit card or debit card statement;

197.31 (iii) a brokerage account statement; or

- 198.1 (iv) a money market account statement;
- 198.2 (4) a certified transcript from a United States high school, if issued no more than 180
198.3 days before the application;
- 198.4 (5) a certified transcript from a Minnesota college or university, if issued no more than
198.5 180 days before the application;
- 198.6 (6) an employment pay stub issued no more than 12 months before the application that
198.7 lists the employer's name and address;
- 198.8 (7) a Minnesota unemployment insurance benefit statement issued no more than 12
198.9 months before the application;
- 198.10 (8) a statement from an assisted living facility licensed under chapter 144G, nursing
198.11 home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50
198.12 to 144.56, that was issued no more than 12 months before the application;
- 198.13 (9) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- 198.14 (10) a federal or state income tax return for the most recent tax filing year;
- 198.15 (11) a Minnesota property tax statement for the current or prior calendar year or a
198.16 proposed Minnesota property tax notice for the current year that shows the applicant's
198.17 principal residential address both on the mailing portion and the portion stating what property
198.18 is being taxed;
- 198.19 (12) a Minnesota vehicle certificate of title;
- 198.20 (13) a filed property deed or title for current residence;
- 198.21 (14) a Supplemental Security Income award statement issued no more than 12 months
198.22 before the application;
- 198.23 (15) mortgage documents for the applicant's principal residence;
- 198.24 (16) a residential lease agreement for the applicant's principal residence issued no more
198.25 than 12 months before the application;
- 198.26 (17) a valid driver's license, including an instruction permit, issued under this chapter;
- 198.27 (18) a valid Minnesota identification card;
- 198.28 (19) an unexpired Minnesota professional license;
- 198.29 (20) an unexpired Selective Service card;
- 198.30 (21) military orders that are still in effect at the time of application;

199.1 (22) a cellular phone bill issued no more than 12 months before the application; or

199.2 (23) a valid license issued pursuant to the game and fish laws.

199.3 (b) In lieu of one of the two documents required by paragraph (a), an applicant under
199.4 the age of 18 may use a parent or guardian's proof of principal residence as provided in this
199.5 paragraph. The parent or guardian of the applicant must provide a document listed under
199.6 paragraph (a) that includes the parent or guardian's name and the same address as the address
199.7 on the document provided by the applicant. The parent or guardian must also certify that
199.8 the applicant is the child of the parent or guardian and lives at that address.

199.9 (c) A document under paragraph (a) must include the applicant's name and principal
199.10 residence address in Minnesota.

199.11 (d) For purposes of this section and Minnesota Rules, part 7410.0410, Internet service
199.12 is a home utility service.

199.13 **Sec. 37. [171.301] REINTEGRATION LICENSE.**

199.14 Subdivision 1. Conditions of issuance. (a) The commissioner may issue a reintegration
199.15 driver's license to any person:

199.16 (1) who is age 18 or older;

199.17 (2) who has been released from a period of at least 180 consecutive days of confinement
199.18 or incarceration in:

199.19 (i) an adult correctional facility under the control of the commissioner of corrections or
199.20 licensed by the commissioner of corrections under section 241.021;

199.21 (ii) a federal correctional facility for adults; or

199.22 (iii) an adult correctional facility operated under the control or supervision of any other
199.23 state; and

199.24 (3) whose license has been suspended or revoked under the circumstances listed in
199.25 section 171.30, subdivision 1, paragraph (a), clauses (1) to (4), for a violation that occurred
199.26 before the individual was incarcerated for the period described in clause (2).

199.27 (b) If the person's driver's license or permit to drive has been revoked under section
199.28 169.792 or 169.797, the commissioner may only issue a reintegration driver's license to the
199.29 person after the person has presented an insurance identification card, policy, or written
199.30 statement indicating that the driver or owner has insurance coverage satisfactory to the
199.31 commissioner.

200.1 (c) If the person's driver's license or permit to drive has been suspended under section
200.2 171.186, the commissioner may only issue a reintegration driver's license to the person after
200.3 the commissioner receives notice or a court order provided pursuant to section 518A.65,
200.4 paragraph (e), showing that the person's driver's license or operating privileges should no
200.5 longer be suspended.

200.6 (d) If the person's driver's license has been revoked under section 171.17, subdivision
200.7 1, paragraph (a), clause (1), the commissioner may only issue a reintegration driver's license
200.8 to the person after the person has completed the applicable revocation period.

200.9 (e) The commissioner must not issue a reintegration driver's license:

200.10 (1) to any person described in section 171.04, subdivision 1, clause (7), (8), (10), or
200.11 (11);

200.12 (2) to any person described in section 169A.55, subdivision 5;

200.13 (3) if the person has committed a violation after the person was released from custody
200.14 that results in the suspension, revocation, or cancellation of a driver's license, including
200.15 suspension for nonpayment of child support or maintenance payments as described in section
200.16 171.186, subdivision 1; or

200.17 (4) if the issuance would conflict with the requirements of the nonresident violator
200.18 compact.

200.19 (f) The commissioner must not issue a class A, class B, or class C reintegration driver's
200.20 license.

200.21 Subd. 2. **Application.** (a) Application for a reintegration driver's license must be made
200.22 in the form and manner approved by the commissioner.

200.23 (b) A person seeking a reintegration driver's license who was released from confinement
200.24 or incarceration on or after April 1, 2023, must apply for the license within one year of
200.25 release. A person seeking a reintegration driver's license who was released from confinement
200.26 or incarceration before April 1, 2023, must apply for the license by April 1, 2024.

200.27 Subd. 3. **Fees prohibited.** (a) For a reintegration driver's license under this section:

200.28 (1) the commissioner must not impose:

200.29 (i) a fee, surcharge, or filing fee under section 171.06, subdivision 2; and

200.30 (ii) an endorsement fee under section 171.06, subdivision 2a; and

- 201.1 (2) a driver's license agent must not impose a filing fee under section 171.061, subdivision
201.2 4.
- 201.3 (b) Issuance of a reintegration driver's license does not forgive or otherwise discharge
201.4 any unpaid fees or fines.
- 201.5 Subd. 4. **Cancellation of license.** (a) The commissioner must cancel the reintegration
201.6 driver's license of any person who commits a violation that would result in the suspension,
201.7 revocation, or cancellation of a driver's license, including suspension for nonpayment of
201.8 child support or maintenance payments as described in section 171.186, subdivision 1. The
201.9 commissioner must not cancel a reintegration driver's license for payment of a fine or
201.10 resolution of a criminal charge if the underlying incident occurred before the reintegration
201.11 driver's license was issued, unless the conviction would have made the person ineligible to
201.12 receive a reintegration driver's license. Except as described in paragraph (b), a person whose
201.13 reintegration driver's license is canceled under this subdivision may not be issued another
201.14 reintegration driver's license and may not operate a motor vehicle for the remainder of the
201.15 period of suspension or revocation, or 30 days, whichever is longer.
- 201.16 (b) A person whose reintegration driver's license is canceled under paragraph (a) may
201.17 apply for a new reintegration driver's license if the person is incarcerated or confined for a
201.18 period of at least 180 consecutive days after the cancellation and the person meets the
201.19 conditions described in subdivision 1.
- 201.20 (c) Nothing in this section prohibits cancellation and reinstatement of a reintegration
201.21 driver's license for any other reason described in section 171.14, provided any factor making
201.22 the person not eligible for a driver's license under section 171.04 occurred or became known
201.23 to the commissioner after issuance of the reintegration driver's license.
- 201.24 Subd. 5. **Expiration.** A reintegration driver's license expires 15 months from the date
201.25 of issuance of the license. A reintegration driver's license may not be renewed.
- 201.26 Subd. 6. **Issuance of regular driver's license.** (a) Notwithstanding any statute or rule
201.27 to the contrary, the commissioner must issue a REAL ID-compliant or noncompliant license
201.28 to a person who possesses a reintegration driver's license if:
- 201.29 (1) the person has possessed the reintegration driver's license for at least one full year;
201.30 (2) the reintegration driver's license has not been canceled under subdivision 4 and has
201.31 not expired under subdivision 5;

202.1 (3) the person meets the application requirements under section 171.06, including payment
202.2 of the applicable fees, surcharge, and filing fee under sections 171.06, subdivisions 2 and
202.3 2a, and 171.061, subdivision 4; and

202.4 (4) issuance of the license does not conflict with the requirements of the nonresident
202.5 violator compact.

202.6 (b) The commissioner must forgive any outstanding balance due on a fee or surcharge
202.7 under section 171.29, subdivision 2, for a person who is eligible and applies for a license
202.8 under paragraph (a).

202.9 **EFFECTIVE DATE.** This section is effective April 1, 2023.

202.10 Sec. 38. Minnesota Statutes 2021 Supplement, section 171.306, subdivision 4, is amended
202.11 to read:

202.12 **Subd. 4. Issuance of restricted license.** (a) The commissioner shall issue a class D
202.13 driver's license, subject to the applicable limitations and restrictions of this section, to a
202.14 program participant who meets the requirements of this section and the program guidelines.
202.15 The commissioner shall not issue a license unless the program participant has provided
202.16 satisfactory proof that:

202.17 (1) a certified ignition interlock device has been installed on the participant's motor
202.18 vehicle at an installation service center designated by the device's manufacturer; and

202.19 (2) the participant has insurance coverage on the vehicle equipped with the ignition
202.20 interlock device. If the participant has previously been convicted of violating section 169.791,
202.21 169.793, or 169.797 or the participant's license has previously been suspended, revoked, or
202.22 canceled under section 169.792 or 169.797, the commissioner shall require the participant
202.23 to present an insurance identification card that is certified by the insurance company to be
202.24 noncancelable for a period not to exceed 12 months.

202.25 (b) A license issued under authority of this section must contain a restriction prohibiting
202.26 the program participant from driving, operating, or being in physical control of any motor
202.27 vehicle not equipped with a functioning ignition interlock device certified by the
202.28 commissioner. A participant may drive an employer-owned vehicle not equipped with an
202.29 interlock device while in the normal course and scope of employment duties pursuant to
202.30 the program guidelines established by the commissioner and with the employer's written
202.31 consent.

202.32 (c) A program participant whose driver's license has been: (1) revoked under section
202.33 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph

203.1 (a), clause (1), (2), or (3); 169A.54, subdivision 1, clause (1), (2), (3), or (4); or 171.177,
203.2 subdivision 4, paragraph (a), clause (1), (2), or (3), or subdivision 5, paragraph (a), clause
203.3 (1), (2), or (3); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause
203.4 (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision
203.5 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or
203.6 (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2,
203.7 clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or
203.8 great bodily harm, where the participant has fewer than two qualified prior impaired driving
203.9 incidents within the past ten years or fewer than three qualified prior impaired driving
203.10 incidents ever; may apply for conditional reinstatement of the driver's license, subject to
203.11 the ignition interlock restriction.

203.12 (d) A program participant whose driver's license has been: (1) revoked, canceled, or
203.13 denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or
203.14 subdivision 4, paragraph (a), clause (4), (5), or (6); 169A.54, subdivision 1, clause (5), (6),
203.15 or (7); or 171.177, subdivision 4, paragraph (a), clause (4), (5), or (6), or subdivision 5,
203.16 paragraph (a), clause (4), (5), or (6); or (2) revoked under section 171.17, subdivision 1,
203.17 paragraph (a), clause (1), or suspended under section 171.187, for a violation of section
203.18 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2),
203.19 item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or
203.20 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm,
203.21 substantial bodily harm, or great bodily harm, where the participant has two or more qualified
203.22 prior impaired driving incidents within the past ten years or three or more qualified prior
203.23 impaired driving incidents ever; may apply for conditional reinstatement of the driver's
203.24 license, subject to the ignition interlock restriction, if the program participant is enrolled in
203.25 a licensed chemical dependency treatment or rehabilitation program as recommended in a
203.26 chemical use assessment. As a prerequisite to eligibility for eventual reinstatement of full
203.27 driving privileges, a participant whose chemical use assessment recommended treatment
203.28 or rehabilitation shall complete a licensed chemical dependency treatment or rehabilitation
203.29 program. If the program participant's ignition interlock device subsequently registers a
203.30 positive breath alcohol concentration of 0.02 or higher, the commissioner shall extend the
203.31 time period that the participant must participate in the program until the participant has
203.32 reached the required abstinence period described in section 169A.55, subdivision 4.

203.33 (e) Notwithstanding any statute or rule to the contrary, the commissioner has authority
203.34 to determine when a program participant is eligible for restoration of full driving privileges,
203.35 except that the commissioner shall not reinstate full driving privileges until the program

204.1 participant has met all applicable prerequisites for reinstatement under section 169A.55 and
204.2 until the program participant's device has registered no positive breath alcohol concentrations
204.3 of 0.02 or higher during the preceding 90 days.

204.4 Sec. 39. **[174.125] FEDERAL FUNDS LOCAL ASSISTANCE PROGRAM.**

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

204.7 (b) "Commissioner" means the commissioner of transportation.

204.8 (c) "Program" means the federal funds local assistance program established in this
204.9 section.

204.10 Subd. 2. **Program established.** The commissioner must implement a federal funds local
204.11 assistance program to provide local match aid in an application for federal discretionary or
204.12 competitive grants.

204.13 Subd. 3. **Program administration.** (a) The commissioner must establish program
204.14 requirements, including but not limited to: eligibility of projects; solicitation procedures;
204.15 an application process that is designed to minimize requirements and applicant burdens and
204.16 to align with federal application requirements; criteria to evaluate applications and select
204.17 aid recipients subject to subdivision 6; procedures to commit and pay financial assistance;
204.18 and a schedule that allows for application, evaluation, and awards of aid on a biannual or
204.19 more frequent basis.

204.20 (b) The commissioner must make reasonable efforts to publicize each solicitation among
204.21 all eligible grant recipients. The commissioner must assist applicants to create and submit
204.22 applications.

204.23 (c) The commissioner may expend up to five percent of available funds in a fiscal year
204.24 under this section on program administration.

204.25 Subd. 4. **Local match aid.** (a) From funds made available under the program, the
204.26 commissioner must provide aid to an eligible recipient as provided under subdivision 5.
204.27 The aid may be provided as direct financial assistance or as a commitment to provide a
204.28 specific amount of financial assistance contingent on an award of a federal grant to the
204.29 eligible grant recipient.

