

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-SECOND SESSION**

**S.F. No. 3975**

(SENATE AUTHORS: KIFFMEYER)

DATE	D-PG	OFFICIAL STATUS
03/14/2022	5311	Introduction and first reading Referred to State Government Finance and Policy and Elections
04/05/2022	6487a	Comm report: To pass as amended and re-refer to Finance
04/07/2022		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to state government; specifying the performance of legal services by the

1.3 Office of the Attorney General; designating a state fossil; modifying provisions

1.4 related to the legislative budget office; precluding adoption of certain rules;

1.5 requiring amendment to certain rules; precluding enforcing unadopted rules;

1.6 establishing standard time year round beginning in 2030 if year round daylight

1.7 saving time is not allowed; modifying renewable energy requirements for

1.8 state-funded construction projects; requiring study of the a center for amateur

1.9 sports and training in Dakota County; authorizing the executive director of the

1.10 Legislative Coordinating Commission to enter contracts; modifying enabling

1.11 statute for Legislative Salary Council and Mississippi River Parkway Commission;

1.12 increasing fiscal safeguards for state grants to nonprofit organizations; modifying

1.13 Board of Cosmetologist Examiners provisions; making new rules inapplicable to

1.14 previously authorized electronic pull-tab devices, games, and systems; adding to

1.15 acceptable uses of the breeders fund; expanding eligibility for long-term equity

1.16 investment for local governments; extending the sunset date of the Capitol Area

1.17 Security Advisory Committee; authorizing separation and retention incentive

1.18 programs for employees of the Department of Iron Range Resources and

1.19 Rehabilitation; changing a reinstatement provision for certified public accountants;

1.20 repealing procedures related to the automatic revocation of certain public accountant

1.21 certificates; repealing the Candidate Advisory Commission for Minnesota State

1.22 Colleges and Universities Board of Trustees; limiting certain types of contributions

1.23 that grant; decreasing certain registration thresholds; classifying data in the

1.24 statewide voter registration system; modifying provisions related to sample ballots

1.25 and applications; prohibiting local governments from accepting certain contributions

1.26 for election expenses; modifying various provisions related to voting and absentee

1.27 voting; amending requirements on releasing vote totals; appropriating money;

1.28 requiring a report; making technical and conforming changes; amending Minnesota

1.29 Statutes 2020, sections 3.303, subdivision 6; 3.8853, subdivision 4, by adding a

1.30 subdivision; 3.98, subdivision 1; 10A.01, subdivision 10; 10A.105, subdivision

1.31 1; 10A.14, subdivision 1; 10A.20, subdivision 6; 10A.25, subdivision 2; 10A.273,

1.32 subdivision 1; 13.607, by adding a subdivision; 13.64, subdivisions 3, 4; 15A.0825,

1.33 subdivisions 1, 2, 3; 16B.32, subdivision 1a; 16B.325, subdivision 1; 16B.98,

1.34 subdivision 8; 116.07, subdivision 2, by adding a subdivision; 118A.09,

1.35 subdivisions 1, 2; 136F.02, subdivision 1; 155A.20; 155A.23, subdivisions 8, 11,

1.36 18, by adding a subdivision; 155A.25, subdivision 1a; 155A.27, subdivisions 1,

1.37 5a, 6, 7, 10, by adding a subdivision; 155A.271, subdivision 1; 155A.29,

1.38 subdivisions 1, 4; 155A.30, subdivisions 2, 3, 4, 6, 11; 161.1419, subdivision 2;

2.1 201.022, by adding a subdivision; 201.091, subdivisions 4, 4a, by adding a  
 2.2 subdivision; 201.121, subdivision 1; 203B.07, subdivisions 1, 2, 3; 203B.081,  
 2.3 subdivision 1; 203B.121, subdivision 5, by adding subdivisions; 203B.21,  
 2.4 subdivisions 1, 3; 203B.23, subdivision 2; 204B.32, by adding a subdivision;  
 2.5 204B.36, subdivision 1; 204C.19, subdivision 3; 204D.16; 206.83; 299E.04,  
 2.6 subdivision 5; 326A.09; 349.151, subdivision 4d; 349.1721, subdivisions 1, 2;  
 2.7 Minnesota Statutes 2021 Supplement, sections 203B.08, subdivision 1; 203B.082;  
 2.8 203B.121, subdivisions 1, 4; 203B.24, subdivision 1; 206.805, subdivision 1;  
 2.9 240.131, subdivision 7; Laws 2021, First Special Session chapter 12, article 1,  
 2.10 section 6; proposing coding for new law in Minnesota Statutes, chapters 1; 8; 14;  
 2.11 15; 16B; 118A; 203B; 211B; 645; repealing Minnesota Statutes 2020, sections  
 2.12 13.607, subdivision 6; 136F.03; 201.091, subdivision 9; 326A.04, subdivision 11;  
 2.13 645.071; Minnesota Rules, parts 7023.0150; 7023.0200; 7023.0250; 7023.0300.

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

2.15 **ARTICLE 1**

2.16 **STATE GOVERNMENT APPROPRIATIONS**

2.17 Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

2.18 The sums shown in the columns marked "Appropriations" are added to or, if shown in  
 2.19 parentheses, subtracted from the appropriations in Laws 2021, First Special Session chapter  
 2.20 12, article 1, to the agencies and for the purposes specified in this article. The appropriations  
 2.21 are from the general fund, or another named fund, and are available for the fiscal years  
 2.22 indicated for each purpose. The figures "2022" and "2023" used in this article mean that  
 2.23 the appropriations listed under them are available for the fiscal year ending June 30, 2022,  
 2.24 or June 30, 2023, respectively. All base adjustments identified within this article are  
 2.25 adjustments to the base contained in Laws 2021, First Special Session chapter 12, article  
 2.26 1.

2.27 **APPROPRIATIONS**

2.28 **Available for the Year**

2.29 **Ending June 30**

2.30 **2022**

**2023**

2.31 Sec. 2. <b><u>SECRETARY OF STATE</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>6,000,000</u></b>
2.32 <u>\$6,000,000 in fiscal year 2023 is to make</u>				
2.33 <u>grants to local units of government to (1) hire</u>				
2.34 <u>temporary staff to enter voter registration</u>				
2.35 <u>applications into the statewide voter</u>				
2.36 <u>registration system as required under</u>				
2.37 <u>Minnesota Statutes, section 201.121,</u>				
2.38 <u>subdivision 1, (2) comply with livestreaming</u>				
2.39 <u>requirements under Minnesota Statutes,</u>				



4.1 **ARTICLE 2**

4.2 **STATE GOVERNMENT OPERATIONS**

4.3 Section 1. **[1.1466] STATE FOSSIL.**

4.4 Subdivision 1. **Designation.** *Castoroides ohioensis*, commonly known as the giant  
 4.5 beaver, is designated as the official state fossil of the state of Minnesota.

4.6 Subd. 2. **Photograph.** A photograph of the giant beaver, approved by the commissioner  
 4.7 of natural resources, shall be preserved and may be displayed in the Office of the Secretary  
 4.8 of State.

4.9 Sec. 2. Minnesota Statutes 2020, section 3.303, subdivision 6, is amended to read:

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

4.13 (b) The executive director may enter into contracts in compliance with section 3.225 to  
 4.14 provide necessary services and supplies for the house of representatives and the senate, and  
 4.15 for legislative commissions and joint legislative offices. A contract for professional or  
 4.16 technical services that is valued at more than \$50,000 may be made only after the executive  
 4.17 director has received written approval from the chair and vice-chair of the commission.

4.18 Sec. 3. Minnesota Statutes 2020, section 3.8853, subdivision 4, is amended to read:

4.19 Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative  
 4.20 Budget Office, the head or chief administrative officer of each department or agency of  
 4.21 state government, including the supreme court, must promptly supply data ~~that are used to~~  
 4.22 used by the agency to prepare or necessary for the Legislative Budget Office to review or  
 4.23 prepare a fiscal note, including data that are not public data under section 13.64 or other  
 4.24 applicable law, unless there are federal laws or regulations that prohibit the provision of the  
 4.25 not public data for this purpose. Not public data supplied under this subdivision may only  
 4.26 be used by the Legislative Budget Office to review a department or agency's work in  
 4.27 preparing a fiscal note and may not be used or disseminated for any other purpose, including  
 4.28 use by or dissemination to a legislator or to any officer, department, agency, or committee  
 4.29 within the legislative branch. Violation of this subdivision by the director or other staff of  
 4.30 the Legislative Budget Office is cause for removal, suspension without pay, or immediate  
 4.31 dismissal at the direction of the oversight commission.

5.1 Sec. 4. Minnesota Statutes 2020, section 3.8853, is amended by adding a subdivision to  
5.2 read:

5.3 Subd. 4a. Access to employees. Upon request of the director of the Legislative Budget  
5.4 Office, the head or chief administrative officer of each department or agency of state  
5.5 government, including the supreme court, must permit reasonable access to employees with  
5.6 subject matter expertise to assist the Legislative Budget Office prepare and review fiscal  
5.7 notes or enacted legislation.

5.8 Sec. 5. Minnesota Statutes 2020, section 3.98, subdivision 1, is amended to read:

5.9 Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each  
5.10 department or agency of the state government, including the supreme court, shall prepare  
5.11 a fiscal note consistent with the standards and procedures adopted under section 3.8853, at  
5.12 the request of the chair of the standing committee to which a bill has been referred, or the  
5.13 chair of the house of representatives Ways and Means Committee, or the chair of the senate  
5.14 Committee on Finance, and as assigned by the director of the Legislative Budget Office.  
5.15 The Legislative Budget Office may prepare a fiscal note if an agency does not comply with  
5.16 this subdivision.

5.17 (b) For purposes of this subdivision, "supreme court" includes all agencies, committees,  
5.18 and commissions supervised or appointed by the state supreme court or the state court  
5.19 administrator.

5.20 Sec. 6. **[8.011] PERFORMANCE OF LEGAL SERVICES.**

5.21 (a) Except as otherwise provided by law, all legal services of the Office of the Attorney  
5.22 General shall be performed exclusively by:

5.23 (1) an employee of the office;

5.24 (2) an employee of another Minnesota governmental entity as may be provided by law;

5.25 or

5.26 (3) an employee of a federal governmental entity pursuant to an agreement between the  
5.27 attorney general and the federal governmental entity.

5.28 Except as otherwise provided under this section, the sole source of compensation paid to  
5.29 employees of the Office of the Attorney General for performing legal services on behalf of  
5.30 the state shall be from the appropriations provided under this chapter or from an appropriation  
5.31 by law. In a case in which the attorney general is authorized under law to contract with,  
5.32 hire, or engage a person other than a person described in clauses (1), (2), or (3) to perform

6.1 legal services on behalf of the state, the sole consideration for the legal services shall be a  
 6.2 monetary amount bargained for in an arm's length transaction with the person and the  
 6.3 attorney general or another Minnesota governmental entity, and must state under what  
 6.4 authority the attorney general enters the contract.

6.5 (b) Only persons described in paragraph (a), clause (1), (2), or (3), shall perform legal  
 6.6 services on premises leased by the attorney general.

6.7 (c) Nothing in this section prohibits the attorney general from entering into a settlement  
 6.8 agreement with a defendant arising from a case litigated or prosecuted by a federal  
 6.9 governmental entity, local governmental entity, or an attorney general's office in another  
 6.10 state or a United States territory. Nothing in this section prohibits the attorney general from  
 6.11 employing and providing office space to an unpaid intern assisting in performing legal  
 6.12 services, provided that the intern does not possess a current license to practice law in  
 6.13 Minnesota, any other state or commonwealth, or any United States territory.

6.14 Sec. 7. Minnesota Statutes 2020, section 13.64, subdivision 3, is amended to read:

6.15 Subd. 3. **Unofficial fiscal note.** (a) For purposes of this subdivision, "unofficial fiscal  
 6.16 note" means a fiscal note requested by or on behalf of a member of the legislature on draft  
 6.17 language for a bill that has not been introduced. Unofficial fiscal notes are public data unless  
 6.18 a classification under paragraph (b) applies.

6.19 (b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a  
 6.20 directive from the requester that the data be classified under this ~~paragraph~~ subdivision.  
 6.21 Government data on the request, the bill draft, and the unofficial fiscal note are private data  
 6.22 on individuals or nonpublic data, ~~provided~~ except that the data are accessible to, and may  
 6.23 be disclosed by, the requester. If the proposed bill draft used to develop the unofficial fiscal  
 6.24 note or an updated version is subsequently used for an introduced bill, or any legislation,  
 6.25 including an amendment or a proposed bill, that any member of the legislature offers for  
 6.26 consideration by a legislative committee introduced as a bill, included in an introduced bill,  
 6.27 offered as an amendment, or otherwise distributed by the requester at a public meeting or  
 6.28 event, or if an unofficial fiscal note is distributed by the requester at a public meeting or  
 6.29 event, the fiscal note becomes public data.

6.30 (c) An agency must not share data that is classified under this subdivision as nonpublic  
 6.31 data or private data on individuals with another agency without authorization from the bill  
 6.32 author, as obtained from the director of the Legislative Budget Office. This paragraph  
 6.33 supersedes any authorization to share data with the commissioner of management and budget  
 6.34 under section 15.08 or 16A.06, subdivision 7, or other applicable law.

7.1 Sec. 8. Minnesota Statutes 2020, section 13.64, subdivision 4, is amended to read:

7.2 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A head or  
 7.3 chief administrative officer of a department or agency of the state government, including  
 7.4 the supreme court, must provide data that are used to prepare a fiscal note or for the  
 7.5 Legislative Budget Office to review the accuracy of fiscal notes on enacted legislation,  
 7.6 including data that are not public data under this section to the director of the Legislative  
 7.7 Budget Office upon the director's request and consistent with section 3.8853, subdivision  
 7.8 4, unless there are federal laws or regulations that prohibit the provision of the not public  
 7.9 data for this purpose. The data must be supplied according to any standards and procedures  
 7.10 adopted under section 3.8853, subdivision 3, including any standards and procedures  
 7.11 governing timeliness. Notwithstanding section 13.05, subdivision 9, a responsible authority  
 7.12 may not require the Legislative Budget Office to pay a cost for supplying data requested  
 7.13 under this subdivision.

7.14 Sec. 9. **[14.1271] LEGISLATIVE APPROVAL OF RULES BY REFERENCE TO**  
 7.15 **ANOTHER STATE.**

7.16 A proposed rule that includes or incorporates by reference a statute or rule of another  
 7.17 state must be submitted to the standing committee of the house of representatives and  
 7.18 standing committee of the senate with jurisdiction over the subject matter of the rule at least  
 7.19 90 days prior to the publication of the notice of intent to adopt the rule under section 14.22,  
 7.20 subdivision 1a; 14.389, subdivision 2; or 14.3895, subdivision 3; publication of a dual notice  
 7.21 under section 14.22, subdivision 2; or publication of a notice of hearing on a proposed rule  
 7.22 under section 14.14. The proposed rule may not be adopted until the rule is approved by a  
 7.23 law enacted during the legislative session that began after or is meeting when the proposed  
 7.24 rule is received.