204.30 (b) Aid under the program:

204.31 (1) must provide for a match requirement under a federal discretionary or competitive
204.32 grant in a manner that meets federal requirements;

- 205.1 (2) must be for a transportation-related project, program, or expenditure;
- 205.2 (3) may equal a portion or the entire amount necessary for the federal match requirement;
- 205.3 and
- 205.4 (4) may exceed the amount necessary for the federal match requirement if the
- 205.5 commissioner determines that an additional local match is:
- 205.6 (i) materially likely to increase the competitiveness of the federal application; and
- 205.7 (ii) anticipated to be generally comparable to competing applications for the federal
- 205.8 grant.
- 205.9 (c) If a federal grant award amount differs from the amount anticipated at the time of
- 205.10 application for aid under the program, the commissioner may adjust the aid amount provided
- 205.11 for the project or leave the aid amount unchanged.
- 205.12 Subd. 5. **Aid recipient eligibility.** The following are eligible aid recipients under the
- 205.13 program:
- 205.14 (1) a local unit of government, including but not limited to metropolitan planning
- 205.15 organizations;
- 205.16 (2) a Tribal government of a Tribe recognized by the United States Department of the
- 205.17 Interior Bureau of Indian Affairs;
- 205.18 (3) a partnership of entities identified in clauses (1) and (2);
- 205.19 (4) the commissioner on behalf of or acting as the agent of a local unit of government
- 205.20 or a Tribal government; and
- 205.21 (5) an entity that is eligible for a federal grant under the applicable federal program.
- 205.22 Subd. 6. **Project evaluation.** The commissioner must establish criteria to evaluate
- 205.23 projects for aid under the program. At a minimum, the criteria must provide for prioritization
- 205.24 and project selection based on:
- 205.25 (1) the extent to which the project provides an identifiable impact in the following:
- 205.26 (i) improvements to traffic safety;
- 205.27 (ii) improvements to pedestrian and bicyclist safety;
- 205.28 (iii) reduction in vehicle miles traveled;
- 205.29 (iv) providing for increased use of low-emission or zero-emission vehicles;
- 205.30 (v) reduction in greenhouse gas emissions; and

206.1 (vi) increases in equity for transportation facilities or programs in communities that are
206.2 historically or currently underrepresented in local or regional transportation planning or
206.3 projects, including Indigenous communities, communities of color, low-income households,
206.4 people with disabilities, and people with limited English proficiency;

206.5 (2) anticipated competitiveness of the project for a federal grant or the existence of a
206.6 federal grant award for the project;

206.7 (3) measurable benefits with respect to transportation system performance targets or
206.8 system plans; and

206.9 (4) alignment with the transportation system goal under section 174.01, subdivision 2,
206.10 clause (9).

206.11 Subd. 7. **Allocation categories.** (a) The commissioner must categorize projects into one
206.12 of the allocation categories under paragraph (b). For a project that may be reasonably
206.13 categorized into more than one of the allocation categories, the commissioner must determine
206.14 the allocation category that reflects the predominant purpose of the project.

206.15 (b) In each fiscal year in which local match aid is provided under the program, the
206.16 commissioner must apportion the aid among the following allocation categories:

206.17 (1) 15 percent for local road and bridge projects;

206.18 (2) ten percent for transit projects outside the metropolitan area, as defined in section
206.19 473.121, subdivision 2;

206.20 (3) five percent for active transportation projects;

206.21 (4) three percent for electric vehicle infrastructure projects; and

206.22 (5) 67 percent on a flexible basis, which includes projects that are not otherwise
206.23 categorized under this paragraph and projects that are categorized under clauses (1) to (4).

206.24 (c) The commissioner may reallocate funds that remain in an allocation category under
206.25 paragraph (b) following the conclusion of aid awards in a fiscal year.

206.26 Subd. 8. **Legislative report.** (a) Annually by December 15, the commissioner must
206.27 submit a report on the program to the legislative committees with jurisdiction over
206.28 transportation policy and finance. At a minimum, the report must include:

206.29 (1) an overview of program implementation;

206.30 (2) a review of the project evaluation criteria established under subdivision 6;

207.1 (3) a fiscal review that includes a summary of aid awarded under the program with a
207.2 breakout by allocation category under subdivision 7 and the associated federal grants;

207.3 (4) an amount that is recommended to appropriate for the program in each of the
207.4 upcoming two fiscal years, including an analysis of development of the recommended
207.5 amount and an estimated breakout of aid by transportation mode or similar categorization;
207.6 and

207.7 (5) any recommendations for legislative changes to the program.

207.8 (b) This subdivision expires June 30, 2026.

207.9 Sec. 40. [174.127] FEDERAL GRANTS TECHNICAL ASSISTANCE.

207.10 (a) Subject to funds made available for purposes of this section, the commissioner must
207.11 establish a process that provides for technical assistance to a requesting local unit of
207.12 government or Tribal government that seeks to evaluate or submit an application for a
207.13 federal discretionary grant for a transportation project, program, or expenditure.

207.14 (b) As necessary, the commissioner must prioritize requests for technical assistance
207.15 based on applicant capacity to effectively complete a competitive federal grant application
207.16 and history of prior federal grant applications.

207.17 (c) Technical assistance includes but is not limited to:

207.18 (1) providing support for grant writing, analysis, technical review, application finalization,
207.19 or similar activities;

207.20 (2) providing general programmatic or legal information necessary to complete an
207.21 application; and

207.22 (3) making information available on general actions to enhance the competitiveness of
207.23 federal applications.

207.24 Sec. 41. Minnesota Statutes 2020, section 174.52, subdivision 3, is amended to read:

207.25 Subd. 3. **Advisory committee.** (a) The commissioner ~~shall~~ must establish a local road
207.26 improvement program advisory committee consisting of ~~five~~ the following members;
207.27 ~~including:~~

207.28 (1) one county commissioner;

207.29 (2) one county engineer;

207.30 (3) one city engineer;

208.1 (4) one city council member or city administrator representing a city with a population
208.2 over 5,000; ~~and~~

208.3 (5) one city council member or city administrator representing a city with a population
208.4 under 5,000; and

208.5 (6) one town board member appointed by the Minnesota Association of Townships.

208.6 (b) The advisory committee ~~shall~~ must provide recommendations to the commissioner
208.7 regarding expenditures from the accounts established in this section.

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

208.9 Sec. 42. Minnesota Statutes 2020, section 216D.03, is amended by adding a subdivision
208.10 to read:

208.11 **Subd. 5. Excavation notice system performance reporting.** (a) Each operator must
208.12 submit a report to the Office of Pipeline Safety on a quarterly basis, using a form or database
208.13 entry designated by the Office of Pipeline Safety. The report must contain the following
208.14 information:

208.15 (1) the total number of notifications and the number of notifications itemized by type;

208.16 (2) for each notification type, the percentage of notifications marked by the start time
208.17 on the notice; and

208.18 (3) the number of utility damages, itemized by the cause of the damages.

208.19 (b) An operator, other than a pipeline operator subject to chapter 299F or 299J, with
208.20 fewer than 5,000 notifications received during the previous calendar year is exempt from
208.21 the reporting requirement under paragraph (a).

208.22 Sec. 43. Minnesota Statutes 2020, section 219.1651, is amended to read:

208.23 **219.1651 GRADE CROSSING SAFETY ACCOUNT.**

208.24 A Minnesota grade crossing safety account is created in the special revenue fund,
208.25 consisting of money credited to the account by law. Money in the account is appropriated
208.26 to the commissioner of transportation for rail-highway grade crossing safety projects on
208.27 public streets and highways, including engineering costs and other costs associated with
208.28 administration and delivery of grade crossing safety projects. At the discretion of the
208.29 commissioner of transportation, money in the account at the end of each biennium may
208.30 cancel to the trunk highway fund.

209.1 Sec. 44. Minnesota Statutes 2020, section 221.025, is amended to read:

209.2 **221.025 EXEMPTIONS.**

209.3 The provisions of this chapter requiring a certificate or permit to operate as a motor
209.4 carrier do not apply to the intrastate transportation described below:

209.5 (1) the transportation of students to or from school or school activities in a school bus
209.6 inspected and certified under section 169.451 ~~and~~, the transportation of children or parents
209.7 to or from a Head Start facility or Head Start activity in a Head Start bus inspected and
209.8 certified under section 169.451, and the use of a school bus while operating in accordance
209.9 with section 169.4476;

209.10 (2) the transportation of solid waste, as defined in section 116.06, subdivision 22,
209.11 including recyclable materials and waste tires, except that the term "hazardous waste" has
209.12 the meaning given it in section 221.012, subdivision 18;

209.13 (3) a commuter van as defined in section 221.012, subdivision 9;

209.14 (4) authorized emergency vehicles as defined in section 169.011, subdivision 3, including
209.15 ambulances; and tow trucks equipped with proper and legal warning devices when picking
209.16 up and transporting (i) disabled or wrecked motor vehicles or (ii) vehicles towed or
209.17 transported under a towing order issued by a public employee authorized to issue a towing
209.18 order;

209.19 (5) the transportation of grain samples under conditions prescribed by the commissioner;

209.20 (6) the delivery of agricultural lime;

209.21 (7) the transportation of dirt and sod within an area having a 50-mile radius from the
209.22 home post office of the person performing the transportation;

209.23 (8) the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix,
209.24 concrete blocks or tile and the mortar mix to be used with the concrete blocks or tile, or
209.25 crushed rock to or from the point of loading or a place of gathering within an area having
209.26 a 50-mile radius from that person's home post office or a 50-mile radius from the site of
209.27 construction or maintenance of public roads and streets;

209.28 (9) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator
209.29 evergreens, wood chips, sawdust, shavings, and bark from the place where the products are
209.30 produced to the point where they are to be used or shipped;

209.31 (10) the transportation of fresh vegetables from farms to canneries or viner stations,
209.32 from viner stations to canneries, or from canneries to canneries during the harvesting,

210.1 canning, or packing season, or transporting sugar beets, wild rice, or rutabagas from the
210.2 field of production to the first place of delivery or unloading, including a processing plant,
210.3 warehouse, or railroad siding;

210.4 (11) the transportation of unprocessed dairy products in bulk within an area having a
210.5 100-mile radius from the home post office of the person providing the transportation;

210.6 (12) the transportation of agricultural, horticultural, dairy, livestock, or other farm
210.7 products within an area having a 100-mile radius from the person's home post office and
210.8 the carrier may transport other commodities within the 100-mile radius if the destination
210.9 of each haul is a farm;

210.10 (13) the transportation of newspapers, telephone books, handbills, circulars, or pamphlets
210.11 in a vehicle with a gross vehicle weight of 10,000 pounds or less; and

210.12 (14) transportation of potatoes from the field of production, or a storage site owned or
210.13 otherwise controlled by the producer, to the first place of processing.

210.14 The exemptions provided in this section apply to a person only while the person is
210.15 exclusively engaged in exempt transportation.

210.16 Sec. 45. Minnesota Statutes 2020, section 299A.41, subdivision 3, is amended to read:

210.17 Subd. 3. **Killed in the line of duty.** (a) "Killed in the line of duty" does not include
210.18 deaths from natural causes, except as provided in this subdivision. In the case of a public
210.19 safety officer, killed in the line of duty includes the death of a public safety officer caused
210.20 by accidental means while the public safety officer is acting in the course and scope of
210.21 duties as a public safety officer.

210.22 (b) Killed in the line of duty also means if a public safety officer dies as the direct and
210.23 proximate result of a heart attack, stroke, or vascular rupture, that officer shall be presumed
210.24 to have died as the direct and proximate result of a personal injury sustained in the line of
210.25 duty if:

210.26 (1) that officer, while on duty:

210.27 (i) engaged in a situation, and that engagement involved nonroutine stressful or strenuous
210.28 physical law enforcement, fire suppression, rescue, hazardous material response, emergency
210.29 medical services, prison security, disaster relief, or other emergency response activity; or

210.30 (ii) participated in a training exercise, and that participation involved nonroutine stressful
210.31 or strenuous physical activity;

210.32 (2) that officer died as a result of a heart attack, stroke, or vascular rupture suffered:

- 211.1 (i) while engaging or participating under clause (1);
- 211.2 (ii) while still on duty after engaging or participating under clause (1); or
- 211.3 (iii) not later than 24 hours after engaging or participating under clause (1); and
- 211.4 (3) the presumption is not overcome by competent medical evidence to the contrary.
- 211.5 (c) Killed in the line of duty includes the death of a public safety officer that is:
- 211.6 (1) the result of a disabling cancer of a type caused by exposure to heat, radiation, or a
- 211.7 known or suspected carcinogen, as defined by the International Agency for Research on
- 211.8 Cancer, and the carcinogen is reasonably linked to the disabling cancer; or
- 211.9 (2) the result of suicide secondary to a diagnosis of post-traumatic stress disorder as
- 211.10 described in the most recently published edition of the Diagnostic and Statistical Manual
- 211.11 of Mental Disorders by the American Psychiatric Association.

211.12 Sec. 46. Minnesota Statutes 2020, section 299D.03, subdivision 5, is amended to read:

211.13 Subd. 5. **Traffic fines and forfeited bail money.** (a) All fines and forfeited bail money

211.14 collected from persons apprehended or arrested by officers of the State Patrol shall be

211.15 transmitted by the person or officer collecting the fines, forfeited bail money, or installments

211.16 thereof, on or before the tenth day after the last day of the month in which these moneys

211.17 were collected, to the commissioner of management and budget. Except where a different

211.18 disposition is required in this subdivision or section 387.213, or otherwise provided by law,

211.19 three-eighths of these receipts must be deposited in the state treasury and credited to the

211.20 state general fund. The other five-eighths of these receipts must be deposited in the state

211.21 treasury and credited as follows: (1) the first ~~\$1,000,000~~ \$2,500,000 in each fiscal year must

211.22 be credited to the Minnesota grade crossing safety account in the special revenue fund, and

211.23 (2) remaining receipts must be credited to the state trunk highway fund. If, however, the

211.24 violation occurs within a municipality and the city attorney prosecutes the offense, and a

211.25 plea of not guilty is entered, one-third of the receipts shall be deposited in the state treasury

211.26 and credited to the state general fund, one-third of the receipts shall be paid to the

211.27 municipality prosecuting the offense, and one-third shall be deposited in the state treasury

211.28 and credited to the Minnesota grade crossing safety account or the state trunk highway fund

211.29 as provided in this paragraph. When section 387.213 also is applicable to the fine, section

211.30 387.213 shall be applied before this paragraph is applied. All costs of participation in a

211.31 nationwide police communication system chargeable to the state of Minnesota shall be paid

211.32 from appropriations for that purpose.

212.1 (b) All fines and forfeited bail money from violations of statutes governing the maximum
212.2 weight of motor vehicles, collected from persons apprehended or arrested by employees of
212.3 the state of Minnesota, by means of stationary or portable scales operated by these employees,
212.4 shall be transmitted by the person or officer collecting the fines or forfeited bail money, on
212.5 or before the tenth day after the last day of the month in which the collections were made,
212.6 to the commissioner of management and budget. Five-eighths of these receipts shall be
212.7 deposited in the state treasury and credited to the state highway user tax distribution fund.
212.8 Three-eighths of these receipts shall be deposited in the state treasury and credited to the
212.9 state general fund.

212.10 Sec. 47. Minnesota Statutes 2020, section 299F.60, subdivision 1, is amended to read:

212.11 Subdivision 1. **Money penalty.** Any person who violates any provision of sections
212.12 299F.56 to 299F.641, or any rule issued thereunder, is subject to a civil penalty to be imposed
212.13 by the commissioner not to exceed ~~\$100,000 for each violation for each day that the violation~~
212.14 ~~persists, except that the maximum civil penalty must not exceed \$1,000,000 for any related~~
212.15 ~~series of violations~~ the maximum penalties listed in Code of Federal Regulations, title 49,
212.16 part 190.

212.17 Sec. 48. Minnesota Statutes 2020, section 299J.16, subdivision 1, is amended to read:

212.18 Subdivision 1. **Civil penalty.** (a) A pipeline operator who violates section 299J.07,
212.19 subdivision 1, or 299J.15, or the rules of the commissioner implementing those sections,
212.20 shall forfeit and pay to the state a civil penalty in an amount to be determined by the court,
212.21 up to ~~\$100,000 for each day that the operator remains in violation, subject to a maximum~~
212.22 ~~of \$1,000,000 for a related series of violations~~ the maximum penalties listed in Code of
212.23 Federal Regulations, title 49, part 190.

212.24 (b) The penalty provided under this subdivision may be recovered by an action brought
212.25 by the attorney general at the request of the commissioner, in the name of the state, in
212.26 connection with an action to recover expenses of the director under section 299J.13,
212.27 subdivision 4:

212.28 (1) in the District Court of Ramsey County; or

212.29 (2) in the county of the defendant's residence.

213.1 Sec. 49. Minnesota Statutes 2021 Supplement, section 360.55, subdivision 9, is amended
213.2 to read:

213.3 Subd. 9. **Small unmanned aircraft systems.** (a) Any small unmanned aircraft system
213.4 ~~in which the unmanned aircraft weighs less than 55 pounds at takeoff, including payload~~
213.5 ~~and anything affixed to the aircraft, either, as defined in section 360.013, subdivision 57b:~~

213.6 (1) must be registered in the state for an annual fee of \$25; or

213.7 (2) is not subject to registration or an annual fee if the unmanned aircraft system is owned
213.8 and operated solely for recreational purposes.

213.9 (b) An unmanned aircraft system that meets the requirements under paragraph (a) is
213.10 exempt from aircraft registration tax under sections 360.511 to 360.67.

213.11 (c) Owners must, at the time of registration, provide proof of insurability in a form
213.12 acceptable to the commissioner. Additionally, owners must maintain records and proof that
213.13 each flight was covered by an insurance policy with limits of not less than \$300,000 per
213.14 occurrence for bodily injury or death to nonpassengers in any one accident. The insurance
213.15 must comply with section 60A.081, unless that section is inapplicable under section 60A.081,
213.16 subdivision 3.

213.17 Sec. 50. Minnesota Statutes 2021 Supplement, section 360.59, subdivision 10, is amended
213.18 to read:

213.19 Subd. 10. **Certificate of insurance.** (a) Every owner of aircraft in this state when applying
213.20 for registration, reregistration, or transfer of ownership shall supply any information the
213.21 commissioner reasonably requires to determine that the aircraft during the period of its
213.22 contemplated operation is covered by an insurance policy with limits of not less than
213.23 \$100,000 per passenger seat liability both for passenger bodily injury or death and for
213.24 property damage; not less than \$100,000 for bodily injury or death to each nonpassenger
213.25 in any one accident; and not less than \$300,000 per occurrence for bodily injury or death
213.26 to nonpassengers in any one accident. The insurance must comply with section 60A.081,
213.27 unless that section is inapplicable under section 60A.081, subdivision 3.

213.28 The information supplied to the commissioner must include but is not limited to the
213.29 name and address of the owner, the period of contemplated use or operation, if any, and, if
213.30 insurance coverage is then presently required, the name of the insurer, the insurance policy
213.31 number, the term of the coverage, policy limits, and any other data the commissioner requires.
213.32 No certificate of registration shall be issued pursuant to subdivision 3 in the absence of the
213.33 information required by this subdivision.

214.1 (b) In the event of cancellation of aircraft insurance by the insurer, the insurer shall
214.2 notify the Department of Transportation at least ten days prior to the date on which the
214.3 insurance coverage is to be terminated. Unless proof of a new policy of insurance is filed
214.4 with the department meeting the requirements of this subdivision during the period of the
214.5 aircraft's contemplated use or operation, the registration certificate for the aircraft shall be
214.6 revoked forthwith.

214.7 (c) Nothing in this subdivision shall be construed to require an owner of aircraft to
214.8 maintain passenger seat liability coverage on aircraft for which an experimental certificate
214.9 has been issued by the administrator of the Federal Aviation Administration pursuant to
214.10 Code of Federal Regulations, title 14, sections 21.191 to 21.195 and 91.319, whereunder
214.11 persons operating the aircraft are prohibited from carrying passengers in the aircraft or for
214.12 an unmanned aircraft. Whenever the aircraft becomes certificated to carry passengers,
214.13 passenger seat liability coverage shall be required as provided in this subdivision.

214.14 (d) The requirements of this subdivision shall not apply to any aircraft built by the
214.15 original manufacturer prior to December 31, 1939, and owned and operated solely as a
214.16 collector's item, if the owner files an affidavit with the commissioner. The affidavit shall
214.17 state the owner's name and address, the name and address of the person from whom the
214.18 aircraft was purchased, the make, year, and model number of the aircraft, the federal aircraft
214.19 registration number, the manufacturer's identification number, and that the aircraft is owned
214.20 and operated solely as a collector's item and not for general transportation purposes.

214.21 (e) A small unmanned aircraft system that meets the requirements of section 360.55,
214.22 subdivision 9, is not subject to the requirements under paragraphs (a) and (b). ~~Owners of~~
214.23 ~~small unmanned aircraft systems that meet the requirements of section 360.55, subdivision~~
214.24 ~~9, must, at the time of registration, provide proof of insurability in a form acceptable to the~~
214.25 ~~commissioner. Additionally, such operators must maintain records and proof that each flight~~
214.26 ~~was insured for the limits established in paragraph (a).~~

214.27 Sec. 51. Minnesota Statutes 2020, section 473.375, is amended by adding a subdivision
214.28 to read:

214.29 Subd. 9b. Safe accessibility training. (a) The council must ensure that vehicle operators
214.30 who provide bus service receive training on assisting persons with disabilities and mobility
214.31 limitations to enter and leave the vehicle. The training must cover assistance in circumstances
214.32 where regular access to or from the vehicle is unsafe due to snow, ice, or other obstructions.
214.33 This subdivision applies to vehicle operators employed by the Metropolitan Council or by
214.34 a replacement service provider.

215.1 (b) The council must consult with the Transportation Accessibility Advisory Committee
215.2 on the training.

215.3 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
215.4 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
215.5 Scott, and Washington.

215.6 Sec. 52. **[473.4075] TRANSIT SAFETY REPORTING.**

215.7 (a) By February 15 annually, the council must submit a report on transit safety and
215.8 administrative citations to the members of the legislative committees with jurisdiction over
215.9 transportation policy and finance.

215.10 (b) At a minimum, the report must:

215.11 (1) provide an overview of transit safety issues and actions taken by the council to
215.12 improve safety;

215.13 (2) provide an overview of administrative citations under section 473.4085, including
215.14 a summary of implementation and analysis of impacts of the program on fare compliance
215.15 and customer experience for riders;

215.16 (3) for each of the previous three calendar years, provide data and statistics on:

215.17 (i) crime rates occurring on public transit vehicles and at transit stops and stations;

215.18 (ii) the number of warnings and criminal citations issued by the Metropolitan Transit
215.19 Police, with a breakout by categorized reasons for a warning or citation; and

215.20 (iii) the number of administrative citations issued, with a breakout by issuance by peace
215.21 officers, community service officers, and other authorized nonsworn personnel;

215.22 (4) for each of the previous three calendar years, state the number of peace officers
215.23 employed by the Metropolitan Transit Police Department;

215.24 (5) state the average number of peace officers employed by the Metropolitan Transit
215.25 Police Department for the previous three calendar years; and

215.26 (6) make recommendations on how to improve safety on public transit and transit stops
215.27 and stations, and for legislative changes, if any.

215.28 **APPLICATION.** This section applies in the counties of Anoka, Carver, Dakota,
215.29 Hennepin, Ramsey, Scott, and Washington.

216.1 Sec. 53. **[473.4085] ADMINISTRATIVE CITATIONS.**

216.2 **Subdivision 1. Authority.** (a) Subject to requirements established by the Metropolitan
216.3 Council, the council may issue an administrative citation to a person who commits a violation
216.4 under section 609.855, subdivision 1, paragraph (a), clause (1), if the violation occurs:

216.5 (1) in a council transit vehicle or transit facility in the metropolitan area; or

216.6 (2) in the case of commuter rail service, in a council commuter vehicle or commuter
216.7 facility in any corridor that is located in whole or in part in the metropolitan area.

216.8 (b) Transit fare compliance may be enforced and administrative citations may be issued
216.9 by peace officers of the council's Metropolitan Transit Police, and by community service
216.10 officers or other nonsworn personnel as authorized by the council.

216.11 **Subd. 2. Fine; contested citation; resolution.** (a) A person who is issued an
216.12 administrative citation under this section must, within 90 days of issuance, pay a fine as
216.13 determined by the council. A person who fails to either pay the fine or contest the
216.14 administrative citation within the specified period is considered to have waived the contested
216.15 citation process and is subject to collections, including collection costs.

216.16 (b) The council must set the amount of the fine at no less than \$35. The council may
216.17 establish an escalating fine structure for persons who fail to pay administrative citations or
216.18 who repeatedly commit a violation under section 609.855, subdivision 1, paragraph (a),
216.19 clause (1).

216.20 (c) The council may adopt an alternative resolution procedure under which a person
216.21 may resolve an administrative citation in lieu of paying a fine by complying with terms
216.22 established by the council for community service, prepayment of future transit fares, or
216.23 both. The alternative resolution procedure must be available only to a person who has
216.24 committed a violation under section 609.855, subdivision 1, paragraph (a), clause (1), for
216.25 the first time, unless the person demonstrates financial hardship under criteria established
216.26 by the council.

216.27 (d) The council must provide a civil process that allows a person to contest an
216.28 administrative citation before a neutral third party. The council may employ a person not
216.29 associated with its transit operations, or enter into an agreement with another unit of
216.30 government, to hear and rule on challenges to administrative citations.

216.31 **Subd. 3. Other requirements.** (a) An administrative citation must include notification
216.32 that the person has the right to contest the citation, basic procedures for contesting the
216.33 citation, and information on the timeline and consequences related to the citation.

217.1 (b) The council must not mandate or suggest a quota for the issuance of administrative
217.2 citations under this section.

217.3 (c) The council must collect and maintain fines under this section in a separate account
217.4 that is only used to cover costs under this section.

217.5 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
217.6 final enactment and applies to violations committed on or after that date. This act applies
217.7 in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Sherburne, and
217.8 Washington.

217.9 Sec. 54. Minnesota Statutes 2020, section 609.855, subdivision 1, is amended to read:

217.10 Subdivision 1. **Unlawfully obtaining services; misdemeanor.** (a) A person is guilty
217.11 of a misdemeanor who intentionally obtains or attempts to obtain service for himself, herself,
217.12 or another person from a provider of public transit or from a public conveyance by doing
217.13 any of the following:

217.14 (1) occupies or rides in any public transit vehicle without paying the applicable fare or
217.15 otherwise obtaining the consent of the transit provider including:

217.16 (i) the use of a reduced fare when a person is not eligible for the fare; or

217.17 (ii) the use of a fare medium issued solely for the use of a particular individual by another
217.18 individual;

217.19 (2) presents a falsified, counterfeit, photocopied, or other deceptively manipulated fare
217.20 medium as fare payment or proof of fare payment;

217.21 (3) sells, provides, copies, reproduces, or creates any version of any fare medium without
217.22 the consent of the transit provider; or

217.23 (4) puts or attempts to put any of the following into any fare box, pass reader, ticket
217.24 vending machine, or other fare collection equipment of a transit provider:

217.25 (i) papers, articles, instruments, or items other than fare media or currency; or

217.26 (ii) a fare medium that is not valid for the place or time at, or the manner in, which it is
217.27 used.

217.28 (b) Where self-service barrier-free fare collection is utilized by a public transit provider,
217.29 it is a violation of this subdivision to intentionally fail to exhibit proof of fare payment upon
217.30 the request of an authorized transit representative when entering, riding upon, or leaving a
217.31 transit vehicle or when present in a designated paid fare zone located in a transit facility.

218.1 (c) Issuance of an administrative citation under section 473.4085 prevents imposition
218.2 of a misdemeanor citation under this subdivision.

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

218.4 Sec. 55. Minnesota Statutes 2020, section 609.855, subdivision 7, is amended to read:

218.5 Subd. 7. **Definitions.** (a) The definitions in this subdivision apply in this section.

218.6 (b) "Public transit" or "transit" has the meaning given in section 174.22, subdivision 7.

218.7 (c) "Public transit vehicle" or "transit vehicle" means any vehicle used for the purpose
218.8 of providing public transit, whether or not the vehicle is owned or operated by a public
218.9 entity.

218.10 (d) "Public transit facilities" or "transit facilities" means any vehicles, equipment,
218.11 property, structures, stations, improvements, plants, parking or other facilities, or rights that
218.12 are owned, leased, held, or used for the purpose of providing public transit, whether or not
218.13 the facility is owned or operated by a public entity.

218.14 (e) "Fare medium" means a ticket, smart card, pass, coupon, token, transfer, or other
218.15 medium sold or distributed by a public transit provider, or its authorized agents, for use in
218.16 gaining entry to or use of the public transit facilities or vehicles of the provider.

218.17 (f) "Proof of fare payment" means a fare medium valid for the place or time at, or the
218.18 manner in, which it is used. If using a reduced-fare medium, proof of fare payment also
218.19 includes proper identification demonstrating a person's eligibility for the reduced fare. If
218.20 using a fare medium issued solely for the use of a particular individual, proof of fare payment
218.21 also includes an identification document bearing a photographic likeness of the individual
218.22 and demonstrating that the individual is the person to whom the fare medium is issued.

218.23 (g) "Authorized transit representative" means the person authorized by the transit provider
218.24 to operate the transit vehicle, a peace officer, or any other person designated by the transit
218.25 provider as an authorized transit ~~provider~~ representative under this section.

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

218.27 Sec. 56. **LEGISLATIVE ROUTE NO. 274 REMOVED.**

218.28 (a) Minnesota Statutes, section 161.115, subdivision 205, is repealed effective the day
218.29 after the commissioner of transportation receives a copy of the agreement between the
218.30 commissioner and the governing body of Yellow Medicine County to transfer jurisdiction

219.1 of a segment of Legislative Route No. 274 and notifies the revisor of statutes under paragraph
219.2 (b).

219.3 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
219.4 Statutes when the commissioner of transportation sends notice to the revisor electronically
219.5 or in writing that the conditions required to transfer the route have been satisfied.