7.25 Sec. 10. **[15.0561] CONSUMER CHOICE OF FUEL; RESTRICTIONS**  
 7.26 **PROHIBITED.**

7.27 (a) A state agency may not adopt rules that:

7.28 (1) restrict consumer choice in purchasing motorized equipment based on the equipment's  
 7.29 fuel source; or

7.30 (2) mandate retailer inventory of motorized equipment based on the equipment's fuel  
 7.31 source.

7.32 (b) For purposes of this section, "motorized equipment" means:

8.1 (1) tools, including but not limited to generators, lawn mowers, pressure washers, chain  
 8.2 saws, leaf blowers, and weed trimmers;

8.3 (2) recreational vehicles, including but not limited to golf carts, motorcycles, off-highway  
 8.4 vehicles, snowmobiles, and watercraft;

8.5 (3) new or used passenger automobiles;

8.6 (4) farm equipment, as defined in section 325E.061; and

8.7 (5) medium and heavy duty trucks.

8.8 Sec. 11. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

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

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

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

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

8.17 (c) One-half of the members appointed by the governor and one-half of the members  
 8.18 appointed by the chief justice must belong to the political party that has the most members  
 8.19 in the legislature. One-half of the members appointed by the governor and one-half of the  
 8.20 members appointed by the chief justice must belong to the political party that has the second  
 8.21 most members in the legislature.

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

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

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

8.25 (3) a current employee of the legislature;

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

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

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

9.1 Sec. 12. Minnesota Statutes 2020, section 15A.0825, subdivision 2, is amended to read:

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

9.10 Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 3, is amended to read:

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

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

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

9.20 Sec. 14. Minnesota Statutes 2020, section 16B.32, subdivision 1a, is amended to read:

9.21 Subd. 1a. **Onsite energy generation from renewable sources.** A state agency that  
 9.22 prepares a predesign for a new building must consider meeting at least two percent of the  
 9.23 energy needs of the building from renewable sources ~~located on the building site.~~ For  
 9.24 purposes of this subdivision, "renewable sources" are limited to wind and the sun. ~~The~~  
 9.25 ~~predesign must include an explicit cost and price analysis of complying with the two-percent~~  
 9.26 ~~requirement compared with the present and future costs of energy supplied by a public~~  
 9.27 ~~utility from a location away from the building site and the present and future costs of~~  
 9.28 ~~controlling carbon emissions. If the analysis concludes that the building should not meet at~~  
 9.29 ~~least two percent of its energy needs from renewable sources located on the building site,~~  
 9.30 ~~the analysis must provide explicit reasons why not.~~ The building may not receive further  
 9.31 state appropriations for design or construction unless at least two percent of its energy needs  
 9.32 are designed to be met from renewable sources, unless the commissioner finds that the

10.1 reasons given by the agency for not meeting the two-percent requirement were supported  
10.2 by evidence in the record.

10.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
10.4 applies to any new building project for which the predesign work is completed after the day  
10.5 of enactment.

10.6 Sec. 15. Minnesota Statutes 2020, section 16B.325, subdivision 1, is amended to read:

10.7 Subdivision 1. **Development of sustainable building guidelines.** The Department of  
10.8 Administration and the Department of Commerce, with the assistance of other agencies,  
10.9 shall develop sustainable building design guidelines for all new state buildings by January  
10.10 15, 2003, and for all major renovations of state buildings by February 1, 2009. The primary  
10.11 objectives of these guidelines are to ensure that all new state buildings, and major renovations  
10.12 of state buildings, initially exceed the state energy code, as established in Minnesota Rules,  
10.13 chapter 7676, by at least 30 percent. The guidelines shall not require that renewable energy  
10.14 sources be located on the building site.

10.15 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
10.16 applies to any new building project for which the predesign work is completed after the day  
10.17 of enactment.

10.18 Sec. 16. **[16B.971] GRANTS TO NONPROFIT ORGANIZATIONS.**

10.19 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the  
10.20 meanings given.

10.21 (b) "Certified financial audit" means a review of an organization's financial statements,  
10.22 fiscal policies, and control procedures by an independent third party to determine if the  
10.23 statements fairly represent the organization's financial position and if organizational  
10.24 procedures are in accordance with generally accepted accounting principles.

10.25 (c) "Fiscal agent" means the commissioner or head of the state agency responsible for  
10.26 administering a grant.

10.27 (d) "Grant" means a grant of state money from any source.

10.28 (e) "Organization" means a nongovernmental organization that is tax exempt under the  
10.29 Internal Revenue Code.

10.30 Subd. 2. **Requirements for eligibility.** (a) For an organization to be eligible to receive  
10.31 a grant, the organization must meet the following criteria:

11.1 (1) the organization must submit to the fiscal agent the relevant series Internal Revenue  
 11.2 Service Form 990 in each of the two years preceding the execution of a grant agreement;

11.3 (2) the organization must not compensate an officer or employee in an amount greater  
 11.4 than the governor's annual compensation in a 12-month period during the first fiscal year  
 11.5 beginning, during, or after the 12-month period or in the following fiscal year. Compensation  
 11.6 for purposes of this section includes salary, bonuses, the present value of stock options, the  
 11.7 value of employment benefits, employer contributions to retirement or deferred compensation  
 11.8 plans on behalf of the officer or employee, and any other compensation or benefit of value;  
 11.9 and

11.10 (3) the organization must not have on its governing board a voting member who is:

11.11 (i) an employee of a state agency; or

11.12 (ii) an official elected to serve in a state, county, or local government office.

11.13 Subd. 3. **Additional eligibility requirements for certain nonprofit organizations.** For  
 11.14 an organization that received more than 50 percent of revenue from state funds in the fiscal  
 11.15 year preceding the organization's grant application to be eligible to receive a grant, the  
 11.16 organization must meet the following criteria:

11.17 (1) the organization must submit to the fiscal agent certified financial audits of the most  
 11.18 recent two fiscal years preceding the grant application; and

11.19 (2) officers and members of the governing board of the organization must not have been  
 11.20 convicted of any offense involving theft, fraud, embezzlement, or other misuse or  
 11.21 misappropriation of funds or property. The commissioner of administration must conduct  
 11.22 background checks on officers and members of the governing body of the organization  
 11.23 before an agency may enter into a grant agreement with the organization.

11.24 Subd. 4. **Notice to legislature of ineligibility.** If a grant has been awarded by law to a  
 11.25 specified organization that the commissioner determines is ineligible to receive the grant  
 11.26 under subdivision 2 or 3, the commissioner must promptly report that determination to the  
 11.27 chair of the committee on finance in the senate and the chair of the committee on ways and  
 11.28 means in the house of representatives.

11.29 Subd. 5. **Grant application.** (a) A fiscal agent administering a grant program must  
 11.30 require the following information as part of a grant application:

11.31 (1) the purpose of the grant, including goals, priorities, and measurable outcomes;

11.32 (2) eligibility requirements for individuals who will be served by the grant program;

12.1 (3) the proposed geographic service areas for individuals served by the grant;

12.2 (4) the reporting requirements; and

12.3 (5) certification that the applicant is eligible under subdivisions 2 and 3 to receive a  
 12.4 grant.

12.5 These requirements are in addition to any requirements under existing laws and policies.

12.6 (b) An organization that is specifically identified in law to receive a grant must provide  
 12.7 the information in paragraph (a) to the commissioner of the fiscal agent for the grant before  
 12.8 the commissioner may execute the grant agreement.

12.9 Subd. 6. **Reporting on use of funds.** (a) Organizations must provide the following  
 12.10 information to the fiscal agent:

12.11 (1) a detailed accounting of the use of any grant proceeds;

12.12 (2) a description of program outcomes to date, including performance measured against  
 12.13 indicators specified in the grant agreement, including but not limited to job creation,  
 12.14 employment activity, wage information, business formation or expansion, and academic  
 12.15 performance; and

12.16 (3) the portion of the grant, if any, spent on the recipient's operating expenses.

12.17 Grant recipients must report the information required under this paragraph to the fiscal agent  
 12.18 within one year after receiving any portion of the grant, and annually thereafter, and within  
 12.19 30 days following the use of all funds provided under the grant.

12.20 (b) The fiscal agent for a grant to an organization must submit a report containing the  
 12.21 information provided by the grant recipients to the chairs and ranking minority members  
 12.22 of the legislative committees and budget divisions with jurisdiction over the agency serving  
 12.23 as fiscal agent for the grant. The report submitted under this section must also include the  
 12.24 commissioner's summary of the use of grant proceeds and an analysis of the grant recipients'  
 12.25 success in meeting the goals, priorities, and measurable outcomes specified for the grant.  
 12.26 An updated version of this report must be submitted on January 15 of each succeeding year  
 12.27 until January 15 in the year following the date when all of the grant funds have been spent.

12.28 Subd. 7. **Notice to legislature of fraud or abuse claims.** If the commissioner of  
 12.29 administration or the Department of Administration Office of Grants Management receives  
 12.30 a comment or concern about fraud or waste for a grant made by law to a specified  
 12.31 organization, the commissioner must promptly report the comment or concern to the chair

13.1 of the committee on finance in the senate and the chair of the committee on ways and means  
 13.2 in the house of representatives.

13.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 13.4 applies to grants appropriated by law after the effective date and to grant agreements executed  
 13.5 after the effective date.

13.6 Sec. 17. Minnesota Statutes 2020, section 16B.98, subdivision 8, is amended to read:

13.7 Subd. 8. **Audit.** (a) A grant agreement made by an executive agency must include an  
 13.8 audit clause that provides:

13.9 (1) that the books, records, documents, and accounting procedures and practices of the  
 13.10 grantee receiving a grant of more than \$500,000 are subject to examination by the granting  
 13.11 agency and either the legislative auditor or the state auditor, as appropriate, for a period of  
 13.12 two years prior to the execution of the grant agreement for a grant and during the term of  
 13.13 the grant agreement; and

13.14 (2) that the books, records, documents, and accounting procedures and practices of the  
 13.15 grantee or other party that are relevant to the grant or transaction are subject to examination  
 13.16 by the granting agency and either the legislative auditor or the state auditor, as appropriate,  
 13.17 for a minimum of six years from the grant agreement end date, receipt and approval of all  
 13.18 final reports, or the required period of time to satisfy all state and program retention  
 13.19 requirements, whichever is later. If a grant agreement does not include an express audit  
 13.20 clause, the audit authority under this subdivision is implied.

13.21 (b) If a grant agreement does not include an express audit clause, the audit authority  
 13.22 under this subdivision is implied.

13.23 ~~(b)~~ (c) If the granting agency is a local unit of government, and the governing body of  
 13.24 the local unit of government requests that the state auditor examine the books, records,  
 13.25 documents, and accounting procedures and practices of the grantee or other party according  
 13.26 to this subdivision, the granting agency shall be liable for the cost of the examination. If  
 13.27 the granting agency is a local unit of government, and the grantee or other party requests  
 13.28 that the state auditor examine all books, records, documents, and accounting procedures  
 13.29 and practices related to the grant, the grantee or other party that requested the examination  
 13.30 shall be liable for the cost of the examination.

13.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 13.32 applies to grants appropriated by law after the effective date and to grant agreements executed  
 13.33 after the effective date.

14.1 Sec. 18. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

14.2 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air  
14.3 quality by promoting, in the most practicable way possible, the use of energy sources and  
14.4 waste disposal methods which produce or emit the least air contaminants consistent with  
14.5 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt  
14.6 standards of air quality, not including maximum allowable standards of emission of air  
14.7 contaminants from motor vehicles, recognizing that due to variable factors, no single standard  
14.8 of purity of air is applicable to all areas of the state. In adopting standards the Pollution  
14.9 Control Agency shall give due recognition to the fact that the quantity or characteristics of  
14.10 air contaminants or the duration of their presence in the atmosphere, which may cause air  
14.11 pollution in one area of the state, may cause less or not cause any air pollution in another  
14.12 area of the state, and it shall take into consideration in this connection such factors, including  
14.13 others which it may deem proper, as existing physical conditions, zoning classifications,  
14.14 topography, prevailing wind directions and velocities, and the fact that a standard of air  
14.15 quality which may be proper as to an essentially residential area of the state, may not be  
14.16 proper as to a highly developed industrial area of the state. Such standards of air quality  
14.17 shall be premised upon scientific knowledge of causes as well as effects based on technically  
14.18 substantiated criteria and commonly accepted practices. No local government unit shall set  
14.19 standards of air quality which are more stringent than those set by the Pollution Control  
14.20 Agency.

14.21 (b) The Pollution Control Agency shall promote solid waste disposal control by  
14.22 encouraging the updating of collection systems, elimination of open dumps, and  
14.23 improvements in incinerator practices. The agency shall also adopt standards for the control  
14.24 of the collection, transportation, storage, processing, and disposal of solid waste and sewage  
14.25 sludge for the prevention and abatement of water, air, and land pollution, recognizing that  
14.26 due to variable factors, no single standard of control is applicable to all areas of the state.  
14.27 In adopting standards, the Pollution Control Agency shall give due recognition to the fact  
14.28 that elements of control which may be reasonable and proper in densely populated areas of  
14.29 the state may be unreasonable and improper in sparsely populated or remote areas of the  
14.30 state, and it shall take into consideration in this connection such factors, including others  
14.31 which it may deem proper, as existing physical conditions, topography, soils and geology,  
14.32 climate, transportation, and land use. Such standards of control shall be premised on technical  
14.33 criteria and commonly accepted practices.

14.34 (c) The Pollution Control Agency shall also adopt standards describing the maximum  
14.35 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,

15.1 recognizing that due to variable factors no single standard of sound pressure is applicable  
15.2 to all areas of the state. Such standards shall give due consideration to such factors as the  
15.3 intensity of noises, the types of noises, the frequency with which noises recur, the time  
15.4 period for which noises continue, the times of day during which noises occur, and such  
15.5 other factors as could affect the extent to which noises may be injurious to human health  
15.6 or welfare, animal or plant life, or property, or could interfere unreasonably with the  
15.7 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall  
15.8 give due recognition to the fact that the quantity or characteristics of noise or the duration  
15.9 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of  
15.10 the state, may cause less or not cause any noise pollution in another area of the state, and  
15.11 it shall take into consideration in this connection such factors, including others which it  
15.12 may deem proper, as existing physical conditions, zoning classifications, topography,  
15.13 meteorological conditions and the fact that a standard which may be proper in an essentially  
15.14 residential area of the state, may not be proper as to a highly developed industrial area of  
15.15 the state. Such noise standards shall be premised upon scientific knowledge as well as effects  
15.16 based on technically substantiated criteria and commonly accepted practices. No local  
15.17 governing unit shall set standards describing the maximum levels of sound pressure which  
15.18 are more stringent than those set by the Pollution Control Agency.

15.19 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous  
15.20 waste and for the management, identification, labeling, classification, storage, collection,  
15.21 transportation, processing, and disposal of hazardous waste, recognizing that due to variable  
15.22 factors, a single standard of hazardous waste control may not be applicable to all areas of  
15.23 the state. In adopting standards, the Pollution Control Agency shall recognize that elements  
15.24 of control which may be reasonable and proper in densely populated areas of the state may  
15.25 be unreasonable and improper in sparsely populated or remote areas of the state. The agency  
15.26 shall consider existing physical conditions, topography, soils, and geology, climate,  
15.27 transportation and land use. Standards of hazardous waste control shall be premised on  
15.28 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses  
15.29 may be issued for a term not to exceed five years. No local government unit shall set  
15.30 standards of hazardous waste control which are in conflict or inconsistent with those set by  
15.31 the Pollution Control Agency.