219.6 **Sec. 57. LEGISLATIVE ROUTE NO. 301 REMOVED.**

219.7 (a) Minnesota Statutes, section 161.115, subdivision 232, is repealed effective the day
219.8 after the commissioner of transportation receives a copy of the agreement between the
219.9 commissioner and the governing body of the city of St. Cloud to transfer jurisdiction of
219.10 Legislative Route No. 301 and notifies the revisor of statutes under paragraph (b).

219.11 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
219.12 Statutes when the commissioner of transportation sends notice to the revisor electronically
219.13 or in writing that the conditions required to transfer the route have been satisfied.

219.14 **Sec. 58. TRANSIT SIGNAL PRIORITY SYSTEM PLANNING.**

219.15 Subdivision 1. **Establishment.** By August 1, 2022, the Metropolitan Council must
219.16 convene a working group to perform planning on transit signal priority systems and related
219.17 transit advantage improvements on high-frequency and high-ridership bus routes in the
219.18 metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2.

219.19 Subd. 2. **Membership.** The Metropolitan Council must solicit the following members
219.20 to participate in the working group:

219.21 (1) one member representing Metro Transit, appointed by the Metropolitan Council;

219.22 (2) one member representing the Department of Transportation, appointed by the
219.23 commissioner of transportation;

219.24 (3) one member representing Minneapolis, appointed by the Minneapolis City Council;

219.25 (4) one member representing St. Paul, appointed by the St. Paul City Council;

219.26 (5) one member representing Hennepin County, appointed by the Hennepin County
219.27 Board;

219.28 (6) one member representing Ramsey County, appointed by the Ramsey County Board;

219.29 (7) one member from a city participating in the replacement service program under
219.30 Minnesota Statutes, section 473.388, appointed by the Suburban Transit Association;

220.1 (8) one member from the Center for Transportation Studies at the University of
220.2 Minnesota;

220.3 (9) one member from Move Minnesota; and

220.4 (10) other members as identified by the Metropolitan Council.

220.5 Subd. 3. **Duties.** At a minimum, the working group must:

220.6 (1) assess the current status and capability of transit signal priority systems among the
220.7 relevant road authorities;

220.8 (2) identify key barriers and constraints and measures to address the barriers;

220.9 (3) explore methods for ongoing coordination among the relevant road authorities;

220.10 (4) estimate costs of potential improvements; and

220.11 (5) develop a proposal or recommendations to implement transit signal priority systems
220.12 and related transit advantage improvements, including a prioritized listing of locations or
220.13 routes.

220.14 Subd. 4. **Administration.** Upon request of the working group, the Metropolitan Council
220.15 and the commissioner of transportation must provide administrative and technical support
220.16 for the working group.

220.17 Subd. 5. **Report.** By December 15, 2022, the Metropolitan Council must submit a report
220.18 on transit signal priority system improvements to the chairs and ranking minority members
220.19 of the legislative committees with jurisdiction over transportation policy and finance. At a
220.20 minimum, the report must summarize the results of the working group and provide
220.21 information on each of the activities specified in subdivision 3.

220.22 Subd. 6. **Expiration.** The working group under this section expires December 31, 2022.

220.23 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
220.24 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
220.25 Scott, and Washington.

220.26 Sec. 59. **SPEED SAFETY CAMERA PILOT PROJECT IMPLEMENTATION**
220.27 **PLAN.**

220.28 By December 15, 2022, the commissioners of public safety and transportation must
220.29 jointly submit a speed safety camera pilot project implementation plan to the chairs and
220.30 ranking minority members of the legislative committees with jurisdiction over transportation
220.31 policy and finance. The plan must conform to the recommendations in the work zone speed

221.1 management study required under Laws 2021, First Special Session chapter 5, article 4,
221.2 section 140.

221.3 Sec. 60. **ROAD USAGE CHARGE TASK FORCE.**

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

221.6 (b) "Road usage charge" means a tax, fee, or other charge imposed on a motor vehicle
221.7 on the basis of distance traveled or other measure of vehicle use of public highways.

221.8 (c) "Task force" means the Road Usage Charge Task Force established in this section.

221.9 Subd. 2. **Establishment.** The Road Usage Charge Task Force is established to develop
221.10 recommendations on implementation of a road usage charge in Minnesota.

221.11 Subd. 3. **Membership.** (a) The task force consists of the following members:

221.12 (1) two members of the senate, with one appointed by the senate majority leader and
221.13 one appointed by the senate minority leader;

221.14 (2) two members of the house of representatives, with one appointed by the speaker of
221.15 the house and one appointed by the house minority leader;

221.16 (3) one member from the Department of Transportation appointed by the commissioner
221.17 of transportation;

221.18 (4) one member from the Driver and Vehicle Services Division of the Department of
221.19 Public Safety appointed by the commissioner of public safety;

221.20 (5) one member from the Public Utilities Commission appointed by the Minnesota Public
221.21 Utilities Commission;

221.22 (6) one member representing public utilities, as defined in section 216B.02, subdivision
221.23 4, that provide electric service to retail customers in Minnesota appointed by the
221.24 commissioner of transportation;

221.25 (7) one member appointed by the Alliance for Automotive Innovation;

221.26 (8) one member appointed by the Center for Transportation Studies of the University
221.27 of Minnesota;

221.28 (9) one member appointed by the Minnesota Transportation Alliance;

221.29 (10) one member appointed by the Minnesota Chamber of Commerce;

221.30 (11) one member appointed by the Great Plains Institute;

222.1 (12) one member appointed by Fresh Energy; and

222.2 (13) one member appointed by the Minnesota Electric Vehicle Owners chapter of the
222.3 Electric Vehicle Association.

222.4 (b) Appointing authorities must make initial appointments to the task force by August
222.5 1, 2022.

222.6 Subd. 4. **Duties.** The task force must:

222.7 (1) identify and analyze road usage charge options and considerations, including with
222.8 respect to technical constraints, revenue impacts, equity across highway system users, data
222.9 privacy, and impacts to motorists;

222.10 (2) review road usage charge implementation in other states;

222.11 (3) evaluate road usage charge implementation in Minnesota for all-electric vehicles or
222.12 electric vehicles, as the terms are defined in Minnesota Statutes, section 169.011, subdivisions
222.13 1a and 26a; and

222.14 (4) develop recommendations for a pilot program or for phased or full road usage charge
222.15 implementation, including proposed legislation.

222.16 Subd. 5. **Meetings; chair.** (a) By September 15, 2022, the chair of the Legislative
222.17 Coordinating Commission must convene the first meeting of the task force.

222.18 (b) At the first meeting, the task force must elect a chair or cochairs by a majority vote
222.19 of those members present.

222.20 (c) The meetings of the task force are subject to Minnesota Statutes, chapter 13D.

222.21 Subd. 6. **Administration.** (a) The Legislative Coordinating Commission must provide
222.22 administrative assistance to the task force.

222.23 (b) Upon request of the task force, the commissioners of transportation and public safety
222.24 must provide general informational and technical support to the task force.

222.25 Subd. 7. **Compensation.** Members of the task force serve without compensation.

222.26 Subd. 8. **Report.** By January 15, 2023, the task force must submit a report to the chairs
222.27 and ranking minority members of the legislative committees with jurisdiction over
222.28 transportation policy and finance. At a minimum, the report must summarize the activities
222.29 of the task force and provide information on the duties specified in subdivision 4.

222.30 Subd. 9. **Expiration.** The task force expires on January 15, 2023.

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

223.1 Sec. 61. **REPORT; HIGHWAYS FOR HABITAT PROGRAM.**

223.2 By January 15, 2025, the commissioner of transportation must submit a report to the
223.3 chairs and ranking minority members of the legislative committees with jurisdiction over
223.4 transportation and the environment and natural resources on the implementation of the
223.5 highways for habitat program under Minnesota Statutes, section 160.2325. At a minimum,
223.6 the report must include an overview of program implementation and information on
223.7 expenditure of funds under the program.

223.8 Sec. 62. **REPEALER.**

223.9 Minnesota Rules, part 8835.0350, subpart 2, is repealed.

223.10

ARTICLE 14

223.11

INDEPENDENT EXPERT REVIEW PROVISIONS

223.12 Section 1. Minnesota Statutes 2020, section 168.002, is amended by adding a subdivision
223.13 to read:

223.14 Subd. 12a. **Full-service provider.** "Full-service provider" means a person who is
223.15 appointed by the commissioner as both a deputy registrar under this chapter and a driver's
223.16 license agent under chapter 171 who provides all driver services, excluding International
223.17 Registration Plan and International Fuel Tax Agreement transactions.

223.18 Sec. 2. Minnesota Statutes 2021 Supplement, section 168.327, subdivision 1, is amended
223.19 to read:

223.20 Subdivision 1. **Records and fees.** (a) Upon request by any person authorized in this
223.21 section, the commissioner ~~shall~~ or full-service provider must furnish a certified copy of any
223.22 driver's license record, instruction permit record, Minnesota identification card record,
223.23 vehicle registration record, vehicle title record, or accident record.

223.24 (b) Except as provided in subdivisions 4, 5a, and 5b, and other than accident records
223.25 governed under section 169.09, subdivision 13, the requester ~~shall~~ must pay a fee of \$10
223.26 for each certified record specified in paragraph (a) or a fee of \$9 for each record that is not
223.27 certified.

223.28 (c) Except as provided in subdivisions 4, 5a, and 5b, in addition to the record fee in
223.29 paragraph (b), the fee for a copy of the history of any vehicle title not in electronic format
223.30 is \$1 for each page of the historical record.

224.1 (d) ~~Fees~~ Of the fee collected by the commissioner under paragraph (b) for driver's license,
224.2 instruction permit, and Minnesota identification card records, ~~must be paid into the state~~
224.3 ~~treasury with 50 cents of each fee credited to~~ must be deposited in the general fund, ~~and~~
224.4 ~~the remainder of the fees collected must be credited to~~ must be deposited in the driver
224.5 services operating account in the special revenue fund under section 299A.705. Of the fee
224.6 collected by a full-service provider under paragraph (b) for driver's license, instruction
224.7 permit, and Minnesota identification card records, the provider must transmit 50 cents to
224.8 the commissioner to be deposited in the general fund, and the provider must retain the
224.9 remainder.

224.10 (e) ~~Fees~~ Of the fee collected by the commissioner under paragraphs (b) and (c) for vehicle
224.11 registration or title records, ~~must be paid into the state treasury with 50 cents of each fee~~
224.12 ~~credited to~~ must be deposited in the general fund, ~~and the remainder of the fees collected~~
224.13 ~~must be credited to~~ must be deposited in the vehicle services operating account in the special
224.14 revenue fund specified in section 299A.705. Of the fee collected by a full-service provider
224.15 under paragraphs (b) and (c) for vehicle registration or title records, the provider must
224.16 transmit 50 cents of each fee to the commissioner to be deposited in the general fund, and
224.17 the provider must retain the remainder.

224.18 (f) Except as provided in subdivisions 4, 5a, and 5b, the commissioner ~~shall~~ or full-service
224.19 provider must permit a person to inquire into a record by the person's own electronic means
224.20 for a fee of \$4.50 for each inquiry, except that no fee may be charged when the requester
224.21 is the subject of the data.

224.22 (g) Of the fee collected by the commissioner under paragraph (f):

224.23 (1) \$2.70 must be deposited in the general fund;

224.24 (2) for driver's license, instruction permit, or Minnesota identification card records, the
224.25 remainder must be deposited in the driver services operating account in the special revenue
224.26 fund under section 299A.705; and

224.27 (3) for vehicle title or registration records, the remainder must be deposited in the vehicle
224.28 services operating account in the special revenue fund under section 299A.705.

224.29 (h) Of the fee collected by a full-service provider under paragraph (f), the provider must
224.30 transmit \$2.70 to the commissioner to be deposited into the general fund, and the provider
224.31 must retain the remainder.

224.32 ~~(g)~~ (i) Fees and the deposit of the fees for accident records and reports are governed by
224.33 section 169.09, subdivision 13.

225.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to requests
225.2 for records made on or after that date.

225.3 Sec. 3. Minnesota Statutes 2020, section 168.327, subdivision 2, is amended to read:

225.4 Subd. 2. **Requests for information; surcharge on fee.** (a) Except as otherwise provided
225.5 in subdivision 3, the commissioner ~~shall~~ or full-service provider must impose a surcharge
225.6 of 50 cents on each fee charged by the commissioner or full-service provider under section
225.7 13.03, subdivision 3, for copies or electronic transmittals of public information about the
225.8 registration of a vehicle or an applicant, or holder of a driver's license, instruction permit,
225.9 or Minnesota identification card.

225.10 (b) The surcharge only applies to a fee imposed in response to a request made in person
225.11 ~~or, by mail, or to a request for transmittal through a computer modem~~ online. The surcharge
225.12 does not apply to the request of an individual for information about that individual's driver's
225.13 license, instruction permit, or Minnesota identification card or about vehicles registered or
225.14 titled in the individual's name.

225.15 (c) The surcharges collected by the commissioner under this subdivision must be credited
225.16 to the general fund. The surcharges collected by a full-service provider must be transmitted
225.17 to the commissioner to be deposited in the general fund.

225.18 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to requests
225.19 for records made on or after that date.

225.20 Sec. 4. Minnesota Statutes 2020, section 168.327, subdivision 3, is amended to read:

225.21 Subd. 3. **Exception to fee and surcharge.** (a) Notwithstanding subdivision 2 or section
225.22 13.03, a fee or surcharge may not be imposed in response to a request for public information
225.23 about the registration of a vehicle if the commissioner or full-service provider is satisfied
225.24 that:

225.25 (1) the requester seeks the information on behalf of a community-based, nonprofit
225.26 organization designated by a local law enforcement agency to be a requester; and

225.27 (2) the information is needed to identify suspected prostitution law violators, controlled
225.28 substance law violators, or health code violators.

225.29 (b) The commissioner ~~shall~~ or full-service provider must not require a requester under
225.30 paragraph (a) to make a minimum number of data requests or limit the requester to a
225.31 maximum number of data requests.

226.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to requests
226.2 for records made on or after that date.

226.3 Sec. 5. Minnesota Statutes 2020, section 168.33, subdivision 7, is amended to read:

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

226.6 (1) \$7 is imposed on every vehicle registration renewal, excluding pro rate transactions;
226.7 and

226.8 (2) \$11 is imposed on every other type of vehicle transaction, including motor carrier
226.9 fuel licenses under sections 168D.05 and 168D.06, and pro rate transactions.

226.10 (b) Notwithstanding paragraph (a):

226.11 (1) a filing fee may not be charged for a document returned for a refund or for a correction
226.12 of an error made by the Department of Public Safety, a dealer, or a deputy registrar; and

226.13 (2) no filing fee or other fee may be charged for the permanent surrender of a title for a
226.14 vehicle.

226.15 (c) The filing fee must be shown as a separate item on all registration renewal notices
226.16 sent out by the commissioner.

226.17 (d) The statutory fees and taxes, and the filing fees imposed under paragraph (a) may
226.18 be paid by credit card or debit card. The deputy registrar may collect a surcharge on the
226.19 statutory fees, taxes, and filing fee not greater than the cost of processing a credit card or
226.20 debit card transaction, in accordance with emergency rules established by the commissioner
226.21 of public safety. The surcharge must be used to pay the cost of processing credit and debit
226.22 card transactions.

226.23 (e) The fees collected under this subdivision by the department for in-person transactions
226.24 must be allocated as follows:

226.25 (1) of the fees collected under paragraph (a), clause (1):

226.26 (i) \$5.50 must be deposited in the vehicle services operating account; and

226.27 (ii) \$1.50 must be deposited in the driver and vehicle services technology account; and

226.28 (2) of the fees collected under paragraph (a), clause (2):

226.29 (i) \$3.50 must be deposited in the general fund;

226.30 (ii) \$6.00 must be deposited in the vehicle services operating account; and

227.1 (iii) \$1.50 must be deposited in the driver and vehicle services technology account.

227.2 (f) The fees collected under this subdivision by the department for mail or online

227.3 transactions must be allocated as follows:

227.4 (1) of the fees collected under paragraph (a), clause (1):

227.5 (i) \$2.75 must be deposited in the vehicle services operating account;

227.6 (ii) \$0.75 must be deposited in the driver and vehicle services technology account; and

227.7 (iii) \$3.50 must be deposited in the full-service provider account; and

227.8 (2) of the fees collected under paragraph (a), clause (2):

227.9 (i) \$3.50 must be deposited in the general fund;

227.10 (ii) \$3.00 must be deposited in the vehicle services operating account;

227.11 (iii) \$0.75 must be deposited in the driver and vehicle services technology account; and

227.12 (iv) \$3.75 must be deposited in the full-service provider account.

227.13 Sec. 6. Minnesota Statutes 2020, section 168.345, is amended to read:

227.14 **168.345 USE OF VEHICLE REGISTRATION INFORMATION.**

227.15 Subdivision 1. **Information by telephone.** Information about vehicle registrations ~~shall~~

227.16 must not be furnished on the telephone to any person except the owner of the vehicle,

227.17 personnel of law enforcement agencies, and the personnel of governmental motor vehicle

227.18 and registration offices.

227.19 Subd. 2. **Lessees; information.** The commissioner may not furnish information about

227.20 registered owners of passenger automobiles who are lessees under a lease for a term of 180

227.21 days or more to any person except the owner of the vehicle, the lessee, personnel of law

227.22 enforcement agencies and trade associations performing a member service under section

227.23 604.15, subdivision 4a, and federal, state, and local governmental units, and, at the

227.24 commissioner's discretion, to persons who use the information to notify lessees of automobile

227.25 recalls. The commissioner may release information about lessees in the form of summary

227.26 data, as defined in section 13.02, to persons who use the information in conducting statistical

227.27 analysis and market research.

228.1 Sec. 7. Minnesota Statutes 2021 Supplement, section 169.09, subdivision 13, is amended
228.2 to read:

228.3 Subd. 13. **Reports confidential; evidence, fee, penalty, appropriation.** (a) All reports
228.4 and supplemental information required under this section must be for the use of the
228.5 commissioner of public safety and other appropriate state, federal, county, and municipal
228.6 governmental agencies for accident analysis purposes, except:

228.7 (1) upon written request, the commissioner of public safety, a full-service provider as
228.8 defined in section 171.01, subdivision 33a, or any law enforcement agency ~~shall~~ must
228.9 disclose the report required under subdivision 8 to:

228.10 (i) any individual involved in the accident, the representative of the individual's estate,
228.11 or the surviving spouse, or one or more surviving next of kin, or a trustee appointed under
228.12 section 573.02;

228.13 (ii) any other person injured in person, property, or means of support, or who incurs
228.14 other pecuniary loss by virtue of the accident;

228.15 (iii) legal counsel of a person described in item (i) or (ii);

228.16 (iv) a representative of the insurer of any person described in item (i) or (ii); or

228.17 (v) a city or county attorney or an attorney representing the state in an implied consent
228.18 action who is charged with the prosecution of a traffic or criminal offense that is the result
228.19 of a traffic crash investigation conducted by law enforcement;

228.20 ~~(2) the commissioner of public safety shall, upon written request, provide the driver~~
228.21 ~~filing a report under subdivision 7 with a copy of the report filed by the driver;~~

228.22 ~~(3)~~ (2) the commissioner of public safety may verify with insurance companies vehicle
228.23 insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

228.24 ~~(4)~~ (3) the commissioner of public safety ~~shall~~ must provide the commissioner of
228.25 transportation the information obtained for each traffic accident involving a commercial
228.26 motor vehicle, for purposes of administering commercial vehicle safety regulations;

228.27 ~~(5)~~ (4) upon specific request, the commissioner of public safety ~~shall~~ must provide the
228.28 commissioner of transportation the information obtained regarding each traffic accident
228.29 involving damage to identified state-owned infrastructure, for purposes of debt collection
228.30 under section 161.20, subdivision 4; and

229.1 ~~(6)~~ (5) the commissioner of public safety may give to the United States Department of
229.2 Transportation commercial vehicle accident information in connection with federal grant
229.3 programs relating to safety.

229.4 (b) Accident reports and data contained in the reports are not discoverable under any
229.5 provision of law or rule of court. ~~No report shall~~ A report must not be used as evidence in
229.6 any trial, civil or criminal, or any action for damages or criminal proceedings arising out
229.7 of an accident. However, the commissioner of public safety ~~shall~~ must furnish, upon the
229.8 demand of any person who has or claims to have made a report or upon demand of any
229.9 court, a certificate showing that a specified accident report has or has not been made to the
229.10 commissioner solely to prove compliance or failure to comply with the requirements that
229.11 the report be made to the commissioner.

229.12 (c) Nothing in this subdivision prevents any individual who has made a report under
229.13 this section from providing information to any individuals involved in an accident or their
229.14 representatives or from testifying in any trial, civil or criminal, arising out of an accident,
229.15 as to facts within the individual's knowledge. It is intended by this subdivision to render
229.16 privileged the reports required, but it is not intended to prohibit proof of the facts to which
229.17 the reports relate.

229.18 (d) Disclosing any information contained in any accident report, except as provided in
229.19 this subdivision, section 13.82, subdivision 3 or 6, or other statutes, is a misdemeanor.

229.20 (e) The commissioner of public safety ~~shall~~ or full-service provider as defined in section
229.21 171.01, subdivision 33a, must charge authorized persons as described in paragraph (a) a \$5
229.22 fee for a copy of an accident report. Ninety percent of the \$5 fee collected by the
229.23 commissioner under this paragraph must be deposited in the special revenue fund and
229.24 credited to the driver services operating account established in section 299A.705 and ten
229.25 percent must be deposited in the general fund. Of the \$5 fee collected by a full-service
229.26 provider, the provider must transmit 50 cents to the commissioner to be deposited into the
229.27 general fund, and the provider must retain the remainder. The commissioner or full-service
229.28 provider may also furnish an electronic copy of the database of accident records, which
229.29 must not contain personal or private data on an individual, to private agencies as provided
229.30 in paragraph (g), for not less than the cost of preparing the copies on a bulk basis as provided
229.31 in section 13.03, subdivision 3.

229.32 (f) The fees specified in paragraph (e) notwithstanding, the commissioner, a full-service
229.33 provider, and law enforcement agencies ~~shall~~ must charge commercial users who request
229.34 access to response or incident data relating to accidents a fee not to exceed 50 cents per

230.1 record. "Commercial user" is a user who in one location requests access to data in more
230.2 than five accident reports per month, unless the user establishes that access is not for a
230.3 commercial purpose. Of the money collected by the commissioner under this paragraph,
230.4 90 percent must be deposited in the special revenue fund and credited to the driver services
230.5 operating account established in section 299A.705 and ten percent must be deposited in the
230.6 general fund. Of the fees collected by a full-service provider under this paragraph, the
230.7 provider must transmit 50 cents to the commissioner to be deposited into the general fund,
230.8 and the provider must retain the remainder.

230.9 (g) The fees in paragraphs (e) and (f) notwithstanding, the commissioner ~~shall~~ or
230.10 full-service provider must provide an electronic copy of the accident records database to
230.11 the public on a case-by-case basis using the cost-recovery charges provided for under section
230.12 13.03, subdivision 3. The database provided must not contain personal or private data on
230.13 an individual. However, unless the accident records database includes the vehicle
230.14 identification number, the commissioner ~~shall~~ or full-service provider must include the
230.15 vehicle registration plate number if a private agency certifies and agrees that the agency:

230.16 (1) is in the business of collecting accident and damage information on vehicles;

230.17 (2) will use the vehicle registration plate number only for identifying vehicles that have
230.18 been involved in accidents or damaged, to provide this information to persons seeking access
230.19 to a vehicle's history and not for identifying individuals or for any other purpose; and

230.20 (3) will be subject to the penalties and remedies under sections 13.08 and 13.09.

230.21 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to requests
230.22 for records made on or after that date.

230.23 Sec. 8. Minnesota Statutes 2020, section 171.01, is amended by adding a subdivision to
230.24 read:

230.25 **Subd. 33a. Full-service provider.** "Full-service provider" means a person who is
230.26 appointed by the commissioner as both a driver's license agent who provides all driver
230.27 services, excluding International Registration Plan and International Fuel Tax Agreement
230.28 transactions under this chapter and deputy registrar services under chapter 168.

230.29 Sec. 9. Minnesota Statutes 2020, section 171.06, subdivision 2, is amended to read:

230.30 **Subd. 2. Fees.** (a) The fees for a license and Minnesota identification card are as follows:

231.1	REAL ID Compliant or				
231.2	Noncompliant Classified				
231.3	Driver's License	D-\$21.00	C-\$25.00	B-\$32.00	A-\$40.00
231.4	REAL ID Compliant or				
231.5	Noncompliant Classified				
231.6	Under-21 D.L.	D-\$21.00	C-\$25.00	B-\$32.00	A-\$20.00
231.7	Enhanced Driver's License	D-\$36.00	C-\$40.00	B-\$47.00	A-\$55.00
231.8	REAL ID Compliant or				
231.9	Noncompliant Instruction				
231.10	Permit				\$5.25
231.11	Enhanced Instruction				
231.12	Permit				\$20.25
231.13	Commercial Learner's				
231.14	Permit				\$2.50
231.15	REAL ID Compliant or				
231.16	Noncompliant Provisional				
231.17	License				\$8.25
231.18	Enhanced Provisional				
231.19	License				\$23.25
231.20	Duplicate REAL ID				
231.21	Compliant or Noncompliant				
231.22	License or duplicate REAL				
231.23	ID Compliant or				
231.24	Noncompliant				
231.25	identification card				\$6.75
231.26	Enhanced Duplicate				
231.27	License or enhanced				
231.28	duplicate identification card				\$21.75
231.29	REAL ID Compliant or				
231.30	Noncompliant Minnesota				
231.31	identification card or REAL				
231.32	ID Compliant or				
231.33	Noncompliant Under-21				
231.34	Minnesota identification				
231.35	card, other than duplicate,				
231.36	except as otherwise				
231.37	provided in section 171.07,				
231.38	subdivisions 3 and 3a				\$11.25
231.39	Enhanced Minnesota				
231.40	identification card				\$26.25

231.41 From August 1, 2019, to June 30, 2022, the fee is increased by \$0.75 for REAL ID compliant
 231.42 or noncompliant classified driver's licenses, REAL ID compliant or noncompliant classified
 231.43 under-21 driver's licenses, and enhanced driver's licenses.

231.44 (b) In addition to each fee required in paragraph (a), the commissioner ~~shall~~ must collect
 231.45 a surcharge of \$2.25. Surcharges collected under this paragraph must be credited to the
 231.46 driver and vehicle services technology account under section 299A.705.

232.1 (c) Notwithstanding paragraph (a), an individual who holds a provisional license and
232.2 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
232.3 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related
232.4 moving violations, and (3) convictions for moving violations that are not crash related, ~~shall~~
232.5 must have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving
232.6 violation" has the meaning given it in section 171.04, subdivision 1.

232.7 (d) In addition to the driver's license fee required under paragraph (a), the commissioner
232.8 ~~shall~~ must collect an additional \$4 processing fee from each new applicant or individual
232.9 renewing a license with a school bus endorsement to cover the costs for processing an
232.10 applicant's initial and biennial physical examination certificate. The department ~~shall~~ must
232.11 not charge these applicants any other fee to receive or renew the endorsement.

232.12 (e) In addition to the fee required under paragraph (a), a driver's license agent may charge
232.13 and retain a filing fee as provided under section 171.061, subdivision 4.

232.14 (f) In addition to the fee required under paragraph (a), the commissioner ~~shall~~ must
232.15 charge a filing fee at the same amount as a driver's license agent under section 171.061,
232.16 subdivision 4. Revenue collected under this paragraph for in-person transactions must be
232.17 deposited in the driver services operating account under section 299A.705. Revenue collected
232.18 under this paragraph for mail or online transactions must be allocated as follows:

232.19 (1) 50 percent must be deposited in the driver services operating account under section
232.20 299A.705, subdivision 2; and

232.21 (2) 50 percent must be deposited in the full-service provider account under section
232.22 299A.705, subdivision 3a.

232.23 (g) An application for a Minnesota identification card, instruction permit, provisional
232.24 license, or driver's license, including an application for renewal, must contain a provision
232.25 that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes
232.26 of public information and education on anatomical gifts under section 171.075.

232.27 Sec. 10. Minnesota Statutes 2020, section 171.06, is amended by adding a subdivision to
232.28 read:

232.29 Subd. 8. **Preapplication; REAL ID.** (a) The commissioner must establish a process for
232.30 an applicant to submit an electronic preapplication for a REAL ID-compliant driver's license
232.31 or REAL ID-compliant identification card. The commissioner must design the preapplication
232.32 so that the applicant must enter information required for the application. The preapplication
232.33 must also generate a list of documents the applicant is required to submit in person at the

233.1 time of the application. The commissioner must provide a link to the preapplication website
 233.2 at the time an individual schedules an appointment to apply for a REAL ID-compliant
 233.3 driver's license or REAL ID-compliant identification card.

233.4 (b) An applicant who submitted a preapplication is required to appear in person before
 233.5 a driver's license agent to submit a completed application for the REAL ID-compliant driver's
 233.6 license or REAL ID-compliant identification card.