15.32 (e) A person who generates less than 100 kilograms of hazardous waste per month is  
15.33 exempt from the following agency hazardous waste rules:

15.34 (1) rules relating to transportation, manifesting, storage, and labeling for photographic  
15.35 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

16.1 (2) any rule requiring the generator to send to the agency or commissioner a copy of  
 16.2 each manifest for the transportation of hazardous waste for off-site treatment, storage, or  
 16.3 disposal, except that counties within the metropolitan area may require generators to provide  
 16.4 manifests.

16.5 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site  
 16.6 accumulation or outdoor storage. A political subdivision or other local unit of government  
 16.7 may not adopt management requirements that are more restrictive than this paragraph.

16.8 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,  
 16.9 solid waste, or hazardous waste under this chapter, or standards for water quality under  
 16.10 chapter 115, the statement of need and reasonableness must include:

16.11 (1) an assessment of any differences between the proposed rule and:

16.12 (i) existing federal standards adopted under the Clean Air Act, United States Code, title  
 16.13 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)  
 16.14 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title  
 16.15 42, section 6921(b)(1);

16.16 (ii) similar standards in states bordering Minnesota; and

16.17 (iii) similar standards in states within the Environmental Protection Agency Region 5;  
 16.18 and

16.19 (2) a specific analysis of the need and reasonableness of each difference.

16.20 Sec. 19. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
 16.21 read:

16.22 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must  
 16.23 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,  
 16.24 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive  
 16.25 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual  
 16.26 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted  
 16.27 according to the rulemaking process provided under chapter 14. If an unadopted rule is  
 16.28 challenged under section 14.381, the commissioner must cease enforcement of the unadopted  
 16.29 rule and overcome a presumption that the unadopted rule must be adopted according to the  
 16.30 rulemaking process provided under chapter 14.

17.1 Sec. 20. Minnesota Statutes 2020, section 118A.09, subdivision 1, is amended to read:

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

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

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

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

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

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

17.15 Sec. 21. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

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

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

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

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

17.25 Sec. 22. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT**  
 17.26 **AUTHORITY.**

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

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

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

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

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

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

18.9 Sec. 23. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

18.10 Subdivision 1. **Membership.** The board consists of 15 members appointed by the  
 18.11 governor, including three members who are students who have attended an institution for  
 18.12 at least one year and are enrolled at the time of appointment at least half time in a degree,  
 18.13 diploma, or certificate program in an institution governed by the board. The student members  
 18.14 shall include one member from a community college, one member from a state university,  
 18.15 and one member from a technical college. One member representing labor must be appointed  
 18.16 after considering the recommendations made under section 136F.045. The governor is not  
 18.17 bound by the recommendations. Appointments to the board are with the advice and consent  
 18.18 of the senate. At least one member of the board must be a resident of each congressional  
 18.19 district. All other members must be appointed to represent the state at large. In selecting  
 18.20 appointees, the governor must consider the needs of the board and the balance of the board  
 18.21 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,  
 18.22 and ethnic composition; and occupation and experience. In selecting appointees, the governor  
 18.23 must consider the needs of the board for skills relevant to the governance of the Minnesota  
 18.24 State Colleges and Universities and the candidate's ability to discharge the responsibilities  
 18.25 of the board.

18.26 A commissioner of a state agency may not serve as a member of the board.

18.27 Sec. 24. Minnesota Statutes 2020, section 155A.20, is amended to read:

18.28 **155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.**

18.29 (a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ 11 members,  
 18.30 appointed by the governor as follows:

18.31 (1) two cosmetologists, one of whom is recommended by a professional association of  
 18.32 cosmetologists, nail technicians, and estheticians;

19.1 (2) two school instructors, one of whom is teaching at a public cosmetology school in  
 19.2 the state and one of whom is teaching at a private cosmetology school in the state;

19.3 (3) one esthetician;

19.4 (4) one advanced practice esthetician;

19.5 ~~(4)~~ (5) one nail technician; and

19.6 (6) one hair technician; and

19.7 ~~(5) one~~ (7) three public member members, as defined in section 214.02.

19.8 (b) All cosmetologist, esthetician, advanced practice esthetician, hair technician, and  
 19.9 nail technician members must be currently licensed in the field of cosmetology, advanced  
 19.10 practice esthiology, hair technology, nail technology, or esthetology, esthiology in Minnesota,  
 19.11 have practiced in the licensed occupation for at least five years immediately prior to their  
 19.12 appointment, ~~be graduates from grade 12 of high school or have equivalent education,~~ and  
 19.13 have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and  
 19.14 2110.

19.15 (c) Membership terms, compensation of members, removal of members, the filling of  
 19.16 membership vacancies, and fiscal year and reporting requirements shall be as provided in  
 19.17 sections 214.07 to 214.09. The provision of staff, administrative services, and office space;  
 19.18 the review and processing of complaints; the setting of board fees; and other provisions  
 19.19 relating to board operations shall be as provided in chapter 214.

19.20 (d) Members appointed to fill vacancies caused by death, resignation, or removal shall  
 19.21 serve during the unexpired term of their predecessors.

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

19.23 Sec. 25. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

19.24 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,  
 19.25 advanced practice esthetician, hair technician, nail technician practitioner, or eyelash  
 19.26 technician ~~practitioner~~, and who has a manager license and provides any services under that  
 19.27 license, as defined in subdivision 3.

19.28 **EFFECTIVE DATE.** This section is effective January 1, 2024.

20.1 Sec. 26. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

20.2 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare  
 20.3 and present the theoretical and practical education of cosmetology to persons who seek to  
 20.4 practice cosmetology. ~~An instructor must maintain an active operator or manager's license~~  
 20.5 ~~in the area in which the instructor holds an instructor's license.~~ While an instructor holds an  
 20.6 active instructor license, the instructor's license as an operator or a salon manager in the  
 20.7 same field is automatically renewed without fees with a term ending when the instructor  
 20.8 license expires.

20.9 **EFFECTIVE DATE.** This section is effective January 1, 2024.

20.10 Sec. 27. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

20.11 Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager  
 20.12 in the practice of cosmetology, esthiology, advanced practice esthiology, hair technology  
 20.13 services, nail technology services, or eyelash technology services.

20.14 **EFFECTIVE DATE.** This section is effective January 1, 2024.

20.15 Sec. 28. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision  
 20.16 to read:

20.17 Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation,  
 20.18 performs personal services for the cosmetic care of hair on the scalp. Hair technician services  
 20.19 include cutting hair and the application of dyes, bleach, reactive chemicals, keratin, or other  
 20.20 preparations to color or alter the structure of hair. A person who only performs hairstyling  
 20.21 as defined by subdivision 19 is not a hair technician.

20.22 **EFFECTIVE DATE.** This section is effective January 1, 2024.

20.23 Sec. 29. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

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

20.26 (b) ~~Three-year~~ Four-year license fees are as follows:

20.27 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

20.28 (i) \$155 for each initial license; and

20.29 (ii) \$40 for each initial license application fee;

20.30 (2) \$115 renewal of practitioner license, divided as follows:

- 21.1 (i) \$100 for each renewal license; and
- 21.2 (ii) \$15 for each renewal application fee;
- 21.3 (3) \$145 renewal of manager or instructor license, divided as follows:
- 21.4 (i) \$130 for each renewal license; and
- 21.5 (ii) \$15 for each renewal application fee;
- 21.6 (4) \$350 initial salon license, divided as follows:
- 21.7 (i) \$250 for each initial license; and
- 21.8 (ii) \$100 for each initial license application fee;
- 21.9 (5) \$225 renewal of salon license, divided as follows:
- 21.10 (i) \$175 for each renewal; and
- 21.11 (ii) \$50 for each renewal application fee;
- 21.12 (6) \$4,000 initial school license, divided as follows:
- 21.13 (i) \$3,000 for each initial license; and
- 21.14 (ii) \$1,000 for each initial license application fee; and
- 21.15 (7) \$2,500 renewal of school license, divided as follows:
- 21.16 (i) \$2,000 for each renewal; and
- 21.17 (ii) \$500 for each renewal application fee.
- 21.18 (c) Penalties may be assessed in amounts up to the following:
- 21.19 (1) reinspection fee, \$150;
- 21.20 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 21.21 (3) expired practitioner or instructor found on inspection, \$200;
- 21.22 (4) expired salon found on inspection, \$500;
- 21.23 (5) expired school found on inspection, \$1,000;
- 21.24 (6) failure to display current license, \$100;
- 21.25 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 21.26 under section 155A.355, subdivision 1, \$500;
- 21.27 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 21.28 subdivision 2, \$500;

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

22.3 (10) owner and manager allowing an operator to work as an independent contractor,  
 22.4 \$200;

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

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

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

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

22.9 (d) Administrative fees are as follows:

22.10 (1) homebound service permit, \$50 ~~three-year~~ four-year fee;

22.11 (2) name change, \$20;

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

22.13 (4) duplicate license, \$20;

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

22.15 ~~(6) \$100 for each temporary military license for a cosmetologist, nail technician,  
 22.16 esthetician, or advanced practice esthetician one-year fee;~~

22.17 ~~(7)~~ (6) expedited initial individual license, \$150;

22.18 ~~(8)~~ (7) expedited initial salon license, \$300;

22.19 ~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and

22.20 ~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.

22.21 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 22.22 issued or renewed on or after that date.

22.23 Sec. 30. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:

22.24 Subdivision 1. **Licensing.** A person must hold an individual license to practice in the  
 22.25 state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician,  
 22.26 advanced practice esthetician, manager, or instructor.

22.27 **EFFECTIVE DATE.** This section is effective January 1, 2024.

23.1 Sec. 31. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:

23.2 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses  
 23.3 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with  
 23.4 section 197.4552. A temporary license is valid for a four-year license cycle. The board may  
 23.5 only issue one temporary license to an applicant.

23.6 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 23.7 issued or renewed on or after that date.

23.8 Sec. 32. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

23.9 Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of  
 23.10 ~~three~~ four years. The board may extend a licensee's operator or salon manager license when  
 23.11 issuing a new instructor license to the licensee so that the operator or salon manager license  
 23.12 expires on the same date as the instructor license.

23.13 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 23.14 issued or renewed on or after that date.

23.15 Sec. 33. Minnesota Statutes 2020, section 155A.27, subdivision 7, is amended to read:

23.16 Subd. 7. **Renewals.** Renewal of license shall be for a period of ~~three~~ four years under  
 23.17 the conditions and process established by rule and subject to continuing education  
 23.18 requirements of section 155A.271.

23.19 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 23.20 issued or renewed on or after that date.

23.21 Sec. 34. Minnesota Statutes 2020, section 155A.27, subdivision 10, is amended to read:

23.22 Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail  
 23.23 technician, ~~or~~ esthetician, or eyelash technician may be licensed in Minnesota if the individual  
 23.24 has completed cosmetology school in a state or country with the same or greater school  
 23.25 hour requirements, has an active license in that state or country, and has passed a  
 23.26 board-approved theory and practice-based examination, the Minnesota-specific written  
 23.27 operator examination for cosmetologist, hair technician, nail technician, ~~or~~ esthetician, or  
 23.28 eyelash technician. If a test is used to verify the qualifications of trained cosmetologists,  
 23.29 the test should be translated into the nonresident's native language within the limits of  
 23.30 available resources. Licenses shall not be issued under this subdivision for managers or  
 23.31 instructors.

24.1 (b) If an individual has less than the required number of school hours, the individual  
 24.2 must have had a current active license in another state or country for at least ~~three~~ four years  
 24.3 and have passed a board-approved theory and practice-based examination, and the  
 24.4 Minnesota-specific written operator examination for cosmetologist, hair technician, nail  
 24.5 technician, ~~or~~ esthetician, or eyelash technician. If a test is used to verify the qualifications  
 24.6 of trained cosmetologists, the test should be translated into the nonresident's native language  
 24.7 within the limits of available resources. Licenses must not be issued under this subdivision  
 24.8 for managers or instructors.

24.9 (c) Applicants claiming training and experience in a foreign country shall supply official  
 24.10 English-language translations of all required documents from a board-approved source.

24.11 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 24.12 issued or renewed on or after that date.

24.13 Sec. 35. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision  
 24.14 to read:

24.15 Subd. 11. **Reciprocity for barbers.** A barber who has a currently active registration  
 24.16 under Minnesota Statutes, chapter 154, may be granted credit, as determined by rule, toward  
 24.17 the required hours of study required for licensure in cosmetology or hair technology.

24.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

24.19 Sec. 36. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

24.20 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal  
 24.21 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,  
 24.22 advanced practice esthetician, eyelash technician, or salon manager, the applicant must  
 24.23 complete four hours of continuing education credits from a board-approved continuing  
 24.24 education provider during the ~~three~~ four years prior to the applicant's renewal date. One  
 24.25 credit hour of the requirement must include instruction pertaining to state laws and rules  
 24.26 governing the practice of cosmetology. Three credit hours must include instruction pertaining  
 24.27 to health, safety, and infection control matters consistent with the United States Department  
 24.28 of Labor's Occupational Safety and Health Administration standards applicable to the  
 24.29 practice of cosmetology, or other applicable federal health, infection control, and safety  
 24.30 standards, and must be regularly updated so as to incorporate newly developed standards  
 24.31 and accepted professional best practices. Credit hours earned are valid for ~~three~~ four years  
 24.32 and may be applied simultaneously to all individual licenses held by a licensee under this  
 24.33 chapter.

25.1 (b) ~~Effective August 1, 2017,~~ In addition to the hours of continuing education credits  
 25.2 required under paragraph (a), to qualify for license renewal under this chapter as an individual  
 25.3 cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician,  
 25.4 or salon manager, the applicant must also complete a four credit hour continuing education  
 25.5 course from a board-approved continuing education provider based on any of the following  
 25.6 within the licensee's scope of practice:

25.7 (1) product chemistry and chemical interaction;

25.8 (2) proper use and maintenance of machines and instruments;

25.9 (3) business management, professional ethics, and human relations; or

25.10 (4) techniques relevant to the type of license held.

25.11 Credits are valid for ~~three~~ four years and must be completed with a board-approved provider  
 25.12 of continuing education during the ~~three~~ four years prior to the applicant's renewal date and  
 25.13 may be applied simultaneously to other individual licenses held as applicable, except that  
 25.14 credits completed under this paragraph must not duplicate credits completed under paragraph  
 25.15 (a).

25.16 (c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license,  
 25.17 or an inactive license.

25.18 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 25.19 issued or renewed on or after that date.

25.20 Sec. 37. Minnesota Statutes 2020, section 155A.29, subdivision 1, is amended to read:

25.21 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation  
 25.22 unless the services are provided by a licensee in a licensed salon or as otherwise provided  
 25.23 in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician~~  
 25.24 ~~salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold~~  
 25.25 ~~more than one type of salon license.~~

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

25.27 Sec. 38. Minnesota Statutes 2020, section 155A.29, subdivision 4, is amended to read:

25.28 Subd. 4. **Renewal.** Licenses shall be renewed every ~~three~~ four years by a process  
 25.29 established by rule.