233.7 Sec. 11. Minnesota Statutes 2020, section 171.061, subdivision 4, is amended to read:

233.8 Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of \$8 for each
 233.9 application-, as follows:

233.10 233.11	(1) <u>New application for noncompliant driver's license or noncompliant</u> <u>Minnesota identification card</u>	\$ <u>11.00</u>
233.12 233.13 233.14	(2) <u>New application for REAL ID-compliant driver's license, REAL</u> <u>ID-compliant Minnesota identification card, enhanced driver's</u> <u>license, or enhanced Minnesota identification card</u>	\$ <u>16.00</u>
233.15 233.16	(3) <u>Renewal application for noncompliant driver's license or</u> <u>noncompliant Minnesota identification card</u>	\$ <u>11.00</u>
233.17 233.18 233.19	(4) <u>Renewal application for REAL ID-compliant driver's license,</u> <u>REAL ID-compliant Minnesota identification card, enhanced</u> <u>driver's license, or enhanced Minnesota identification card</u>	\$ <u>11.00</u>

233.20 Except as provided in paragraph (c), the fee ~~shall~~ must cover all expenses involved in
 233.21 receiving, accepting, or forwarding to the department the applications and fees required
 233.22 under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions
 233.23 3 and 3a.

233.24 (b) The statutory fees and the filing fees imposed under paragraph (a) may be paid by
 233.25 credit card or debit card. The driver's license agent may collect a convenience fee on the
 233.26 statutory fees and filing fees not greater than the cost of processing a credit card or debit
 233.27 card transaction. The convenience fee must be used to pay the cost of processing credit card
 233.28 and debit card transactions. The commissioner ~~shall~~ must adopt rules to administer this
 233.29 paragraph using the exempt procedures of section 14.386, except that section 14.386,
 233.30 paragraph (b), does not apply.

233.31 (c) The department ~~shall~~ must maintain the photo identification equipment for all agents
 233.32 appointed as of January 1, 2000. Upon the retirement, resignation, death, or discontinuance
 233.33 of an existing agent, and if a new agent is appointed in an existing office pursuant to
 233.34 Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota Rules, part
 233.35 7404.0400, the department ~~shall~~ must provide and maintain photo identification equipment
 233.36 without additional cost to a newly appointed agent in that office if the office was provided

234.1 the equipment by the department before January 1, 2000. All photo identification equipment
234.2 must be compatible with standards established by the department.

234.3 (d) A filing fee retained by the agent employed by a county board must be paid into the
234.4 county treasury and credited to the general revenue fund of the county. An agent who is not
234.5 an employee of the county ~~shall~~ must retain the filing fee in lieu of county employment or
234.6 salary and is considered an independent contractor for pension purposes, coverage under
234.7 the Minnesota State Retirement System, or membership in the Public Employees Retirement
234.8 Association.

234.9 (e) Before the end of the first working day following the final day of the reporting period
234.10 established by the department, the agent must forward to the department all applications
234.11 and fees collected during the reporting period except as provided in paragraph (d).

234.12 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to applications
234.13 made on or after that date.

234.14 Sec. 12. Minnesota Statutes 2020, section 171.0705, is amended by adding a subdivision
234.15 to read:

234.16 Subd. 11. **Manual and study material availability.** The commissioner must publish
234.17 the driver's manual on the department's website. The commissioner must also publish study
234.18 support materials for the written exam and skills exam, with a focus on the subjects and
234.19 skills that are most commonly failed by exam takers. The commissioner must ensure that
234.20 the driver's manual and study support materials are easily located and available for no cost.

234.21 Sec. 13. Minnesota Statutes 2020, section 171.12, subdivision 1a, is amended to read:

234.22 Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a)
234.23 The commissioner must establish written procedures to ensure that only individuals
234.24 authorized by law may enter, update, or access not public data collected, created, or
234.25 maintained by the driver and vehicle services information system. An authorized individual's
234.26 ability to enter, update, or access data in the system must correspond to the official duties
234.27 or training level of the individual and to the statutory authorization granting access for that
234.28 purpose. All queries and responses, and all actions in which data are entered, updated,
234.29 accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in
234.30 the audit trail are public to the extent the data are not otherwise classified by law.

234.31 (b) The commissioner must not revoke the authorization of any individual who properly
234.32 accessed data to complete an authorized transaction or to resolve an issue that does not

235.1 result in a completed authorized transaction. The commissioner must immediately and
235.2 permanently revoke the authorization of any individual who willfully entered, updated,
235.3 accessed, shared, or disseminated data in violation of state or federal law. If an individual
235.4 willfully gained access to data without authorization by law, the commissioner must forward
235.5 the matter to the appropriate prosecuting authority for prosecution. The commissioner must
235.6 establish a process that allows an individual whose access was revoked to appeal that
235.7 decision.

235.8 (c) The commissioner must arrange for an independent biennial audit of the driver and
235.9 vehicle services information system to determine whether data currently in the system are
235.10 classified correctly, how the data are used, and to verify compliance with this subdivision.
235.11 The results of the audit are public. No later than 30 days following completion of the audit,
235.12 the commissioner must provide a report summarizing the audit results to the commissioner
235.13 of administration; the chairs and ranking minority members of the committees of the house
235.14 of representatives and the senate with jurisdiction over transportation policy and finance,
235.15 public safety, and data practices; and the Legislative Commission on Data Practices and
235.16 Personal Data Privacy. The report must be submitted as required under section 3.195, except
235.17 that printed copies are not required.

235.18 Sec. 14. Minnesota Statutes 2021 Supplement, section 171.13, subdivision 1, is amended
235.19 to read:

235.20 Subdivision 1. **Examination subjects and locations; provisions for color blindness,**
235.21 **disabled veterans.** (a) Except as otherwise provided in this section, the commissioner shall
235.22 must examine each applicant for a driver's license by such agency as the commissioner
235.23 directs. This examination must include:

235.24 (1) a test of the applicant's eyesight, provided that this requirement is met by submission
235.25 of a vision examination certificate under section 171.06, subdivision 7;

235.26 (2) a test of the applicant's ability to read and understand highway signs regulating,
235.27 warning, and directing traffic;

235.28 (3) a test of the applicant's knowledge of (i) traffic laws; (ii) the effects of alcohol and
235.29 drugs on a driver's ability to operate a motor vehicle safely and legally, and of the legal
235.30 penalties and financial consequences resulting from violations of laws prohibiting the
235.31 operation of a motor vehicle while under the influence of alcohol or drugs; (iii) railroad
235.32 grade crossing safety; (iv) slow-moving vehicle safety; (v) laws relating to pupil
235.33 transportation safety, including the significance of school bus lights, signals, stop arm, and

236.1 passing a school bus; (vi) traffic laws related to bicycles; and (vii) the circumstances and
236.2 dangers of carbon monoxide poisoning;

236.3 (4) an actual demonstration of ability to exercise ordinary and reasonable control in the
236.4 operation of a motor vehicle; and

236.5 (5) other physical and mental examinations as the commissioner finds necessary to
236.6 determine the applicant's fitness to operate a motor vehicle safely upon the highways.

236.7 (b) Notwithstanding paragraph (a), the commissioner must not deny an application for
236.8 a driver's license based on the exclusive grounds that the applicant's eyesight is deficient in
236.9 color perception or that the applicant has been diagnosed with diabetes mellitus. War veterans
236.10 operating motor vehicles especially equipped for disabled persons, if otherwise entitled to
236.11 a license, must be granted such license.

236.12 (c) The commissioner ~~shall~~ must make provision for giving the examinations under this
236.13 subdivision either in the county where the applicant resides or at a place adjacent thereto
236.14 reasonably convenient to the applicant.

236.15 (d) The commissioner ~~shall~~ must ensure that an applicant is able to obtain an appointment
236.16 for an examination to demonstrate ability under paragraph (a), clause (4), within 14 days
236.17 of the applicant's request if, under the applicable statutes and rules of the commissioner,
236.18 the applicant is eligible to take the examination.

236.19 (e) The commissioner must provide real-time information on the department's website
236.20 about the availability and location of exam appointments. The website must show the next
236.21 available exam dates and times for each exam station. The website must also provide an
236.22 option for a person to enter an address to see the date and time of the next available exam
236.23 at each exam station sorted by distance from the address provided. The information must
236.24 be easily accessible and must not require a person to sign in or provide any other information,
236.25 except an address, in order to see available exam dates.

236.26 Sec. 15. Minnesota Statutes 2020, section 171.13, subdivision 1a, is amended to read:

236.27 Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner
236.28 determines that an applicant 21 years of age or older possesses a valid driver's license issued
236.29 by another state or jurisdiction that requires a comparable examination for obtaining a
236.30 driver's license, the commissioner ~~may~~ must waive the ~~requirement~~ requirements that the
236.31 applicant pass a written knowledge examination and demonstrate ability to exercise ordinary
236.32 and reasonable control in the operation of a motor vehicle ~~on determining that the applicant~~

237.1 ~~possesses a valid driver's license issued by a jurisdiction that requires a comparable~~
237.2 ~~demonstration for license issuance.~~

237.3 (b) If the commissioner determines that an applicant 21 years of age or older possesses
237.4 a valid driver's license with a two-wheeled vehicle endorsement issued by another state or
237.5 jurisdiction that requires a comparable examination for obtaining the endorsement, the
237.6 commissioner must waive the requirements that the applicant for a two-wheeled vehicle
237.7 endorsement pass a written knowledge examination and demonstrate the ability to exercise
237.8 ordinary and reasonable control in the operation of a motor vehicle.

237.9 (c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both
237.10 the active and reserve components of any branch or unit of the United States armed forces,
237.11 and "valid driver's license" includes any driver's license that is recognized by that branch
237.12 or unit as currently being valid, or as having been valid at the time of the applicant's
237.13 separation or discharge from the military within a period of time deemed reasonable and
237.14 fair by the commissioner, up to and including one year past the date of the applicant's
237.15 separation or discharge.

237.16 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to applications
237.17 made on or after that date.

237.18 Sec. 16. Minnesota Statutes 2020, section 299A.705, is amended by adding a subdivision
237.19 to read:

237.20 **Subd. 3a. Full-service provider account.** (a) The full-service provider account is created
237.21 in the special revenue fund, consisting of fees described in sections 168.33, subdivision 7,
237.22 and 171.06, subdivision 2, and any other money donated, allotted, transferred, or otherwise
237.23 provided to the account.

237.24 (b) Money in the account is annually appropriated to the commissioner of public safety
237.25 to distribute to full-service providers, as defined in section 168.002, subdivision 12a. At
237.26 least quarterly, the commissioner must distribute the money in the account to each full-service
237.27 provider that was in operation during that quarter based proportionally on the number of
237.28 transactions completed by each full-service provider.

237.29 Sec. 17. **REPORT; TRANSITION TO DIGITAL TITLES AND DRIVERS'**
237.30 **LICENSES.**

237.31 By December 15, 2022, the commissioner of public safety must report to the chairs and
237.32 ranking minority members of the legislative committees with jurisdiction over transportation

238.1 policy and finance on transitioning from physical driver and vehicle documents to digital
238.2 versions of the same documents. At a minimum, the report must:

238.3 (1) include information on how other states have implemented the transition to digital
238.4 documents;

238.5 (2) make recommendations on how to ensure the security, integrity, and privacy of data;

238.6 (3) include an estimate of the costs for transitioning to digital documents;

238.7 (4) include an estimated timeline for transitioning to digital documents; and

238.8 (5) identify statutory changes necessary to implement the transition to digital documents.

238.9 Sec. 18. **EFFECTIVE DATE.**

238.10 Except where otherwise specified, this article is effective August 1, 2022.

238.11 **ARTICLE 15**

238.12 **SALVAGE AND PRIOR SALVAGE TITLE BRANDS**

238.13 Section 1. Minnesota Statutes 2020, section 168A.01, is amended by adding a subdivision
238.14 to read:

238.15 Subd. 16b. **Recovered intact vehicle.** "Recovered intact vehicle" means a vehicle that
238.16 was:

238.17 (1) verified by the vehicle insurer to be stolen and declared a total loss; and

238.18 (2) subsequently recovered with damage that is not in excess of 80 percent of its value
238.19 immediately before it was stolen.

238.20 Sec. 2. Minnesota Statutes 2020, section 168A.01, subdivision 17b, is amended to read:

238.21 Subd. 17b. **Salvage vehicle.** (a) "Salvage vehicle" means a vehicle ~~that has a salvage~~
238.22 ~~certificate of title~~ (1) for which an insurance company has declared a total loss or paid a
238.23 total loss claim, or (2) that has been involved in a collision or other event in which the cost
238.24 of repairs exceeds 80 percent of the value of the vehicle immediately before the damage
238.25 occurred.

238.26 (b) Salvage vehicle does not include a recovered intact vehicle.

239.1 Sec. 3. Minnesota Statutes 2020, section 168A.04, subdivision 1, is amended to read:

239.2 Subdivision 1. **Contents.** The application for the first certificate of title of a vehicle or
239.3 manufactured home in this state, or for reissuance of a certificate of title for a manufactured
239.4 home under section 168A.142, ~~shall~~ must be made by the owner to the department on the
239.5 form prescribed by the department and ~~shall~~ must contain:

239.6 (1) the first, middle, and last names, the dates of birth, and addresses of all owners who
239.7 are natural persons, the full names and addresses of all other owners;

239.8 (2) a description of the vehicle or manufactured home including, so far as the following
239.9 data exists, its make, model, year, identifying number in the case of a vehicle or serial
239.10 number in the case of a manufactured home, type of body, and whether new or used;

239.11 (3) the date of purchase by applicant, the name and address of the person from whom
239.12 the vehicle or manufactured home was acquired, the names and addresses of any secured
239.13 parties in the order of their priority, and the dates of their respective security agreements;

239.14 (4) with respect to motor vehicles subject to the provisions of section 325E.15, the true
239.15 cumulative mileage registered on the odometer or that the actual mileage is unknown if the
239.16 odometer reading is known by the owner to be different from the true mileage;

239.17 (5) ~~with respect to vehicles subject to section 325F.6641,~~ whether the vehicle sustained
239.18 damage by collision or other occurrence ~~which exceeded 70 percent of the actual cash value~~
239.19 that meets the disclosure requirements under section 325F.6641, subdivision 1; and

239.20 (6) any further information the department reasonably requires to identify the vehicle
239.21 or manufactured home and to enable it to determine whether the owner is entitled to a
239.22 certificate of title, and the existence or nonexistence and priority of any security interest in
239.23 the vehicle or manufactured home.

239.24 Sec. 4. Minnesota Statutes 2020, section 168A.04, subdivision 4, is amended to read:

239.25 Subd. 4. **Vehicle last registered out of state.** If the application refers to a vehicle last
239.26 previously registered in another state or country, the application ~~shall~~ must contain or be
239.27 accompanied by:

239.28 (1) any certificate of title issued by the other state or country;

239.29 (2) any other information and documents the department reasonably requires to establish
239.30 the ownership of the vehicle and the existence or nonexistence and priority of any security
239.31 interest in it;

240.1 (3) the certificate of a person authorized by the department that the identifying number
240.2 of the vehicle has been inspected and found to conform to the description given in the
240.3 application, or any other proof of the identity of the vehicle the department reasonably
240.4 requires; and

240.5 (4) ~~with respect to vehicles subject to section 325F.6641~~, whether the vehicle sustained
240.6 damage by collision or other occurrence ~~which exceeded 70 percent of actual cash value~~
240.7 that meets the disclosure requirements under section 325F.6641, subdivision 1. Damage,
240.8 for the purpose of ~~this~~ the calculation under this clause, does not include the actual cost
240.9 incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle
240.10 components that must be replaced due to the deployment of the inflatable safety restraints.