25.30 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 25.31 issued or renewed on or after that date.

26.1 Sec. 39. Minnesota Statutes 2020, section 155A.30, subdivision 2, is amended to read:

26.2 Subd. 2. **Standards.** The board shall by rule establish minimum standards of course  
 26.3 content and length specific to the educational preparation prerequisite to testing and licensing  
 26.4 as cosmetologist, hair technician, esthetician, ~~and~~ advanced practice esthetician, nail  
 26.5 technician, and eyelash technician.

26.6 **EFFECTIVE DATE.** This section is effective January 1, 2024.

26.7 Sec. 40. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

26.8 Subd. 3. **Applications.** Application for a license shall be prepared on forms furnished  
 26.9 by the board and shall contain the following and such other information as may be required:

26.10 (1) the name of the school, together with ownership and controlling officers, members,  
 26.11 and managing employees;

26.12 (2) the specific fields of instruction which will be offered and reconciliation of the course  
 26.13 content and length to meet the minimum standards, as prescribed in subdivision 2;

26.14 (3) the place or places where instruction will be given;

26.15 (4) a listing of the equipment available for instruction in each course offered;

26.16 (5) the maximum enrollment to be accommodated;

26.17 (6) a listing of instructors, all of whom shall be licensed as provided in section 155A.27,  
 26.18 subdivision 2, except that any school may use occasional instructors or lecturers who would  
 26.19 add to the general or specialized knowledge of the students but who need not be licensed;

26.20 (7) a current balance sheet, income statement or documentation to show sufficient  
 26.21 financial worth and responsibility to properly conduct a school and to assure financial  
 26.22 resources ample to meet the school's financial obligations;

26.23 (8) other financial guarantees which would assure protection of the public as determined  
 26.24 by rule; and

26.25 (9) ~~a copy of all written material which the school uses to solicit prospective students,~~  
 26.26 ~~including but not limited to a tuition and fee schedule, and all catalogues, brochures and~~  
 26.27 ~~other recruitment advertisements. Each school shall annually, on a date determined by the~~  
 26.28 ~~board, file with the board any new or amended materials which it has distributed during the~~  
 26.29 ~~past year.~~ written materials that the school will use for prospective student enrollment,  
 26.30 including the enrollment contract, student handbook, and tuition and fee information.

26.31 **EFFECTIVE DATE.** This section is effective January 1, 2024.

27.1 Sec. 41. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

27.2 Subd. 4. **Verification of application.** Each application shall be signed and certified to  
 27.3 under oath by ~~the proprietor if the applicant is a proprietorship, by the managing partner if~~  
 27.4 ~~the applicant is a partnership, or by the authorized officers of the applicant if the applicant~~  
 27.5 ~~is a corporation, association, company, firm, society or trust.~~ the school administrator. For  
 27.6 purposes of this section, "school administrator" means the proprietor, if the applicant is a  
 27.7 proprietorship; the managing partner, if the applicant is a partnership; the authorized officers,  
 27.8 if the applicant is a corporation, association, company, firm, society, or trust; or, the dean,  
 27.9 principal, or other authorized signatory, if the applicant is a school in the Minnesota State  
 27.10 Colleges and Universities system or a secondary school.

27.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

27.12 Sec. 42. Minnesota Statutes 2020, section 155A.30, subdivision 6, is amended to read:

27.13 Subd. 6. **Fees; renewals.** (a) Applications for initial license under sections 155A.21 to  
 27.14 155A.36 shall be accompanied by a nonrefundable application fee set forth in section  
 27.15 155A.25.

27.16 (b) License duration shall be ~~three~~ four years. Each renewal application shall be  
 27.17 accompanied by a nonrefundable renewal fee set forth in section 155A.25.

27.18 (c) Application for renewal of license shall be made as provided in rules adopted by the  
 27.19 board and on forms supplied by the board.

27.20 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses  
 27.21 issued or renewed on or after that date.

27.22 Sec. 43. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

27.23 Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than  
 27.24 ten hours per day per student.

27.25 (b) Instruction must be given within a licensed school building except as provided for  
 27.26 in paragraph (c). ~~Online instruction is permitted for board-approved theory-based classes.~~  
 27.27 Instruction may be given online for theory-based portions of a board-approved curriculum.  
 27.28 Practice-based classes portions of a board-approved curriculum must not be given online.

27.29 (c) Schools may offer field trips outside of a licensed school building if the field trips  
 27.30 are related to the course curriculum for industry educational purposes.

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

28.1 Sec. 44. Minnesota Statutes 2020, section 161.1419, subdivision 2, is amended to read:

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

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

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

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

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

28.7 (5) one shall be appointed by the director of the Minnesota ~~Historical Society~~ State

28.8 Historic Preservation Office;

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

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

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

28.12 (9) five shall be citizen members appointed to staggered four-year terms by the members

28.13 appointed under clauses (1) to (8) after receiving recommendations from five citizen

28.14 committees established by the members appointed under clauses (1) to (8), with each citizen

28.15 committee established within and representing each of the following geographic segments

28.16 along the Mississippi River:

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

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

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

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

28.21 (v) Hastings to the Iowa border.

28.22 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the

28.23 ~~committee and~~ member represents.

28.24 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall

28.25 serve for a term expiring at the close of each regular session of the legislature and until their

28.26 successors are appointed.

28.27 (c) Successor members shall be appointed by the same appointing authorities. Members

28.28 may be reappointed. Any vacancy shall be filled by the appointing authority. The

28.29 commissioner of transportation, the commissioner of natural resources, and the director of

28.30 the Minnesota Historical Society shall be ex officio members, and shall be in addition to

29.1 the 15 members heretofore provided for. Immediately upon making the appointments to the  
29.2 commission the appointing authorities shall so notify the Mississippi River Parkway  
29.3 Commission, hereinafter called the National Commission, giving the names and addresses  
29.4 of the members so appointed.

29.5 Sec. 45. Minnesota Statutes 2021 Supplement, section 240.131, subdivision 7, is amended  
29.6 to read:

29.7 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent  
29.8 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering  
29.9 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
29.10 provider must pay the fee to the commission no more than 15 days after the end of the month  
29.11 in which the wager was made. Fees collected under this paragraph must be deposited in the  
29.12 state treasury and credited to a racing and card-playing regulation account in the special  
29.13 revenue fund and are appropriated to the commission to offset the costs incurred by the  
29.14 commission as described in section 240.30, subdivision 9, or the costs associated with  
29.15 regulating horse racing and pari-mutuel wagering in Minnesota.

29.16 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all  
29.17 amounts wagered by Minnesota residents with an authorized advance deposit wagering  
29.18 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
29.19 provider must pay the fee to the commission no more than 15 days after the end of the month  
29.20 in which the wager was made. Fees collected under this paragraph must be deposited in the  
29.21 state treasury and credited to a racing and card-playing regulation account in the special  
29.22 revenue fund and are appropriated to the commission to offset the cost of administering the  
29.23 breeders fund, to support racehorse adoption, retirement, and repurposing, and promote  
29.24 horse breeding in Minnesota.

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

29.26 Sec. 46. Minnesota Statutes 2020, section 299E.04, subdivision 5, is amended to read:

29.27 Subd. 5. **Expiration.** The advisory committee on Capitol Area Security expires June  
29.28 30, ~~2022~~ 2036.

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

30.1 Sec. 47. Minnesota Statutes 2020, section 326A.09, is amended to read:

30.2 **326A.09 REINSTATEMENT.**

30.3 The board may reinstate a suspended, revoked, expired, or surrendered certificate,  
30.4 registration, or permit or suspended, revoked, expired, or surrendered practice privileges  
30.5 upon petition of the person or firm holding or formerly holding the registration, permit, or  
30.6 certificate, or practice privileges. The board may, in its sole discretion, require that the  
30.7 person or firm submit to the board evidence of having obtained up to 120 hours of continuing  
30.8 professional education credits that would have been required had the person or firm held a  
30.9 registration, certificate, permit, or practice privileges continuously. The board may, in its  
30.10 sole discretion, place any other conditions upon reinstatement of a suspended, revoked,  
30.11 expired, or surrendered certificate, permit, registration, or of practice privileges that it finds  
30.12 appropriate and necessary to ensure that the purposes of this chapter are met. No suspended  
30.13 certificate, registration, permit, or practice privileges may be reinstated until the former  
30.14 holder, or person with practice privileges has completed one-half of the suspension.

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

30.16 Sec. 48. Minnesota Statutes 2020, section 349.151, subdivision 4d, is amended to read:

30.17 Subd. 4d. **Electronic pull-tab devices and electronic pull-tab game system.** (a) The  
30.18 board may adopt rules it deems necessary to ensure the integrity of electronic pull-tab  
30.19 devices, the electronic pull-tab games played on the devices, and the electronic pull-tab  
30.20 game system necessary to operate them.

30.21 (b) The board may not require an organization to use electronic pull-tab devices.

30.22 (c) Before authorizing the lease or sale of electronic pull-tab devices and the electronic  
30.23 pull-tab game system, the board shall examine electronic pull-tab devices allowed under  
30.24 section 349.12, subdivision 12b. The board may contract for the examination of the game  
30.25 system and electronic pull-tab devices and may require a working model to be transported  
30.26 to locations the board designates for testing, examination, and analysis. The manufacturer  
30.27 must pay all costs of any testing, examination, analysis, and transportation of the model.  
30.28 The system must be approved by the board before its use in the state and must have the  
30.29 capability to permit the board to electronically monitor its operation and internal accounting  
30.30 systems.

30.31 (d) The board may require a manufacturer to submit a certificate from an independent  
30.32 testing laboratory approved by the board to perform testing services, stating that the

31.1 equipment has been tested, analyzed, and meets the standards required in this chapter and  
 31.2 any applicable board rules.

31.3 (e) The board, or the director if authorized by the board, may require the deactivation  
 31.4 of an electronic pull-tab device for violation of a law or rule and to implement any other  
 31.5 controls deemed necessary to ensure and maintain the integrity of electronic pull-tab devices  
 31.6 and the electronic pull-tab games played on the devices.

31.7 (f) The board may not deactivate or prohibit the use, lease, or sale of an authorized or  
 31.8 approved electronic pull-tab device, electronic pull-tab game, or electronic pull-tab game  
 31.9 system provided the electronic pull-tab device, electronic pull-tab game, or electronic pull-tab  
 31.10 game system continues to meet the standards required in this chapter and any applicable  
 31.11 board rules that were in effect at the time of approval or authorization unless a later enacted  
 31.12 law, passed by the legislature and signed by the governor, requires that an electronic pull-tab  
 31.13 device, electronic pull-tab game, or electronic pull-tab game system comply with rules  
 31.14 adopted after the date of approval or authorization.

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

31.16 Sec. 49. Minnesota Statutes 2020, section 349.1721, subdivision 1, is amended to read:

31.17 Subdivision 1. **Cumulative or carryover games.** The board shall by rule permit pull-tab  
 31.18 games with multiple seals. The board shall also adopt rules for pull-tab games with  
 31.19 cumulative or carryover prizes. The rules shall also apply to electronic pull-tab games.  
 31.20 Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab  
 31.21 game was approved or authorized unless a later enacted law, passed by the legislature and  
 31.22 signed by the governor, requires that an electronic pull-tab game comply with rules adopted  
 31.23 after the date of approval or authorization.

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

31.25 Sec. 50. Minnesota Statutes 2020, section 349.1721, subdivision 2, is amended to read:

31.26 Subd. 2. **Event games.** The board shall by rule permit pull-tab games in which certain  
 31.27 winners are determined by the random selection of one or more bingo numbers or by another  
 31.28 method approved by the board. The rules shall also apply to electronic pull-tab games.  
 31.29 Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab  
 31.30 game was approved or authorized unless a later enacted law, passed by the legislature and  
 31.31 signed by the governor, requires that an electronic pull-tab game comply with rules adopted  
 31.32 after the date of approval or authorization.

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

32.2 Sec. 51. **[645.0711] STANDARD OF TIME.**

32.3 Every mention of, or reference to, any hour or time in any law, during any period of the  
 32.4 year, is to be construed with reference to and in accordance with the standard time provided  
 32.5 by federal law. No department of the state government and no county, city, or town shall  
 32.6 employ, during any period of the year, any other time, or adopt any ordinance or order  
 32.7 providing for the use, during any period of the year, of any other time than the federal  
 32.8 standard time.

32.9 **EFFECTIVE DATE.** This section is effective January 2, 2030, if an amendment to  
 32.10 United States Code, title 15, section 260a, or other applicable law that authorizes states to  
 32.11 observe advance standard time year-round is not enacted before that date.

32.12 Sec. 52. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING**  
 32.13 **GROUP.**

32.14 Subdivision 1. **Membership.** The board of cosmetologist examiners licensing working  
 32.15 group consists of the following eleven members:

32.16 (1) the executive director of the Minnesota Board of Barber Examiners;

32.17 (2) one licensed salon owner, appointed by the executive director of the board of  
 32.18 cosmetologist examiners;

32.19 (3) one representative of a cosmetology school, appointed by the executive director of  
 32.20 the board of cosmetologist examiners;

32.21 (4) a representative of a trade association in the cosmetology industry that operates in  
 32.22 the state, appointed by the executive director of the board of cosmetologist examiners;

32.23 (5) one state employee from another state agency that works with health and safety  
 32.24 issues, appointed by the governor;

32.25 (6) two members of the public who use cosmetology services, appointed by the governor;

32.26 (7) two senators, one appointed by the majority leader and one appointed by the minority  
 32.27 leader; and

32.28 (8) two members of the house of representatives, one appointed by the speaker of the  
 32.29 house and one appointed by the minority leader.

32.30 (b) The executive director or a designee shall serve as an ex officio.

33.1 Subd. 2. **Duties; report.** (a) The working group must submit a report to the chairs and  
 33.2 ranking minority members of the legislative committees with jurisdiction over state  
 33.3 government finance and policy by February 15, 2023. The report must:

33.4 (1) evaluate the recommendations in the 2021 Office of the Legislative Auditor program  
 33.5 evaluation titled Board of Cosmetology Licensing and recommend whether and how to  
 33.6 adopt the recommendations;

33.7 (2) evaluate the salon manager license and school manager license;

33.8 (3) evaluate the scope and requirements for special event services and homebound  
 33.9 services permits and considering merging both permits; and

33.10 (4) evaluate an endorsement-based licensing structure.

33.11 (b) The report must include draft legislation to implement the recommendations of the  
 33.12 working group.

33.13 Subd. 3. **Meetings; chair.** (a) The executive director of the board of cosmetologist  
 33.14 examiners must convene the first meeting of the working group by September 15, 2022. At  
 33.15 the first meeting, the members must elect a chair. Subsequent meetings of the working group  
 33.16 must be convened by the chair or the chair's designee.

33.17 (b) The working group may conduct meetings remotely.

33.18 (c) The chair shall be responsible for document management of materials for the working  
 33.19 group.

33.20 Subd. 4. **Compensation; reimbursement.** Members appointed under subdivision 1,  
 33.21 clauses (2) through (6) may be compensated and reimbursed for expenses as provided in  
 33.22 Minnesota Statutes, section 15.0575, subdivision 3.

33.23 Subd. 5. **Administrative support.** The Board of Cosmetologist Examiners must provide  
 33.24 administrative support and meeting space to the working group.

33.25 Subd. 6. **Expiration.** The working group expires February 16, 2023, or the day after  
 33.26 submitting the report required in subdivision 2, whichever occurs earlier.

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

33.28 Sec. 53. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

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

34.1 (1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December  
 34.2 31, 2026;

34.3 (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December  
 34.4 31, 2026; and

34.5 (3) Brainerd, to but not including the city of Elk River, for a term ending December 31,  
 34.6 2026.

34.7 **Sec. 54. UNITED STATES AMATEUR SPORTS AND TRAINING CENTER IN**  
 34.8 **DAKOTA COUNTY; REPORT.**

34.9 Subdivision 1. **Study required.** (a) The Minnesota Amateur Sports Commission must  
 34.10 partner with the city of Eagan and the city of Inver Grove Heights to study the development  
 34.11 of the United States Amateur Sports and Training Center in Dakota County.

34.12 (b) The study must:

34.13 (1) identify potential users of the training facility including youth and adult sport activities  
 34.14 from diverse populations to be served by the training center;

34.15 (2) address possible sites of the training center and the proximity to other existing training  
 34.16 facilities;

34.17 (3) address costs of construction for the training center based on needs identified in the  
 34.18 study;

34.19 (4) address ongoing operational costs of the training center once completed;

34.20 (5) determine if the estimated training facility rental rates and user fees, and sponsorship  
 34.21 fees are adequate to support the training center's ongoing operations; and

34.22 (6) evaluate the potential for local, nonstate resources to support the training facility  
 34.23 operations to maintain the training facility, if necessary without regard to any debt service  
 34.24 for capital improvements.

34.25 Subd. 2. **Study requirements.** (a) The commission's market analysis of user rental rates  
 34.26 and user fees to determine potential revenues for the facility must consider the impacts on  
 34.27 or duplication of existing private or government-sponsored facilities.

34.28 (b) The commission must analyze the state and local economic impacts of the proposed  
 34.29 facility once fully operational including sales tax revenue increases and local venue and  
 34.30 revenue impacts from sports tourism.

35.1 (c) The study must address the training center's ability to provide opportunities to  
 35.2 underserved populations including culturally and economically diverse users and possible  
 35.3 training center needs and uses for specific age and gender participants.

35.4 Subd. 3. **Legislative report.** The commission must submit a report describing its work  
 35.5 and findings to the chairs and ranking minority members of the legislative committees  
 35.6 responsible for capital investment and state government finance no later than January 15,  
 35.7 2023.

35.8 **Sec. 55. DEPARTMENT OF IRON RANGE RESOURCES AND**  
 35.9 **REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM**  
 35.10 **AUTHORIZATION.**

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

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

35.18 **Sec. 56. PUBLIC LAND SURVEY MONUMENT RESTORATION.**

35.19 The chief geospatial information officer must submit a report by January 1, 2023, to the  
 35.20 chairs and ranking minority members of the committees in the house of representatives and  
 35.21 the senate with jurisdiction over local government detailing the status of the monuments  
 35.22 that mark public land survey corners, the work needed by each county to restore missing  
 35.23 or mislocated monuments so that all public land survey corners are documented and marked  
 35.24 with monuments, and the estimated costs for each county to complete the work. The report  
 35.25 must describe the state's interest in the restoration of missing or mislocated monuments;  
 35.26 propose a schedule for state funding, if warranted, for grants to counties to complete the  
 35.27 work; whether the county has used or plans to use taxing authority in Minnesota Statutes,  
 35.28 section 381.12, subdivision 2, to defray the expenses for the work; identify federal money  
 35.29 that may be available for this work; or propose another manner of funding the work.

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

35.31 **Sec. 57. CONSUMER CHOICE OF FUEL ACT.**

35.32 Sections 9, 10, 18, and 57 are known as the Consumer Choice of Fuel Act.

36.1 Sec. 58. **REQUIRED RULEMAKING.**

36.2 (a) The commissioner of public safety must amend Minnesota Rules as follows:

36.3 (1) part 7410.6100, subpart 2, by striking item D;

36.4 (2) part 7410.6160, by striking "50" and inserting "30";

36.5 (3) part 7410.6420, subpart 6, item A, by striking "12" and inserting "10"; and

36.6 (4) part 7411.0630, subpart 6, by striking subitem (7) and renumbering the remaining  
36.7 subitems.

36.8 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,  
36.9 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
36.10 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
36.11 14.388.

36.12 Sec. 59. **REVISOR INSTRUCTION.**

36.13 (a) The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board  
36.14 of Cosmetology" wherever it appears in Minnesota Statutes.

36.15 (b) The revisor is directed to change all cross-references to Minnesota Statutes, section  
36.16 645.071, to cross-references to Minnesota Statutes, section 645.0711, throughout the statutes.

36.17 **EFFECTIVE DATE.** Paragraph (b) is effective January 2, 2030, if an amendment to  
36.18 United States Code, title 15, section 260a, or other applicable law that authorizes states to  
36.19 observe advance standard time year-round is not enacted before that date.

36.20 Sec. 60. **REPEALER.**

36.21 (a) Minnesota Statutes 2020, sections 136F.03; and 326A.04, subdivision 11, are repealed.

36.22 (b) Minnesota Rules, parts 7023.0150; 7023.0200; 7023.0250; and 7023.0300, are  
36.23 repealed.

36.24 (c) Minnesota Statutes 2020, section 645.071, is repealed.

36.25 **EFFECTIVE DATE.** Paragraph (c) is effective January 1, 2030, if an amendment to  
36.26 United States Code, title 15, section 260a, or other applicable law that authorizes states to  
36.27 observe advance standard time year-round is not enacted before that date. This section  
36.28 expires the day after an amendment to the United States Code, title 15, section 260a, or  
36.29 other applicable law is enacted that authorizes states to observe advance standard time  
36.30 year-round.

37.1 **ARTICLE 3**

37.2 **ELECTIONS & CAMPAIGN FINANCE**

37.3 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 10, is amended to read:

37.4 Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election  
 37.5 as a state constitutional officer, legislator, or judge. An individual is deemed to seek  
 37.6 nomination or election if the individual has taken the action necessary under the law of this  
 37.7 state to qualify for nomination or election, has received contributions or made expenditures  
 37.8 in excess of ~~\$750~~ \$200, or has given implicit or explicit consent for any other person to  
 37.9 receive contributions or make expenditures in excess of ~~\$750~~ \$200, for the purpose of  
 37.10 bringing about the individual's nomination or election. A candidate remains a candidate  
 37.11 until the candidate's principal campaign committee is dissolved as provided in section  
 37.12 10A.243.

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

37.14 Sec. 2. Minnesota Statutes 2020, section 10A.105, subdivision 1, is amended to read:

37.15 Subdivision 1. **Single committee.** A candidate must not accept contributions from a  
 37.16 source, other than self, in aggregate in excess of ~~\$750~~ \$200 or accept a public subsidy unless  
 37.17 the candidate designates and causes to be formed a single principal campaign committee  
 37.18 for each office sought. A candidate may not authorize, designate, or cause to be formed any  
 37.19 other political committee bearing the candidate's name or title or otherwise operating under  
 37.20 the direct or indirect control of the candidate. However, a candidate may be involved in the  
 37.21 direct or indirect control of a party unit.

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

37.23 Sec. 3. Minnesota Statutes 2020, section 10A.14, subdivision 1, is amended to read:

37.24 Subdivision 1. **First registration.** (a) The treasurer of a political committee, political  
 37.25 fund, principal campaign committee, or party unit must register with the board by filing a  
 37.26 registration statement. The registration statement must be filed by the earliest of the following  
 37.27 dates:

37.28 (1) no later than 14 days after the committee, fund, or party unit has made a contribution,  
 37.29 received contributions, or made expenditures in excess of ~~\$750~~ \$200;

37.30 (2) no later than the next report of receipts and expenditures filing date applicable to the  
 37.31 committee, fund, or party unit if the committee, fund, or party unit reached the threshold in  
 37.32 clause (1) before the end of the reporting period covered by that report; or

38.1 (3) by the end of the next business day after it has received a loan or contribution that  
38.2 must be reported under section 10A.20, subdivision 5.

38.3 (b) This subdivision does not apply to ballot question or independent expenditure political  
38.4 committees or funds, which are subject to subdivision 1a.

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

38.6 Sec. 4. Minnesota Statutes 2020, section 10A.20, subdivision 6, is amended to read:

38.7 Subd. 6. **Report when no committee.** (a) A candidate who does not designate and cause  
38.8 to be formed a principal campaign committee and who makes campaign expenditures in  
38.9 aggregate in excess of ~~\$750~~ \$200 in a year must file with the board a report containing the  
38.10 information required by subdivision 3. Reports required by this subdivision must be filed  
38.11 by the dates on which reports by principal campaign committees must be filed.

38.12 (b) An individual who makes independent expenditures that aggregate more than \$1,500  
38.13 in a calendar year or expenditures to promote or defeat a ballot question that aggregate more  
38.14 than \$5,000 in a calendar year must file with the board a report containing the information  
38.15 required by subdivision 3. A report required by this subdivision must be filed by the date  
38.16 on which the next report by political committees and political funds must be filed.

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

38.18 Sec. 5. Minnesota Statutes 2020, section 10A.25, subdivision 2, is amended to read:

38.19 Subd. 2. **Amounts.** (a) In a segment of an election cycle, the principal campaign  
38.20 committee of the candidate must not make campaign expenditures nor permit approved  
38.21 expenditures to be made on behalf of the candidate that result in aggregate expenditures in  
38.22 excess of the following:

38.23 (1) for governor and lieutenant governor, running together, \$3,817,700 in the election  
38.24 segment and \$1,697,400 in the nonelection segment;

38.25 (2) for attorney general, \$654,600 in the election segment and \$226,400 in the nonelection  
38.26 segment;

38.27 (3) for secretary of state and state auditor, separately, \$436,400 in the election segment  
38.28 and \$113,300 in the nonelection segment;

38.29 (4) for state senator, \$102,800 in the election segment and \$32,800 in a nonelection  
38.30 segment;

38.31 (5) for state representative, \$68,500 in the election segment.

39.1 (b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement  
 39.2 for the office of lieutenant governor at the convention of a political party may make campaign  
 39.3 expenditures and approved expenditures of five percent of that amount to seek endorsement.

39.4 (c) If a special election cycle occurs during a general election cycle, expenditures by or  
 39.5 on behalf of a candidate in the special election do not count as expenditures by or on behalf  
 39.6 of the candidate in the general election.

39.7 (d) The expenditure limits in this subdivision for an office are increased by ten percent  
 39.8 for a candidate who has not previously held the same office, whose name has not previously  
 39.9 been on the primary or general election ballot for that office, and who has not in the past  
 39.10 ten years raised or spent more than ~~\$750~~ \$200 in a run for any other office whose territory  
 39.11 now includes a population that is more than one-third of the population in the territory of  
 39.12 the new office. Candidates who qualify for first-time candidate status receive a ten percent  
 39.13 increase in the campaign expenditure limit in all segments of the applicable election cycle.  
 39.14 In the case of a legislative candidate, the office is that of a member of the house of  
 39.15 representatives or senate without regard to any specific district.

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

39.17 Sec. 6. Minnesota Statutes 2020, section 10A.273, subdivision 1, is amended to read:

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

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

39.29 (c) A lobbyist, political committee, or political fund must not make a contribution at  
 39.30 any time for membership in, or access to, a facility during a regular legislative session if  
 39.31 the facility is operated by the principal campaign committee of a candidate for the legislature  
 39.32 or constitutional office, or by a political party organization within a house of the legislature.

40.1 Sec. 7. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to  
40.2 read:

40.3 Subd. 6a. **Registered voter lists.** Data on registered voters is governed by section  
40.4 201.022, subdivision 4.

40.5 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
40.6 applies to requests for data made on or after that date.

40.7 Sec. 8. Minnesota Statutes 2020, section 201.022, is amended by adding a subdivision to  
40.8 read:

40.9 Subd. 4. **Data.** (a) Except as provided in this subdivision, all data in the statewide voter  
40.10 registration system is public data on individuals, as defined in section 13.02, subdivision  
40.11 15.

40.12 (b) The following data is private data on individuals, as defined in section 13.02,  
40.13 subdivision 12: any identifying information related to a minor, a voter's date of birth, driver's  
40.14 license number, identification card number, military identification card number, passport  
40.15 number, or any part of a voter's Social Security number.

40.16 (c) Information maintained on the presidential primary political party list required by  
40.17 section 201.091, subdivision 4a, is private data on individuals as defined under section  
40.18 13.02, subdivision 12, except that the secretary of state must provide the list to the chair of  
40.19 each major political party.

40.20 (d) Upon receipt of a statement signed by the voter that withholding the voter's name  
40.21 from the public is required for the safety of the voter or the voter's family, the secretary of  
40.22 state and county auditor must withhold from the public the name of the registered voter.  
40.23 Data withheld pursuant to this paragraph is private data on individuals, as defined in section  
40.24 13.02, subdivision 12.

40.25 (e) Any person requesting public data must state in writing that any information obtained  
40.26 from the statewide voter registration system will not be used for purposes unrelated to  
40.27 elections, political activities, or law enforcement.

40.28 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
40.29 applies to requests for data made on or after that date.

41.1 Sec. 9. Minnesota Statutes 2020, section 201.091, subdivision 4, is amended to read:

41.2 Subd. 4. **Public information lists.** The county auditor shall make available for inspection  
 41.3 a public information list which must contain the name, address, year of birth, and voting  
 41.4 history of each registered voter in the county. The list must not include ~~the party choice of~~  
 41.5 ~~any voter who voted in a presidential nomination primary.~~ data classified as private data on  
 41.6 individuals pursuant to section 201.022, subdivision 4. The telephone number must be  
 41.7 included on the list if provided by the voter. The public information list may also include  
 41.8 information on voting districts. The county auditor may adopt reasonable rules governing  
 41.9 access to the list. No individual inspecting the public information list shall tamper with or  
 41.10 alter it in any manner. No individual who inspects the public information list or who acquires  
 41.11 a list of registered voters prepared from the public information list may use any information  
 41.12 contained in the list for purposes unrelated to elections, political activities, or law  
 41.13 enforcement. The secretary of state may provide copies of the public information lists ~~and~~  
 41.14 ~~other information from the statewide registration system~~ for uses related to elections, political  
 41.15 activities, or in response to a law enforcement inquiry from a public official concerning a  
 41.16 failure to comply with any criminal statute or any state or local tax statute.

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

41.24 ~~Upon receipt of a statement signed by the voter that withholding the voter's name from~~  
 41.25 ~~the public information list is required for the safety of the voter or the voter's family, the~~  
 41.26 ~~secretary of state and county auditor must withhold from the public information list the~~  
 41.27 ~~name of a registered voter.~~

41.28 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 41.29 applies to requests for data made on or after that date.