240.11 Sec. 5. Minnesota Statutes 2020, section 168A.05, subdivision 3, is amended to read:

240.12 Subd. 3. **Content of certificate.** (a) Each certificate of title issued by the department
240.13 ~~shall~~ must contain:

240.14 (1) the date issued;

240.15 (2) the first, middle, and last names and the dates of birth of all owners who are natural
240.16 persons, and the full names of all other owners;

240.17 (3) the residence address of the owner listed first if that owner is a natural person or the
240.18 address if that owner is not a natural person;

240.19 (4) the names of any secured parties, and the address of the first secured party, listed in
240.20 the order of priority (i) as shown on the application, or (ii) if the application is based on a
240.21 certificate of title, as shown on the certificate, or (iii) as otherwise determined by the
240.22 department;

240.23 (5) any liens filed pursuant to a court order or by a public agency responsible for child
240.24 support enforcement against the owner;

240.25 (6) the title number assigned to the vehicle;

240.26 (7) a description of the vehicle including, so far as the following data exists, its make,
240.27 model, year, identifying number, type of body, whether new or used, and if a new vehicle,
240.28 the date of the first sale of the vehicle for use;

240.29 (8) with respect to a motor vehicle subject to section 325E.15, (i) the true cumulative
240.30 mileage registered on the odometer or (ii) that the actual mileage is unknown if the odometer
240.31 reading is known by the owner to be different from the true mileage;

240.32 (9) if applicable, one or more of the following:

241.1 (i) with respect to a vehicle subject to sections ~~325F.6641~~ 168A.151 and 325F.6642, the
 241.2 appropriate ~~term~~ brand "flood damaged," "~~rebuilt,~~" "salvage," "prior salvage," or
 241.3 "reconstructed";

241.4 ~~(10)~~ (ii) with respect to a vehicle contaminated by methamphetamine production, if the
 241.5 registrar has received the certificate of title and notice described in section 152.0275,
 241.6 subdivision 2, paragraph (g), the ~~term~~ brand "hazardous waste contaminated vehicle"; and

241.7 ~~(11)~~ (iii) with respect to a vehicle subject to section 325F.665, the ~~term~~ brand "lemon
 241.8 law vehicle"; and

241.9 ~~(12)~~ (10) any other data the department prescribes.

241.10 (b) For a certificate of title on a vehicle that is a restored pioneer vehicle:

241.11 (1) the identifying number must be the valid identifying number as provided under
 241.12 section 168A.04, subdivision 5;

241.13 (2) the year of the vehicle must be the year of original vehicle manufacture and not the
 241.14 year of restoration; and

241.15 (3) the title must not bear a "reconstructed vehicle" brand.

241.16 Sec. 6. Minnesota Statutes 2020, section 168A.151, subdivision 1, is amended to read:

241.17 Subdivision 1. **Salvage titles and prior salvage brands.** (a) When an insurer, licensed
 241.18 to conduct business in Minnesota, acquires ownership of a ~~late-model or high-value~~ vehicle,
 241.19 excluding a recovered intact vehicle, through payment of damages, the insurer ~~shall~~ must:

241.20 (1) for a late-model or high-value vehicle, immediately apply for a ~~salvage~~ certificate
 241.21 of title that bears a "salvage" brand or ~~shall~~ stamp the existing certificate of title with ~~the~~
 241.22 ~~legend "SALVAGE salvage CERTIFICATE OF TITLE"~~ in a manner prescribed by the
 241.23 department; or

241.24 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 241.25 title that bears a "prior salvage" brand or stamp the existing certificate of title with "prior
 241.26 salvage" in a manner prescribed by the department.

241.27 (b) Within ten days of obtaining the title of a vehicle through payment of damages, an
 241.28 insurer must notify the department in a manner prescribed by the department.

241.29 ~~(b)~~ (c) Except as provided in section 168A.11, subdivision 1, a person ~~shall~~ must
 241.30 immediately apply for a ~~salvage~~ certificate of title that bears a "salvage" brand if the person

242.1 acquires a damaged late-model or high-value vehicle ~~with an out-of-state title and the vehicle~~
 242.2 that:

242.3 (1) ~~is a vehicle that~~ was acquired by an insurer through payment of damages;

242.4 (2) ~~is a vehicle for which the~~ will incur a cost of repairs that exceeds the value of the
 242.5 damaged vehicle; or

242.6 (3) has an out-of-state salvage certificate of title as proof of ownership; or

242.7 (4) bears the brand "damaged," "repairable," "salvage," or any similar term on the
 242.8 certificate of title.

242.9 (d) Except as provided in section 168A.11, subdivision 1, a person must immediately
 242.10 apply for a certificate of title that bears a "prior salvage" brand if the person acquires a
 242.11 damaged vehicle and:

242.12 (1) a "salvage" brand is not required under paragraph (c); and

242.13 (2) the vehicle:

242.14 (i) bears the brand "damaged," "repairable," "salvage," "rebuilt," "reconditioned," or
 242.15 any similar term on the certificate of title; or

242.16 (ii) had a salvage certificate of title or brand issued at any time in the vehicle's history
 242.17 by any other jurisdiction.

242.18 ~~(e)~~ (e) A self-insured owner of a ~~late-model or high-value~~ vehicle that sustains damage
 242.19 by collision or other occurrence which exceeds 80 percent of its actual cash value ~~shall~~
 242.20 must:

242.21 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 242.22 of title that bears a "salvage" brand; or

242.23 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 242.24 title that bears a "prior salvage" brand.

242.25 Sec. 7. Minnesota Statutes 2020, section 168A.152, subdivision 1, is amended to read:

242.26 Subdivision 1. **Certificate of inspection.** (a) A salvage certificate of title that bears a
 242.27 "salvage" brand or stamp authorizes the holder to possess, transport, and transfer ownership
 242.28 in a vehicle. A salvage certificate of title that bears a "salvage" brand or stamp does not
 242.29 authorize the holder to register a vehicle. A certificate of title must not be issued for a vehicle
 242.30 for which a salvage certificate of title has been issued unless

243.1 (b) For a late-model or high-value vehicle with a certificate of title that bears a "salvage"
243.2 brand or stamp, the commissioner must not issue a certificate of title that bears a "prior
243.3 salvage" brand unless the application for title is accompanied by a certification of inspection
243.4 in the form and content specified by the department ~~accompanies the application for a~~
243.5 ~~certificate of title.~~

243.6 Sec. 8. Minnesota Statutes 2020, section 168A.152, subdivision 1a, is amended to read:

243.7 Subd. 1a. **Duties of salvage vehicle purchaser.** No salvage vehicle purchaser shall
243.8 possess or retain a salvage vehicle which does not have a ~~salvage~~ certificate of title that
243.9 bears a "salvage" or "prior salvage" brand. The salvage vehicle purchaser ~~shall~~ must display
243.10 the ~~salvage~~ certificate of title upon the request of any appropriate public authority.

243.11 Sec. 9. Minnesota Statutes 2020, section 325F.662, subdivision 3, is amended to read:

243.12 Subd. 3. **Exclusions.** Notwithstanding the provisions of subdivision 2, a dealer is not
243.13 required to provide an express warranty for a used motor vehicle:

243.14 (1) sold for a total cash sale price of less than \$3,000, including the trade-in value of
243.15 any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and
243.16 finance charges;

243.17 (2) with an engine designed to use diesel fuel;

243.18 (3) with a gross weight, as defined in section 168.002, subdivision 13, in excess of 9,000
243.19 pounds;

243.20 (4) that has been custom-built or modified for show or for racing;

243.21 (5) that is eight years of age or older, as calculated from the first day in January of the
243.22 designated model year of the vehicle;

243.23 (6) that has been produced by a manufacturer which has never manufactured more than
243.24 10,000 motor vehicles in any one year;

243.25 (7) that has 75,000 miles or more at time of sale;

243.26 (8) that has not been manufactured in compliance with applicable federal emission
243.27 standards in force at the time of manufacture as provided by the Clean Air Act, United
243.28 States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto,
243.29 and safety standards as provided by the National Traffic and Motor Safety Act, United
243.30 States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto;
243.31 or

244.1 (9) that has been issued a salvage certificate of title that bears a "salvage" brand or stamp
244.2 under section 168A.151.

244.3 Sec. 10. Minnesota Statutes 2020, section 325F.6641, is amended to read:

244.4 **325F.6641 DISCLOSURE OF VEHICLE DAMAGE.**

244.5 Subdivision 1. **Prior damage disclosure.** (a) If a ~~late-model~~ vehicle, ~~as defined in~~
244.6 ~~section 168A.01, subdivision 8a,~~ has sustained damage by collision or other occurrence
244.7 which exceeds 80 percent of its actual cash value immediately prior to sustaining damage,
244.8 the seller must disclose that fact to the buyer, if the seller has actual knowledge of the
244.9 damage. The amount of damage is determined by the retail cost of repairing the vehicle
244.10 based on a complete written retail repair estimate or invoice.

244.11 (b) The disclosure required under this subdivision must be made in writing on the
244.12 application for title and registration or other transfer document, in a manner prescribed by
244.13 the registrar of motor vehicles. The registrar ~~shall revise~~ must design the certificate of title
244.14 form, including the assignment by seller (transferor) and reassignment by licensed dealer
244.15 sections of the form, the separate application for title forms, and other transfer documents
244.16 to accommodate this disclosure. ~~If the seller is a motor vehicle dealer licensed pursuant to~~
244.17 ~~section 168.27, the disclosure required by this section must be made orally by the dealer to~~
244.18 ~~the prospective buyer in the course of the sales presentation.~~

244.19 (c) ~~Upon transfer and application for title to a vehicle covered by this subdivision, the~~
244.20 ~~registrar shall record the term "rebuilt" on the first Minnesota certificate of title and all~~
244.21 ~~subsequent Minnesota certificates of title used for that vehicle.~~

244.22 Subd. 2. **Form of Disclosure requirements.** (a) If a motor vehicle dealer licensed under
244.23 section 168.27 offers a vehicle for sale in the course of a sales presentation to any prospective
244.24 buyer the dealer must provide a written disclosure and, except for sales performed online,
244.25 an oral disclosure of:

244.26 (1) prior vehicle damage as required under subdivision 1;

244.27 (2) the existence or requirement of any title brand under sections 168A.05, subdivision
244.28 3, 168A.151, 325F.6642, or 325F.665, subdivision 14, if the dealer has actual knowledge
244.29 of the brand; and

244.30 (3) if a motor vehicle, which is part of a licensed motor vehicle dealer's inventory, has
244.31 been submerged or flooded above the bottom dashboard while parked on the dealer's lot.

245.1 (b) If a person receives a flood disclosure as described in paragraph (a), clause (3),
 245.2 whether from a motor vehicle dealer or another seller, and subsequently offers that vehicle
 245.3 for sale, the person must provide the same disclosure to any prospective subsequent buyer.

245.4 (c) Written disclosure under this subdivision must be signed by the buyer and maintained
 245.5 in the motor vehicle dealer's sales file in the manner prescribed by the registrar of motor
 245.6 vehicles.

245.7 (d) The disclosure required in ~~this section~~ subdivision 1 must be made in substantially
 245.8 the following form: "To the best of my knowledge, this vehicle has has not sustained
 245.9 damage in excess of 80 percent actual cash value."

245.10 Sec. 11. Minnesota Statutes 2020, section 325F.6642, is amended to read:

245.11 **325F.6642 TITLE BRANDING.**

245.12 Subdivision 1. **Flood damage.** If the application for title and registration indicates that
 245.13 the vehicle has been classified as a total loss ~~vehicle~~ because of water or flood damage, or
 245.14 that the vehicle bears a "flood damaged" or similar brand, the registrar of motor vehicles
 245.15 ~~shall~~ must record the ~~term~~ brand "flood damaged" on the certificate of title and all subsequent
 245.16 certificates of title issued for that vehicle.

245.17 Subd. 2. ~~Total Loss~~ **Salvage vehicles.** (a) Upon transfer and application for title to all
 245.18 ~~total loss~~ vehicles for which the "salvage" brand is required under section 168A.151,
 245.19 subdivision 1, the registrar of motor vehicles shall must (1) record the ~~term~~ brand "prior
 245.20 salvage" on the first Minnesota certificate of title, and (2) subject to section 168A.152,
 245.21 record the brand "prior salvage" on all subsequent Minnesota certificates of title used issued
 245.22 for that vehicle.

245.23 (b) Notwithstanding paragraph (a), a "prior salvage" brand is not required for a recovered
 245.24 intact vehicle, as defined in section 168A.01, subdivision 16b.

245.25 Subd. 3. ~~Out-of-state vehicles.~~ (a) Upon transfer and application for title of all repaired
 245.26 ~~vehicles with out-of-state titles that bear the term "damaged," "salvage," "rebuilt,"~~
 245.27 ~~"reconditioned," or any similar term, the registrar of motor vehicles shall record the term~~
 245.28 ~~"prior salvage" on the first Minnesota certificate of title and all subsequent Minnesota~~
 245.29 ~~certificates of title used for that vehicle.~~

245.30 ~~(b) The registrar shall mark "prior salvage" on the first Minnesota certificate of title and~~
 245.31 ~~all subsequent certificates of title issued for any vehicle which came into the state unrepaired~~
 245.32 ~~and for which a salvage certificate of title was issued.~~

246.1 ~~(e) For vehicles with out-of-state titles which bear the term "flood damaged," the registrar~~
246.2 ~~of motor vehicles shall record the term "flood damaged" on the first Minnesota certificate~~
246.3 ~~of title and all subsequent Minnesota certificates of title issued for that vehicle.~~

246.4 ~~(d) the registrar shall mark "prior salvage" on the first Minnesota certificate of title and~~
246.5 ~~all subsequent certificates of title issued for any vehicle that had a salvage certificate of title~~
246.6 ~~issued at any time in the vehicle's history by any other jurisdiction.~~

246.7 Subd. 2a. **Prior salvage.** Upon application for title to all vehicles for which the "prior
246.8 salvage" brand is required under section 168A.151, subdivision 1, the registrar of motor
246.9 vehicles must record the brand "prior salvage" on the certificate of title and all subsequent
246.10 certificates of title issued for that vehicle.

246.11 Subd. 2b. **Certain damaged vehicles.** Upon transfer and application for title to a vehicle
246.12 that is subject to section 325F.6641, subdivision 1, the registrar of motor vehicles must (1)
246.13 record the brand "salvage" on the first certificate of title, and (2) subject to section 168A.152,
246.14 record the brand "prior salvage" on all subsequent certificates of title issued for that vehicle.