41.30 Sec. 10. Minnesota Statutes 2020, section 201.091, subdivision 4a, is amended to read:

41.31 Subd. 4a. **Presidential nomination primary political party list.** The secretary of state  
 41.32 must maintain a list of the voters who voted in a presidential nomination primary and the  
 41.33 political party each voter selected. ~~Information maintained on the list is private data on~~

42.1 ~~individuals as defined under section 13.02, subdivision 12, except that the secretary of state~~  
 42.2 ~~must provide the list to the chair of each major political party.~~

42.3 EFFECTIVE DATE. This section is effective the day following final enactment and  
 42.4 applies to requests for data made on or after that date.

42.5 Sec. 11. Minnesota Statutes 2020, section 201.091, is amended by adding a subdivision  
 42.6 to read:

42.7 Subd. 10. Requests for data. Nothing in this section prevents a person from requesting  
 42.8 public data as described in section 201.022, subdivision 4.

42.9 EFFECTIVE DATE. This section is effective the day following final enactment and  
 42.10 applies to requests for data made on or after that date.

42.11 Sec. 12. Minnesota Statutes 2020, section 201.121, subdivision 1, is amended to read:

42.12 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration  
 42.13 application is properly completed, submitted, and received in accordance with sections  
 42.14 201.061 and 201.071, the county auditor shall enter the information contained on it into the  
 42.15 statewide voter registration system. Voter registration applications completed before election  
 42.16 day must be entered into the statewide voter registration system within ten days after they  
 42.17 have been submitted to the county auditor. Voter registration applications completed on  
 42.18 election day must be entered into the statewide voter registration system ~~within 42 days~~  
 42.19 ~~after the election, unless the county auditor notifies the secretary of state before the deadline~~  
 42.20 ~~has expired that the deadline will not be met. Upon receipt of a notification under this~~  
 42.21 ~~paragraph, the secretary of state must extend the deadline for that county auditor by an~~  
 42.22 ~~additional 28 days. The secretary of state may waive a county's obligations under this~~  
 42.23 ~~paragraph if, on good cause shown, the county demonstrates its permanent inability to~~  
 42.24 ~~comply before the canvass of that election is started.~~

42.25 The secretary of state must post data on each county's compliance with this paragraph on  
 42.26 the secretary of state's website including, as applicable, the date each county fully complied  
 42.27 ~~or the deadline by which a county's compliance must be complete.~~

42.28 (b) Upon receiving a completed voter registration application, the secretary of state ~~may~~  
 42.29 must electronically transmit the information on the application to the appropriate county  
 42.30 auditor as soon as possible for review by the county auditor before final entry into the  
 42.31 statewide voter registration system. ~~The secretary of state may mail the voter registration~~  
 42.32 ~~application to the county auditor.~~

43.1 (c) Within ten days after the county auditor has entered information from a voter  
43.2 registration application into the statewide voter registration system, the secretary of state  
43.3 shall compare the voter's name, date of birth, and driver's license number, state identification  
43.4 number, or the last four digits of the Social Security number with the same information  
43.5 contained in the Department of Public Safety database.

43.6 (d) The secretary of state shall provide a report to the county auditor on a weekly basis  
43.7 that includes a list of voters whose name, date of birth, or identification number have been  
43.8 compared with the same information in the Department of Public Safety database and cannot  
43.9 be verified as provided in this subdivision. The report must list separately those voters who  
43.10 have submitted a voter registration application by mail and have not voted in a federal  
43.11 election in this state.

43.12 (e) The county auditor shall compile a list of voters for whom the county auditor and  
43.13 the secretary of state are unable to conclude that information on the voter registration  
43.14 application and the corresponding information in the Department of Public Safety database  
43.15 relate to the same person.

43.16 (f) The county auditor shall send a notice of incomplete registration to any voter whose  
43.17 name appears on the list and change the voter's status to "incomplete." A voter who receives  
43.18 a notice of incomplete registration from the county auditor may either provide the information  
43.19 required to complete the registration at least 21 days before the next election or at the polling  
43.20 place on election day.

43.21 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to  
43.22 elections on or after that date.

43.23 Sec. 13. Minnesota Statutes 2020, section 203B.07, subdivision 1, is amended to read:

43.24 Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal  
43.25 clerk shall prepare, print, and transmit a return envelope, a signature envelope, a ~~ballot~~  
43.26 secrecy envelope, and a copy of the directions for casting an absentee ballot to each applicant  
43.27 whose application for absentee ballots is accepted pursuant to section 203B.04. The county  
43.28 auditor or municipal clerk shall provide first class postage for the return envelope. The  
43.29 directions for casting an absentee ballot shall be printed in at least 14-point bold type with  
43.30 heavy leading and may be printed on the ~~ballot~~ secrecy envelope. When a person requests  
43.31 the directions in Braille or on audio file, the county auditor or municipal clerk shall provide  
43.32 them in the form requested. The secretary of state shall prepare Braille and audio file copies  
43.33 and make them available.

44.1 When a voter registration application is sent to the applicant as provided in section  
 44.2 203B.06, subdivision 4, the directions on the registration application shall include instructions  
 44.3 for registering to vote.

44.4 Sec. 14. Minnesota Statutes 2020, section 203B.07, subdivision 2, is amended to read:

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

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

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

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

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

44.18 Sec. 15. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

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

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

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

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

45.6 Sec. 16. Minnesota Statutes 2021 Supplement, section 203B.08, subdivision 1, is amended  
 45.7 to read:

45.8 Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee  
 45.9 ballots as provided in this chapter shall mark them in the manner specified in the directions  
 45.10 for casting the absentee ballots. The return envelope containing marked ballots may be  
 45.11 mailed as provided in the directions for casting the absentee ballots, may be ~~left with~~  
 45.12 personally delivered to the office of the county auditor or municipal clerk who transmitted  
 45.13 the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082.  
 45.14 If delivered in person, the return envelope must be submitted to the county auditor or  
 45.15 municipal clerk by 3:00 p.m. on election day.

45.16 (b) The voter may designate an agent to deliver in person the sealed absentee ballot  
 45.17 return envelope to the county auditor or municipal clerk or to deposit the return envelope  
 45.18 in the mail. An agent may deliver or mail the return envelopes of not more than three voters  
 45.19 in any election. An agent must not deposit the absentee ballot return envelope of another  
 45.20 person in a drop box. Any person designated as an agent who tampers with either the return  
 45.21 envelope or the voted ballots or does not immediately mail or deliver the return envelope  
 45.22 to the county auditor or municipal clerk is guilty of a misdemeanor.

45.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 45.24 applies to elections conducted on or after that date.

45.25 Sec. 17. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

45.26 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the  
 45.27 office of the county auditor and at any ~~other~~ additional polling place designated by the  
 45.28 county auditor during the 46 days before the election, except as provided in this section.  
 45.29 An additional polling place designated by the county auditor pursuant to this section must  
 45.30 be at a precinct polling place designated pursuant to section 204B.16. Where the county  
 45.31 auditor administers absentee voting, each additional polling place must be open for in-person  
 45.32 absentee voting for the entire absentee voting period during the same days and hours as the  
 45.33 office of the county auditor is open for in-person absentee voting. Where a municipal clerk

46.1 has been designated to administer absentee voting pursuant to section 203B.05, each  
 46.2 additional polling place designated within the municipality must be open for in-person  
 46.3 absentee voting for the entire absentee voting period during the regular business hours for  
 46.4 the municipal clerk's office.

46.5 Sec. 18. Minnesota Statutes 2021 Supplement, section 203B.082, is amended to read:

46.6 **203B.082 ABSENTEE BALLOT DROP BOXES; SECURITY AND INTEGRITY.**

46.7 Subdivision 1. **Definition.** As used in this section, "drop box" means a secure receptacle  
 46.8 or container established to receive completed absentee ballots 24 hours per day. Drop box  
 46.9 does not include a receptacle or container maintained by the United States Postal Service,  
 46.10 or a location at which a voter or an agent may return a completed absentee ballot by providing  
 46.11 it directly to an employee of the county auditor or municipal clerk.

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

46.16 (1) each drop box must be continually ~~recorded~~ livestreamed during the absentee voting  
 46.17 period as provided in section 203B.155 and on election day;

46.18 (2) each drop box must be located within 100 feet of a door of the building where the  
 46.19 county auditor or municipal clerk's office is located;

46.20 (3) each drop box must be available for use during the entire absentee voting period;

46.21 (4) each drop box must be assigned an identification number that is unique to that drop  
 46.22 box;

46.23 ~~(2)~~ (5) each drop box must be designed to prevent an unauthorized person from moving,  
 46.24 removing, or tampering with the drop box;

46.25 ~~(3)~~ (6) each drop box placed in an outdoor location must be fastened to a building, bolted  
 46.26 to a concrete pad, or otherwise attached to a similarly secure structure;

46.27 ~~(4)~~ (7) ballots deposited in a drop box must be secured against access by any unauthorized  
 46.28 person, and in the case of a drop box located in an outdoor location, the drop box must be  
 46.29 secured against damage due to weather or other natural conditions;

46.30 ~~(5)~~ (8) each drop box must contain signage or markings that:

46.31 (i) clearly identifies the drop box as an official absentee ballot return location; ~~and~~

47.1 (ii) include the location and hours where an agent may return an absentee ballot;

47.2 (iii) include the statement: "STOP! You can only return your own ballot in this drop  
47.3 box."; and

47.4 (iv) the identification number assigned to the drop box;

47.5 ~~(6)~~ (9) deposited ballots must be collected at least once per business day during the  
47.6 absentee voting period by the county auditor, municipal clerk, or an elections official trained  
47.7 by the county auditor or municipal clerk in the proper maintenance and handling of absentee  
47.8 ballots and absentee ballot drop boxes, and in the security measures used to protect absentee  
47.9 ballots; and

47.10 ~~(7)~~ (10) ballots collected from each drop box must be properly date-stamped and stored  
47.11 in a locked ballot container or other secured and locked space consistent with any applicable  
47.12 laws governing the collection and storage of absentee ballots.

47.13 **Subd. 3. Publication of locations required.** (a) The county auditor or municipal clerk  
47.14 must provide a list of designated absentee ballot drop box locations to the secretary of state  
47.15 no later than 40 days prior to the start of the absentee voting period at every regularly  
47.16 scheduled primary or general election. The list must be published on the website of the  
47.17 county or municipality and on the website of the secretary of state at least 35 days prior to  
47.18 the start of the absentee voting period.

47.19 (b) The county auditor or municipal clerk must provide an updated list of designated  
47.20 absentee ballot drop box locations to the secretary of state no later than 20 days prior to the  
47.21 start of the absentee voting period at every regularly scheduled primary or general election,  
47.22 if any locations have changed or been added since submission of the list under paragraph  
47.23 (a). The list must be published on the website of the county or municipality and on the  
47.24 website of the secretary of state at least 15 days prior to the start of the absentee voting  
47.25 period.

47.26 **Subd. 4. Electioneering prohibited.** Section 211B.11 applies to conduct within 100  
47.27 feet of an absentee ballot drop box established under this section.

47.28 **Subd. 5. Ballot collection log and report.** (a) The county auditor or municipal clerk  
47.29 must maintain a log for each drop box. The log must include the unique identification number  
47.30 assigned to the drop box. The log must include the following information for each day  
47.31 during the absentee voting period:

47.32 (1) the date and time of each ballot collection;

47.33 (2) the person who collected the ballots; and

48.1 (3) the number of ballots collected.

48.2 (b) Before the meeting of the local canvassing board, each county auditor and municipal  
 48.3 clerk must total the number of ballots collected from each drop box for each day during the  
 48.4 absentee voting period and submit the totals to the local ballot board and the secretary of  
 48.5 state. Before the meeting of the state canvassing board for an election, the secretary of state  
 48.6 must compile the totals, broken down by county. Prior to the state canvassing board beginning  
 48.7 the state canvass, the secretary of state must submit the totals to the state canvassing board  
 48.8 and the chairs and ranking minority members of the legislative committees having jurisdiction  
 48.9 over election policy.

48.10 Subd. 6. **Rulemaking prohibited.** The secretary of state is not authorized to adopt rules  
 48.11 to implement or supplement the provisions of this section.

48.12 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to  
 48.13 elections conducted on or after that date, except that subdivision 6 is effective the day  
 48.14 following final enactment.

48.15 Sec. 19. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 1, is amended  
 48.16 to read:

48.17 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,  
 48.18 municipality, and school district with responsibility to accept and reject absentee ballots  
 48.19 must, by ordinance or resolution, establish a ballot board. The board must consist of a  
 48.20 sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22.  
 48.21 The board ~~may~~ must not include deputy county auditors or deputy city clerks ~~who have~~  
 48.22 ~~received training in the processing and counting of absentee ballots,~~ unless the deputy county  
 48.23 auditor or deputy city clerk has been appointed an election judge as provided in sections  
 48.24 204B.19 to 204B.22. Each member of the ballot board must be provided adequate training  
 48.25 on the processing and counting of absentee ballots, including but not limited to instruction  
 48.26 on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and  
 48.27 deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes,  
 48.28 procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

48.29 (b) Each jurisdiction must pay a reasonable compensation to each member of that  
 48.30 jurisdiction's ballot board for services rendered during an election.

48.31 (c) Except as otherwise provided by this section, all provisions of the Minnesota Election  
 48.32 Law apply to a ballot board.

49.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
49.2 applies to elections on or after that date.

49.3 Sec. 20. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 4, is amended  
49.4 to read:

49.5 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before  
49.6 the election, the ballots from secrecy envelopes within the signature envelopes marked  
49.7 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,  
49.8 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate  
49.9 ballot box. Prior to depositing a ballot into the appropriate ballot box, the members of the  
49.10 ballot board must verify that the ballot contains the security marking required by section  
49.11 204B.36, subdivision 1. If more than one voted ballot is enclosed in the ballot secrecy  
49.12 envelope, or if a ballot does not contain the required security marking, the ballots must be  
49.13 returned in the manner provided by section 204C.25 for return of spoiled ballots, and may  
49.14 not be counted.

49.15 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to  
49.16 elections conducted on or after that date.

49.17 Sec. 21. Minnesota Statutes 2020, section 203B.121, subdivision 5, is amended to read:

49.18 Subd. 5. **Storage and counting of absentee ballots.** (a) On a day on which absentee  
49.19 ballots are inserted into a ballot box, two members of the ballot board must:

49.20 (1) remove the ballots from the ballot box at the end of the day;

49.21 (2) without inspecting the ballots, ensure that the number of ballots removed from the  
49.22 ballot box is equal to the number of voters whose absentee ballots were accepted that day;  
49.23 and

49.24 (3) seal and secure all voted and unvoted ballots present in that location at the end of  
49.25 the day.

49.26 (b) After the polls have closed on election day, two members of the ballot board must  
49.27 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and  
49.28 the total votes cast for each candidate or question. In state primary and state general elections,  
49.29 the results must indicate the total votes cast for each candidate or question in each precinct  
49.30 and report the vote totals tabulated for each precinct. The count must be recorded on a  
49.31 summary statement in substantially the same format as provided in section 204C.26. The  
49.32 ballot board shall submit at least one completed summary statement to the county auditor

50.1 or municipal clerk. The county auditor or municipal clerk may require the ballot board to  
 50.2 submit a sufficient number of completed summary statements to comply with the provisions  
 50.3 of section 204C.27, or the county auditor or municipal clerk may certify reports containing  
 50.4 the details of the ballot board summary statement to the recipients of the summary statements  
 50.5 designated in section 204C.27.

50.6 In state primary and state general elections, these vote totals shall be added to the vote  
 50.7 totals on the summary statements of the returns for the appropriate precinct. In other elections,  
 50.8 these vote totals may be added to the vote totals on the summary statement of returns for  
 50.9 the appropriate precinct or may be reported as a separate total.

50.10 ~~The count shall~~ counting of ballots must be public. No vote totals from ballots may be  
 50.11 ~~made public before the close of voting on election day.~~ Vote totals must only be disclosed  
 50.12 in accordance with section 204C.19.

50.13 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been  
 50.14 completed previously, the members of the ballot board must verify as soon as possible, but  
 50.15 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots  
 50.16 arrived after the rosters were marked or supplemental reports were generated and whose  
 50.17 ballots were accepted did not vote in person on election day. An absentee ballot submitted  
 50.18 by a voter who has voted in person on election day must be rejected. All other accepted  
 50.19 absentee ballots must be opened, duplicated if necessary, and counted by members of the  
 50.20 ballot board. The vote totals from these ballots must be incorporated into the totals with the  
 50.21 other absentee ballots and handled according to paragraph (b).

50.22 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 50.23 applies to elections on or after that date.

50.24 Sec. 22. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision  
 50.25 to read:

50.26 Subd. 6. **Ballot board observers.** (a) For an election where a partisan office appears on  
 50.27 the ballot, a major or minor political party may appoint a person to serve as an absentee  
 50.28 ballot board observer. For an election where only nonpartisan offices are on the ballot, a  
 50.29 candidate appearing on the ballot may appoint a person to serve as an absentee ballot board  
 50.30 observer. All appointments must be made at least 30 days prior to the start of the absentee  
 50.31 voting period, except that if an observer is unable to perform the required duties the observer  
 50.32 may be replaced by the appointing political party or candidate. The political party or  
 50.33 candidate must notify the county auditor, city clerk, or school district clerk if a ballot board  
 50.34 observer is appointed and provide the observer's name, address, phone number, and e-mail

51.1 address. A ballot board observer must complete election judge training as described in  
 51.2 section 204B.25, including training on the processing and handling of absentee ballots. The  
 51.3 following individuals are not eligible to serve as absentee ballot board observers: members  
 51.4 of the ballot board, candidates on the ballot, and immediate family members of candidates  
 51.5 on the ballot.

51.6 (b) A ballot board observer must be allowed to observe the following activities of the  
 51.7 ballot board that take place during the absentee voting period, on election day, or after  
 51.8 election day:

51.9 (1) examining envelopes and accepting or rejecting envelopes as required by subdivision  
 51.10 2;

51.11 (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision  
 51.12 4;

51.13 (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph  
 51.14 (a); and

51.15 (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

51.16 (c) A ballot board observer must be allowed to be within four feet of the ballots or  
 51.17 envelopes being handled. A ballot board observer must not handle any absentee ballots,  
 51.18 envelopes, or other election documents. A ballot board observer must not prepare in any  
 51.19 manner any lists of individuals who have or have not voted. A ballot board observer must  
 51.20 not interfere with the conduct of the ballot board. The ballot board may have a ballot board  
 51.21 observer removed if the observer is disrupting the activities of the ballot board.

51.22 (d) The county auditor, municipal clerk, or school district clerk must notify each ballot  
 51.23 board observer of the date, time, and location any time the activities in paragraph (b) will  
 51.24 take place. The notice must be in writing and mailed to the ballot board observer at least  
 51.25 seven days before the activity is to take place.

51.26 **EFFECTIVE DATE.** This section is effective May 15, 2022, and applies to absentee  
 51.27 voting periods beginning on or after June 24, 2022.

51.28 Sec. 23. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision  
 51.29 to read:

51.30 Subd. 7. **Livestreaming.** (a) The county auditor, municipal clerk, or school district clerk  
 51.31 must ensure that all ballot board activity is livestreamed as provided by this subdivision  
 51.32 and section 203B.155. This requirement applies during the absentee voting period, on

52.1 election day, and on the day following the election day if absentee ballots are being processed.

52.2 At a minimum, the following activities must be recorded:

52.3 (1) examining envelopes and accepting or rejecting envelopes as required by subdivision

52.4 2;

52.5 (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision

52.6 4;

52.7 (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph

52.8 (a); and

52.9 (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

52.10 (b) The county auditor, municipal clerk, or school district clerk must position one or

52.11 more cameras so as to record the following:

52.12 (1) the ballot board members performing the activities described in paragraph (a);

52.13 (2) all ballots in the room where the activities in paragraph (a) are taking place; and

52.14 (3) all doors in the room where the activities in paragraph (a) are taking place.

52.15 To the extent possible while complying with clauses 1 to 3, the cameras must be positioned

52.16 so as to avoid recording private data included on absentee ballot envelopes or other

52.17 documents.

52.18 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to

52.19 elections conducted on or after that date.

52.20 Sec. 24. **[203B.155] LIVESTREAMING REQUIREMENTS.**

52.21 Subdivision 1. **Definitions.** (a) The following terms have the meanings given for purposes

52.22 of this section.

52.23 (b) "Commissioner" means the commissioner of information technology services.

52.24 (c) "Department" means the Department of Information Technology Services.

52.25 Subd. 2. **Livestreaming.** (a) Where livestreaming is required by sections 203B.082,

52.26 subdivision 2, clause (1), and 203B.121, the commissioner must ensure the livestream is

52.27 available on the department's website in a manner that allows members of the public to

52.28 easily access and view the livestream. The commissioner must record all livestreamed video

52.29 and retain the recording for at least 22 months after the date of the recording. Notwithstanding

52.30 chapter 13 or any other law to the contrary, the county auditor, city clerk, or school board

52.31 clerk is not required to maintain any livestreamed or recorded data or provide access to the

53.1 data. The commissioner must not charge any fee to the public or to the county, municipality,  
 53.2 or school district for providing this service.

53.3 (b) The secretary of state must include information on the office's website on how to  
 53.4 find and access videos on the department's website. Each county auditor, municipal clerk,  
 53.5 and school district clerk must post the same information on their respective local  
 53.6 government's website, if there is one.

53.7 Subd. 3. **Data.** The commissioner must retain video recordings of livestreamed activities  
 53.8 required by sections 203B.082, subdivision 2, clause (1), and 203B.121, as provided by this  
 53.9 section. The recordings are public data, except that the commissioner may obscure private  
 53.10 data on individuals that is visible on a recording.

53.11 Subd. 4. **Livestream disruptions.** If a livestream is disrupted or disabled, the  
 53.12 commissioner, county auditor, municipal clerk, or school district clerk is not liable if the  
 53.13 disruption is due to a cause outside of the control of the commissioner, county auditor,  
 53.14 municipal clerk, or school district clerk. If there is a disruption, the commissioner must  
 53.15 work with the county auditor, municipal clerk, or school district clerk to reinstate video  
 53.16 coverage as soon as possible. If appointed ballot board observers are present and there is a  
 53.17 disruption in livestreaming, the activities of the ballot board may continue. If appointed  
 53.18 ballot board observers are not present and there is a disruption in livestreaming, the ballot  
 53.19 board must stop all activities until one of the following occurs:

53.20 (1) the livestream is reinstated;

53.21 (2) ballot board observers are present; or

53.22 (3) the county auditor, municipal clerk, or school district clerk arranges the activities to  
 53.23 be recorded in a manner that substantially complies with the requirements of this section  
 53.24 and section 203B.121, subdivision 7.

53.25 Within 24 hours of the livestream being reinstated, the county auditor, municipal clerk, or  
 53.26 school district clerk must transmit any recordings made pursuant to clause (3) to the  
 53.27 commissioner to be posted on the department's website.

53.28 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to  
 53.29 elections conducted on or after that date.

53.30 Sec. 25. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

53.31 Subdivision 1. **Form.** Absentee ballots under sections 203B.16 to 203B.27 shall conform  
 53.32 to the requirements of the Minnesota Election Law, except that modifications in the size or

54.1 form of ballots or envelopes may be made if necessary to satisfy the requirements of the  
 54.2 United States postal service. The return envelope must be designed in one of the following  
 54.3 ways:

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

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

54.9 The flap or the ~~additional~~ return envelope must be perforated to permit election officials to  
 54.10 inspect the returned certificate for completeness or to ascertain other information at any  
 54.11 time after receiving the returned ballot without opening the ~~return~~ signature envelope.

54.12 Sec. 26. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

54.13 Subd. 3. **Back of return signature envelope.** On the back of the ~~return~~ signature envelope  
 54.14 a certificate shall appear with space for:

54.15 (1) the voter's address of present or former residence in Minnesota;

54.16 (2) the voter's current e-mail address, if the voter has one;

54.17 (3) a statement indicating the category described in section 203B.16 to which the voter  
 54.18 belongs;

54.19 (4) a statement that the voter has not cast and will not cast another absentee ballot in the  
 54.20 same election or elections;

54.21 (5) a statement that the voter personally marked the ballots without showing them to  
 54.22 anyone, or if physically unable to mark them, that the voter directed another individual to  
 54.23 mark them; and

54.24 (6) the same voter's passport number, Minnesota driver's license or state identification  
 54.25 card number, or the last four digits of the voter's Social Security number as provided on the  
 54.26 absentee ballot application; if the voter does not have access to any of these documents, the  
 54.27 voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

54.28 The certificate shall also contain a signed oath in the form required by section 705 of  
 54.29 the Help America Vote Act, Public Law 107-252, which must read:

54.30 "I swear or affirm, under penalty of perjury, that:

55.1 I am a member of the uniformed services or merchant marine on active duty or an eligible  
55.2 spouse or dependent of such a member; a United States citizen temporarily residing outside  
55.3 the United States; or other United States citizen residing outside the United States; and I  
55.4 am a United States citizen, at least 18 years of age (or will be by the date of the election),  
55.5 and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony,  
55.6 or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting  
55.7 rights have been reinstated; and I am not registering, requesting a ballot, or voting in any  
55.8 other jurisdiction in the United States except the jurisdiction cited in this voting form. In  
55.9 voting, I have marked and sealed my ballot in private and have not allowed any person to  
55.10 observe the marking of the ballot, except for those authorized to assist voters under state or  
55.11 federal law. I have not been influenced.

55.12 The information on this form is true, accurate, and complete to the best of my knowledge.  
55.13 I understand that a material misstatement of fact in completion of this document may  
55.14 constitute grounds for a conviction for perjury."

55.15 Sec. 27. Minnesota Statutes 2020, section 203B.23, subdivision 2, is amended to read:

55.16 Subd. 2. **Duties.** (a) The absentee ballot board must examine all returned absentee ballot  
55.17 envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the  
55.18 absentee ballots in the manner provided in section 203B.24. If the certificate of voter  
55.19 eligibility is not printed on the ~~return or administrative~~ signature envelope, the certificate  
55.20 must be attached to the ~~ballot~~ secrecy envelope.

55.21 (b) The absentee ballot board must immediately examine the ~~return~~ signature envelopes  
55.22 or certificates of voter eligibility that are attached to the secrecy envelopes and mark them  
55.23 "accepted" or "rejected" during the 45 days before the election. If an envelope has been  
55.24 rejected at least five days before the election, the ballots in the envelope must be considered  
55.25 spoiled ballots and the official in charge of the absentee ballot board must provide the voter  
55.26 with a replacement absentee ballot and ~~return envelope~~ envelopes in place of the spoiled  
55.27 ballot.

55.28 (c) If a county has delegated the responsibility for administering absentee balloting to  
55.29 a municipality under section 203B.05, accepted absentee ballots must be delivered to the  
55.30 appropriate municipality's absentee ballot board. The absentee ballot board with the authority  
55.31 to open and count the ballots must do so in accordance with section 203B.121, subdivisions  
55.32 4 and 5.

56.1 Sec. 28. Minnesota Statutes 2021 Supplement, section 203B.24, subdivision 1, is amended  
56.2 to read:

56.3 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt  
56.4 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election  
56.5 judges shall compare the voter's name with the names recorded under section 203B.19 in  
56.6 the statewide registration system to insure that the ballot is from a voter eligible to cast an  
56.7 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the  
56.8 signature envelope "Accepted" and initial or sign the signature envelope below the word  
56.9 "Accepted" if the election judges are satisfied that:

56.10 (1) the voter's name and address on the signature envelope appears in substantially the  
56.11 same form as on the application records provided to the election judges by the county auditor;

56.12 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the  
56.13 Help America Vote Act, Public Law 107-252;

56.14 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license  
56.15 or state identification card number, or the last four digits of the voter's Social Security  
56.16 number as submitted on the application, if the voter has one of these documents;

56.17 (4) the voter is not known to have died; and

56.18 (5) the voter has not already voted at that election, either in person or by absentee ballot.

56.19 If the identification number described in clause (3) does not match the number as  
56.20 submitted on the application, the election judges must make a reasonable effort to satisfy  
56.21 themselves through other information provided by the applicant, or by an individual  
56.22 authorized to apply on behalf of the voter, that the ballots were returned by the same person  
56.23 to whom the ballots were transmitted.

56.24 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected  
56.25 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the  
56.26 secrecy envelope before placing it in the ~~outer white~~ signature envelope is not a reason to  
56.27 reject an absentee ballot.

56.28 Election judges must note the reason for rejection on the back of the envelope in the  
56.29 space provided for that purpose.

56.30 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall  
56.31 not be counted if the certificate on the ~~return~~ signature envelope is not properly executed.  
56.32 In all other respects the provisions of the Minnesota Election Law governing deposit and

57.1 counting of ballots shall apply. Notwithstanding other provisions of this section, the counting  
57.2 of the absentee ballot of a deceased voter does not invalidate the election.

57.3 Sec. 29. Minnesota Statutes 2020, section 204B.32, is amended by adding a subdivision  
57.4 to read:

57.5 Subd. 3. **Contributions for election expenses prohibited.** Notwithstanding any home  
57.6 rule charter or local ordinance to the contrary, a county, municipality, or school district may  
57.7 not accept a contribution, in any form, from a for-profit business or a nonprofit organization  
57.8 made for the purpose of paying expenses associated with conducting a federal, state, or  
57.9 local election.

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

57.11 Sec. 30. Minnesota Statutes 2020, section 204B.36, subdivision 1, is amended to read:

57.12 Subdivision 1. **Type.** (a) All ballots shall be printed with black ink on paper of sufficient  
57.13 thickness to prevent the printing from being discernible from the back. All ballots shall be  
57.14 printed in easily readable type with suitable lines dividing candidates, offices, instructions  
57.15 and other matter printed on ballots. The same type shall be used for the names of all  
57.16 candidates on the same ballot.

57.17 (b) Except for ballots prepared and distributed under sections 203B.16 to 203B.27, all  
57.18 ballots must be printed on paper that contains a security marking designed to allow  
57.19 verification of the ballot's authenticity. The security marking must be designed so that it  
57.20 does not interfere with a tabulator's ability to accurately read the ballot. At a federal or state  
57.21 election, the form of the security marking must be prescribed by the secretary of state. At  
57.22 a local election, the form of the security marking must be prescribed by the county auditor  
57.23 or municipal clerk. For purposes of this paragraph, a security marking is a watermark,  
57.24 ultraviolet light marking, or other substantially equivalent marking.