246.15 Subd. 4. **Reconstructed vehicles.** For vehicles that are reconstructed within the meaning
246.16 of section 168A.15, the registrar ~~shall~~ must record the ~~term~~ brand "reconstructed" on the
246.17 certificate of title and all subsequent certificates of title.

246.18 Subd. 5. **Manner of branding.** ~~The~~ Each brand designation of ~~"flood damaged," "rebuilt,"~~
246.19 ~~"prior salvage," or "reconstructed"~~ under this section or section 168A.05, subdivision 3,
246.20 168A.151, or 325F.665, subdivision 14, required on a certificate of title shall must be made
246.21 by the registrar of motor vehicles in a clear and conspicuous manner, in a ~~color~~ format
246.22 different from all other writing on the certificate of title.

246.23 ~~Subd. 6. **Total loss vehicle; definition.** For the purposes of this section, "total loss~~
246.24 ~~vehicle" means a vehicle damaged by collision or other occurrence, for which a salvage~~
246.25 ~~certificate of title has been issued. Total loss vehicle does not include a stolen and recovered~~
246.26 ~~vehicle verified by the insurer who declared the vehicle to be a total loss vehicle unless~~
246.27 ~~there is more than minimal damage to the vehicle as determined by the registrar.~~

246.28 Subd. 7. **Dealer disclosure.** ~~If a licensed motor vehicle dealer offers for sale a vehicle~~
246.29 ~~with a branded title, the dealer shall orally disclose the existence of the brand in the course~~
246.30 ~~of the sales presentation.~~

246.31 Subd. 8. **Flood damage; dealer lots.** ~~If a motor vehicle, which is part of a licensed motor~~
246.32 ~~vehicle dealer's inventory, has been submerged or flooded above the bottom of the dashboard~~
246.33 ~~while parked on the dealer's lot, the dealer must disclose that fact in writing to any buyer~~

247.1 ~~and must orally disclose that fact in the course of a sales presentation to any prospective~~
247.2 ~~buyer. The buyer must also disclose the existence of the flood damage in writing to any~~
247.3 ~~subsequent buyer.~~

247.4 Sec. 12. Minnesota Statutes 2020, section 325F.665, subdivision 14, is amended to read:

247.5 Subd. 14. **Title branding.** (a) Upon transfer and application for title of all vehicles
247.6 subject to this section, the registrar of motor vehicles shall record the term "lemon law
247.7 vehicle" on the certificate of title and all subsequent certificates of title for that vehicle.

247.8 (b) For vehicles with out-of-state titles that bear the term "lemon law vehicle," or any
247.9 similar term, the registrar of motor vehicles shall record the term "lemon law vehicle" on
247.10 the first Minnesota certificate of title and all subsequent Minnesota certificates of title issued
247.11 for that vehicle.

247.12 ~~(c) The designation of "lemon law vehicle" on a certificate of title must be made by the~~
247.13 ~~registrar of motor vehicles in a clear and conspicuous manner, in a color different from all~~
247.14 ~~other writing on the certificate of title.~~

247.15 Sec. 13. **REPEALER.**

247.16 Minnesota Statutes 2020, sections 168A.01, subdivision 17a; and 325F.6644, are repealed.

247.17 Sec. 14. **EFFECTIVE DATE.**

247.18 Unless specified otherwise, this article is effective January 1, 2023.

1.135 STATE SEAL.

Subdivision 1. **Purpose.** This section prescribes the design and states the historical symbolism of the Great Seal of the State of Minnesota.

Subd. 2. **Official seal.** The seal described in subdivision 3 is the "Great Seal of the State of Minnesota." When the seal, the impression of the seal, the scene within the seal, or its likeness is reproduced at state expense, it must conform to subdivision 3 and section 4.04. A seal, impression, scene, or likeness which does not conform to these provisions is not official.

Subd. 3. **Design.** The design of the seal is as described in this subdivision.

(a) The seal is composed of two concentric borders. The outside forms the border of the seal and the inside forms the border for the illustrations within the seal. The area between the two borders contains lettering.

(b) The seal is two inches in diameter. The outside border has a radius of one inch and resembles the serrated edge of a coin. The width of the border is 1/16 of an inch.

(c) The inside border has a radius of three-fourths of an inch and is composed of a series of closely spaced dots measuring 1/32 of an inch in diameter.

(d) Within the area between the borders "The Great Seal of the State of Minnesota" is printed in capital letters. Under that is the date "1858" with two dagger symbols separating the date and the letters. The lettering is 14-point century bold.

(e) In the area within the inside border is the portrayal of an 1858 Minnesota scene made up of various illustrations that serve to depict a settler plowing the ground near the Falls of St. Anthony while he watches an Indian on horseback riding in the distance.

(f) For the purposes of description, when the area within the inside border is divided into quadrants, the following illustrations should be clearly visible in the area described.

(1) In the upper parts of quadrants one and two, the inscription "L'Etoile du Nord" is found on the likeness of a scroll whose length is equal to twice the length of the inscription, but whose ends are twice folded underneath and serve to enhance the inscription. The lettering is 7-point century bold.

(2) In quadrant two is found a likeness of a sun whose ambient rays form a background for a male Indian in loincloth and plume riding on horseback at a gallop. The Indian is sitting erect and is holding a spear in his left hand at an upward 60-degree angle to himself and is looking toward the settler in quadrant four.

(3) In quadrant one, three pine trees form a background for a picturesque resemblance of St. Anthony Falls in 1858.

(4) In quadrants three and four, cultivated ground is found across the lower half of the seal, which provides a background for the scenes in quadrants three and four.

(5) In quadrant three, a tree stump is found with an ax embedded in the stump and a period muzzleloader resting on it. A powder flask is hanging towards the end of the barrel.

(6) In quadrant four, a white barefoot male pioneer wearing clothing and a hat of that period is plowing the earth, using an animal-drawn implement from that period. The animal is not visible. The torso of the man continues into quadrant two, and he has his legs spread apart to simulate movement. He is looking at the Indian.

Subd. 4. **Additional effects; size.** Every effort shall be made to reproduce the seal with justification to the 12 o'clock position and with attention to the authenticity of the illustrations used to create the scene within the seal. The description of the scene in this section does not preclude the graphic inclusion of the effects of movement, sunlight, or falling water when the seal is reproduced. Nor does this section prohibit the enlargement, proportioned reduction, or embossment of the seal for its use in unofficial acts.

Subd. 5. **Historical symbolism of seal.** The sun, visible on the western horizon, signifies summer in the northern hemisphere. The horizon's visibility signifies the flat plains covering much of Minnesota. The Indian on horseback is riding due south and represents the great Indian heritage of Minnesota. The Indian's horse and spear and the Pioneer's ax, rifle, and plow represent tools that were used for hunting and labor. The stump symbolizes the importance of the lumber industry in Minnesota's history. The Mississippi River and St. Anthony Falls are depicted to note the importance

of these resources in transportation and industry. The cultivated ground and the plow symbolize the importance of agriculture in Minnesota. Beyond the falls three pine trees represent the state tree and the three great pine regions of Minnesota; the St. Croix, Mississippi, and Lake Superior.

Subd. 6. **State's duties.** State agencies and departments using the seal, its impression, the scene within the seal or its likeness shall make every effort to bring any seal, impression, scene, or likeness currently fixed to a permanent object into accordance with this section and section 4.04. Expendable material to which the seal or any impression, scene, or likeness is currently affixed may be used until the supply is exhausted. All unused dies and engravings of the Great Seal shall be given to the Minnesota Historical Society, along with all historical information available about the seal, to be retained in the society's permanent collection.

1.141 STATE FLAG.

Subdivision 1. **Adoption.** The design of the state flag proposed by the Legislative Interim Commission acting under Laws 1955, chapter 632, is adopted as the official state flag.

Subd. 2. **Photograph.** The secretary of state shall file a photograph of the state flag. The secretary shall also retain custodial control over the sample design flag of the commission for use by the public for copies.

Subd. 3. **Description.** The design of the flag shall conform substantially to the following description: The staff is surmounted by a bronze eagle with outspread wings; the flag is rectangular in shape and is on a medium blue background with a narrow gold border and a golden fringe. A circular emblem is contained in the center of the blue field. The circular emblem is on a general white background with a yellow border. The word MINNESOTA is inscribed in red lettering on the lower part of the white field. The white emblem background surrounding a center design contains 19 five pointed stars arranged symmetrically in four groups of four stars each and one group of three stars. The latter group is in the upper part of the center circular white emblem. The group of stars at the top in the white emblem consists of three stars of which the uppermost star is the largest and represents the North Star. A center design is contained on the white emblem and is made up of the scenes from the Great Seal of the State of Minnesota, surrounded by a border of intertwining *Cypripedium reginae*, the state flower, on a blue field of the same color as the general flag background. The flower border design contains the figures 1819, 1858, 1893.

The coloring is the same on both sides of the flag, but the lettering and the figures appear reversed on one side.

Subd. 4. **Official flag.** The flag described above is the official flag of the state of Minnesota.

Subd. 5. **Hours of flying.** The official state flag shall be flown on the State Capitol grounds at all times between sunrise and sunset.

Subd. 6. **Folding of state flag for presentation or display.** The following procedures constitute the proper way to fold the Minnesota State Flag for presentation or display. Fold the flag four times lengthwise so that one section displays the three stars of the state crest and the text "L'Etoile du Nord." Fold each side behind the displayed section at a 90-degree angle so that the display section forms a triangle. Take the section ending with the hoist and fold it at a 90-degree angle across the bottom of the display section and then fold the hoist back over so it is aligned with the middle of the display section. Fold the other protruding section directly upwards so that its edge is flush with the display section and then fold it upwards along a 45-degree angle so that a mirror of the display section triangle is formed. Fold the mirror section in half from the point upwards, then fold the remaining portion upwards, tucking it between the display section and the remainder of the flag.

Subd. 7. **Folding of state flag for storage.** When folding the Minnesota State Flag for storage, the proper procedure is to fold and store the flag in the same manner as the national colors.

12.03 DEFINITIONS.

Subd. 5d. **Local government.** "Local government" has the meaning given in Code of Federal Regulations, title 44, section 206.2 (2012).

136F.03 CANDIDATE ADVISORY COUNCIL.

Subdivision 1. **Purpose.** A Candidate Advisory Council for the board shall assist the governor in determining criteria for, and identifying and recruiting qualified candidates for, nonstudent membership on the board.

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Subd. 2. **Membership.** The advisory council consists of 24 members. Twelve members are appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members are appointed by the speaker of the house. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of a member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 governs the advisory council, except that the members must be appointed to six-year terms.

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

(1) develop a statement of the selection criteria to be applied and a description of the responsibilities and duties of a member of the board and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the board, based on the background and experience of the candidates, and their potential for discharging the responsibilities of a member of the board.

(b) Selection criteria developed under this section must include the requirement that trustees represent diversity in geography, gender, race, occupation, and experience.

(c) Selection criteria developed under this section must also include the identification of the membership needs of the board for individual skills relevant to the governance of the Minnesota State Colleges and Universities and the needs for certain individual characteristics that include geographic location, gender, race, occupation, and experience.

Subd. 4. **Recommendations.** Except for seats filled under sections 136F.04 and 136F.045, the advisory council shall recommend at least two and not more than four candidates for each seat. By April 15 of each even-numbered year in which the governor makes appointments to the board, the advisory council shall submit its recommendations to the governor and to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education policy and finance. The governor is not bound by these recommendations.

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.

168A.01 DEFINITIONS.

Subd. 17a. **Salvage title.** "Salvage title" means a certificate of title that is issued to a vehicle declared a repairable total loss vehicle under section 168A.151 and includes an existing certificate of title that has been stamped with the legend "salvage certificate of title" in accordance with section 168A.151.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

(1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;

(2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) educate the public and governmental entities on dispute resolution options; and

(5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:

(i) establishing criteria and procedures for identification and assessment of dispute resolution projects;

(ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;

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(iii) forming multidisciplinary conflict resolution teams; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

179.91 GRANTS.

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

325F.6644 APPLICATION.

Subdivision 1. **Damage disclosure.** Section 325F.6641 does not apply to commercial motor vehicles with a gross vehicle weight rating of 16,000 pounds or more or to motorcycles.

Subd. 2. **Title branding.** Section 325F.6642 does not apply to (1) commercial motor vehicles with a gross vehicle weight rating of 16,000 pounds or more or to motorcycles, other than reconstructed vehicles, as defined in section 168A.01, subdivision 16; and (2) restored pioneer vehicles, as defined in section 168A.01, subdivision 16a.

2100.2500 EXAMINATION DATES.

Examinations for a certificate as a registered barber shall be held in the second week of February, May, August, and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held. Two additional examinations may be held when the board determines it is cost efficient.

2100.2600 APPLICATION FOR EXAMINATION.

An applicant for examination as a registered barber shall file an application for examination on forms furnished by the board. This application must be filed with the board no later than the 20th day of the month preceding the month in which the examination is to be given; provided, however, that the board shall, upon the showing of a hardship, accept applications at a later date.

Applicants for registered barber status must complete the program entitled "Home Study Course for Barbers" prepared or approved by the Board of Barber Examiners before the examination may be taken.

2100.2900 CONTENTS OF EXAMINATION.

An examination consists of five parts: a written examination and four practical services. The type of haircut, shave or beard trim, and two of the following practical services: shampoo, perm wrap, facial, or color application, will be determined at the discretion of the board.

2100.3000 GRADING OF EXAMINATION.

The registered barber examinations given pursuant to Minnesota Statutes, section 154.09, shall be graded as follows: The grading criteria for the written part of the examination and the passing grade will be established for each written examination at the time of its preparation; however, the lowest passing grade established shall never be less than 55. The grading for the practical performances part of the examination will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 75 will be the minimum passing grade for the haircut portion, and 75 will also be the minimum passing score for the average of the remaining parts of the practical performances. If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 75 on the haircut portion of the examination, or score an average of at least 75 on the remaining parts of the practical examination, the applicant will have failed the examination, and may only retake the examination after paying the necessary fee and meeting the requirements of Minnesota Statutes, section 154.05.

2100.3200 FAILURE OF EXAMINATION.

An individual who has not held a Minnesota barber registration prior to examination and who fails the examination and onetime written retake, if applicable, shall complete an additional 500 hours of barber school to be eligible to retake the examination as many times as necessary to pass.

An individual who has previously held a Minnesota barber registration as an apprentice or registered barber may take the examination as many times as necessary to reinstate the registration without additional barber school hours.

8835.0350 FINANCIAL RECORDS.

Subp. 2. **Reports.** At the end of each month of operation, a recipient shall provide the department with a report summarizing cost allocations and operating statistics for the period. Reports must be completed on forms provided or approved by the department and must be submitted no later than the last day of the month following the reporting period. The recipient shall submit to the department the final report for the contract period no later than 90 days after the contract period ends.