57.25 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to  
57.26 elections conducted on or after that date.

57.27 Sec. 31. Minnesota Statutes 2020, section 204C.19, subdivision 3, is amended to read:

57.28 Subd. 3. **Premature disclosure of count results.** ~~No~~ The county auditor, municipal  
57.29 clerk, school district clerk, election judge, or any other person must not disclose count results  
57.30 from any precinct ~~shall be disclosed by any election judge or other individual~~ until all count  
57.31 results from that precinct ~~are available, nor shall~~ have been counted and totaled, including  
57.32 absentee votes received and processed by 8 p.m. on election day. Absentee ballots may

58.1 continue to be processed and counted after 8 p.m. on election day as provided in section  
 58.2 203B.121, subdivision 5, paragraph (c). The public media must not disclose any count  
 58.3 results from any precinct before the time when voting is scheduled to end in the state.

58.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 58.5 applies to elections on or after that date.

58.6 Sec. 32. Minnesota Statutes 2020, section 204D.16, is amended to read:

58.7 **204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;**  
 58.8 **PUBLICATION.**

58.9 (a) At least 46 days before the state general election, the county auditor shall ~~shall~~ must post  
 58.10 sample ballots for each precinct in the auditor's office for public inspection and transmit an  
 58.11 electronic copy of these sample ballots to the secretary of state.

58.12 (b) No earlier than 15 days and no later than two days before the state general election  
 58.13 the county auditor shall ~~shall~~ must cause a ~~sample~~ generic state general election ballot to be  
 58.14 published in at least one newspaper of general circulation in the county. The generic ballot  
 58.15 must include only the races and candidates that will appear on the ballot for every precinct  
 58.16 in the county. The secretary of state, in collaboration with local government election officials  
 58.17 and the Minnesota Newspaper Association, must design the generic ballot to be used by  
 58.18 local election officials. When printed in the newspaper, the generic ballot must be sized so  
 58.19 that it comprises a minimum of 75 percent of one page. The generic ballot must include the  
 58.20 following statement:

58.21 "This ballot only includes the races and candidates that will appear on the ballot for  
 58.22 every precinct in the county. Your ballot will have the names of all candidates for whom  
 58.23 you can vote in your precinct. To view a sample ballot reflecting your specific address,  
 58.24 please enter your address information on this website: [link to appropriate page on the  
 58.25 secretary of state's website]. You may also view a list of sample ballots for each county  
 58.26 precinct on [link to appropriate page on the county's website]. If you would like a copy of  
 58.27 a sample ballot specific to your address sent to you, please contact [insert the name of the  
 58.28 appropriate election official, phone number, and e-mail address] and the county will mail  
 58.29 you a sample at no charge."

59.1 Sec. 33. Minnesota Statutes 2021 Supplement, section 206.805, subdivision 1, is amended  
59.2 to read:

59.3 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the  
59.4 commissioner of administration, must establish one or more state voting systems contracts.  
59.5 The contracts should, if practical, include provisions for maintenance of the equipment  
59.6 purchased. The voting systems contracts must address precinct-based optical scan voting  
59.7 equipment, assistive voting technology, automatic tabulating equipment, and electronic  
59.8 roster equipment. The contracts must give the state a perpetual license to use and modify  
59.9 the software. The contracts must include provisions to escrow the software source code.  
59.10 Bids for voting systems and related election services must be solicited from each vendor  
59.11 selling or leasing voting systems that have been certified for use by the secretary of state.  
59.12 Bids for electronic roster equipment, software, and related services must be solicited from  
59.13 each vendor selling or leasing electronic roster equipment that meets the requirements of  
59.14 section 201.225, subdivision 2. The contracts must be renewed from time to time.

59.15 (b) The secretary of state, with the assistance of the commissioner of administration,  
59.16 must establish one or more contracts for ballot paper bearing a security marking as described  
59.17 in section 204B.36, subdivision 1. The contracts must be renewed from time to time.

59.18 (c) Counties and municipalities may purchase or lease voting systems and obtain related  
59.19 election services from the state contracts. All counties and municipalities are members of  
59.20 the cooperative purchasing venture of the Department of Administration for the purpose of  
59.21 this section. For the purpose of township elections, counties must aggregate orders under  
59.22 contracts negotiated under this section for products and services and may apportion the  
59.23 costs of those products and services proportionally among the townships receiving the  
59.24 products and services. The county is not liable for the timely or accurate delivery of those  
59.25 products or services.

59.26 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to  
59.27 elections conducted on or after that date.

59.28 Sec. 34. Minnesota Statutes 2020, section 206.83, is amended to read:

59.29 **206.83 TESTING OF VOTING SYSTEMS.**

59.30 (a) Within 14 days before election day, the official in charge of elections shall have the  
59.31 voting system tested to ascertain that the system will correctly mark ballots using all methods  
59.32 supported by the system, including through assistive technology, and count the votes cast  
59.33 for all candidates and on all questions. ~~Public notice of the time and place of the test must~~

60.1 ~~be given at least two days in advance by publication once in official newspapers.~~ The test  
 60.2 must be observed by at least two election judges, who are not of the same major political  
 60.3 party, and must be open to representatives of the political parties, candidates, the press, and  
 60.4 the public. The test must be conducted by (1) processing a preaudited group of ballots  
 60.5 punched or marked to record a predetermined number of valid votes for each candidate and  
 60.6 on each question, and must include for each office one or more ballot cards which have  
 60.7 votes in excess of the number allowed by law in order to test the ability of the voting system  
 60.8 tabulator and electronic ballot marker to reject those votes; and (2) processing an additional  
 60.9 test deck of ballots marked using the electronic ballot marker for the precinct, including  
 60.10 ballots marked using the electronic ballot display, audio ballot reader, and any assistive  
 60.11 voting technology used with the electronic ballot marker. If any error is detected, the cause  
 60.12 must be ascertained and corrected and an errorless count must be made before the voting  
 60.13 system may be used in the election. After the completion of the test, the programs used and  
 60.14 ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

60.15 (b) At least 14 days before conducting the testing required by paragraph (a), the official  
 60.16 in charge of elections must give notice of the date, time, and location of the testing in the  
 60.17 following manner:

60.18 (1) by publishing the notice once in the official newspaper;

60.19 (2) by prominently posting the notice on the applicable county, municipal, or school  
 60.20 district website, if there is one; and

60.21 (3) by sending the notice to the secretary of state. The secretary of state must prominently  
 60.22 publish the notices on the secretary's website. The secretary of state must notify the chairs  
 60.23 of each major and minor political party when notices are posted and where to find them.

60.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 60.25 applies to elections on or after that date.

60.26 Sec. 35. **[211B.075] DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS**  
 60.27 **AND SAMPLE BALLOTS.**

60.28 Subdivision 1. **Definitions.** (a) The following terms have the meanings given for the  
 60.29 purpose of this section.

60.30 (b) "Person or entity" means any individual, committee, or association as defined by  
 60.31 section 10A.01, subdivision 6.

60.32 (c) "Sample ballot" means a document that is formatted and printed in a manner that so  
 60.33 closely resembles an official ballot that it could lead a reasonable person to believe the

61.1 document is an official ballot. A document that contains the names of particular candidates  
61.2 or ballot questions alongside illustrations of a generic ballot or common ballot markings is  
61.3 not a sample ballot as long as the document does not closely resemble an official ballot and  
61.4 would not lead a reasonable person to believe the document is an official ballot.

61.5 Subd. 2. **Requirements.** (a) A person or entity that mails an absentee ballot application  
61.6 or sample ballot to anyone in the state must comply with this section.

61.7 (b) In addition to the absentee ballot application or sample ballot, the person or entity  
61.8 must include a statement that says:

61.9 (1) the mailing is not an official election communication from a unit of government;

61.10 (2) the application or ballot has not been included at the request of a government official;  
61.11 and

61.12 (3) if a sample ballot is enclosed, that the sample ballot is not an official ballot and the  
61.13 voter must not cast the ballot.

61.14 (c) The statement required by paragraph (b) must be printed in a typeface and format  
61.15 designed to be clearly visible at the time the mailing is opened. The mailing envelope must  
61.16 include markings to clearly distinguish it from official election mail sent by a unit of  
61.17 government.

61.18 (d) If an absentee ballot application is included, the application must be blank and must  
61.19 not include the voter's name, address, or any other required information.

61.20 (e) This section does not apply to a unit of government or employee of that unit of  
61.21 government when discharging official election duties.

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

61.23 Sec. 36. **SECRETARY OF STATE; REPORTS.**

61.24 (a) No later than January 15, 2024, the secretary of state must submit a report to the  
61.25 chairs and ranking minority members of the legislative committees having jurisdiction over  
61.26 elections on grants awarded under Laws 2021, First Special Session chapter 12, article 1,  
61.27 section 6, for ballot dropbox security and integrity. The report must detail each grant awarded  
61.28 including the jurisdiction, the amount of the grant, and what the grant money is intended to  
61.29 purchase.

61.30 (b) No later than January 15, 2024, the secretary of state must submit a report to the  
61.31 chairs and ranking minority members of the legislative committees having jurisdiction over  
61.32 elections on grants awarded under article 1, section 2 for temporary staffing, livestreaming

62.1 of election-related activity, and purchasing ballot paper with security markings. The report  
62.2 must detail each grant awarded including the jurisdiction, the amount of the grant, and what  
62.3 the grant money is intended to purchase.

62.4 Sec. 37. **REPEALER.**

62.5 Minnesota Statutes 2020, sections 13.607, subdivision 6; and 201.091, subdivision 9,  
62.6 are repealed.

62.7 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
62.8 applies to requests for data made on or after that date.

62.9 Sec. 38. **EFFECTIVE DATE.**

62.10 Except as otherwise provided, this article is effective July 1, 2022, and applies to elections  
62.11 conducted on or after that date.

**13.607 CAMPAIGN FINANCE, PUBLIC DISCLOSURE, AND ELECTION DATA  
CODED ELSEWHERE.**

Subd. 6. **Registered voter lists.** Access to registered voter lists is governed by section 201.091.

**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.

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.

**201.091 REGISTERED VOTER LISTS; REPORTS; REGISTRATION PLACES.**

Subd. 9. **Restricted data.** A list provided for public inspection or purchase, or in response to a law enforcement inquiry, must not include a voter's date of birth or any part of a voter's Social Security number, driver's license number, identification card number, military identification card number, or passport number.

**326A.04 CERTIFICATE ISSUANCE AND RENEWAL; COMPETENCY STANDARD.**

Subd. 11. **Automatic revocation.** The certificate of a person who fails to renew a certificate for more than two years after expiration or the certificate of a person who had not reported required experience to the board by January 1, 2003, and who fails to report the required experience under Minnesota Rules shall be automatically revoked by order of the board. The orders may be issued by the board without following the procedures of chapter 14, provided the board notifies each affected person by mail at the person's last known address on file with the board at least three days prior to the issuance of any order. No notice is required if the last communication sent by the board to a licensee was returned to the board by the United States Postal Service as undeliverable and with no forwarding address. Certificates revoked by the board may be reinstated, if at all, under section 326A.09. This subdivision does not apply to certified public accountants who have notified

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the board, according to requirements prescribed by board rule, that they will not use the CPA designation in any manner and will not provide professional services.

**645.071 STANDARD OF TIME.**

Every mention of, or reference to, any hour or time in any law is to be construed with reference to and in accordance with the standard time or advanced standard time provided by federal law. No department of the state government and no county, city or town shall employ any other time or adopt any ordinance or order providing for the use of any other time than the federal standard time or advanced standard time.

**7023.0150 SCOPE AND INCORPORATION BY REFERENCE.**

Subpart 1. **Scope.** To reduce air pollution from vehicles in the state, parts 7023.0150 to 7023.0300 establish standards for low-emission vehicles and zero-emission vehicles.

Subp. 2. **Incorporation by reference.** California Code of Regulations, title 13, sections 1900, 1956.8(h) (medium-duty vehicle greenhouse gas emission standards only), 1961.2, 1961.3, 1962.2, 1962.3, 1965, 1968.2, 1976, 1978, 2035, 2037 to 2041, 2046, 2062, 2109, 2111 to 2121, 2122 to 2135, 2139, and 2141 to 2149, as amended, are incorporated by reference. The regulations are not subject to frequent change and are available online at <https://oal.ca.gov/publications/ccr/>.

Subp. 3. **Term substitutions.** In applying the incorporated sections of the California Code of Regulations, unless the context requires otherwise:

- A. "California" means "Minnesota";
- B. "CARB," "ARB," or "Air Resources Board" means the agency; and
- C. "Executive Officer" means the commissioner.

Subp. 4. **Effective date.** Parts 7023.0150 to 7023.0300, except part 7023.0300, subpart 4, are effective on the date given in a commissioner's notice published in the State Register after the standards incorporated by reference in subpart 2 are granted a waiver by the U.S. Environmental Protection Agency under United States Code, title 42, section 7543. The commissioner's notice must also designate the first effective model year in accordance with United States Code, title 42, section 7507.

**7023.0200 DEFINITIONS.**

Subpart 1. **Applicability.** For parts 7023.0150 to 7023.0300, the terms in this part have the meanings given. The definitions in parts 7000.0100 and 7005.0100 and California Code of Regulations, title 13, section 1900, apply to parts 7023.0150 to 7023.0300 unless the terms are otherwise defined in this part.

Subp. 2. **Authorized emergency vehicle.** "Authorized emergency vehicle" has the meaning given in Minnesota Statutes, section 169.011.

Subp. 3. **CARB.** "CARB" means the California State Air Resources Board as defined in California Health and Safety Code, division 26, part 1, chapter 1, section 39003.

Subp. 4. **First effective model year.** "First effective model year" means the first model year for which the standards adopted in parts 7023.0150 to 7023.0300 are effective according to the commissioner's notice under part 7023.0150, subpart 4.

Subp. 5. **Light-duty truck.** "Light-duty truck" has the meaning given under California Code of Regulations, title 13, section 1900(b)(11).

Subp. 6. **Medium-duty passenger vehicle.** "Medium-duty passenger vehicle" has the meaning given under California Code of Regulations, title 13, section 1900(b)(12).

Subp. 7. **Medium-duty vehicle.** "Medium-duty vehicle" has the meaning given under California Code of Regulations, title 13, section 1900(b)(13).

Subp. 8. **Military tactical vehicle.** "Military tactical vehicle" means a land combat or transportation vehicle, excluding a rail-based vehicle, that is designed for and used by a branch of the United States armed forces or used as an authorized emergency vehicle by or for a governmental agency.

Subp. 9. **Model year.** "Model year" means the manufacturer's annual production period that includes January 1 of a calendar year or, if the manufacturer has no annual production period, the calendar year. The model year for a motor vehicle manufactured in two or more stages is the model year in which the chassis is completed.

Subp. 10. **Motor vehicle manufacturer.** "Motor vehicle manufacturer" means a small, independent low, intermediate, or large volume manufacturer as defined under California Code of Regulations, title 13, section 1900(b)(8), (9), (10), and (22).

Subp. 11. **New motor vehicle.** "New motor vehicle" means a first effective model year or later model year motor vehicle with less than 7,500 miles of use accumulated as of the date of sale or lease.

Subp. 12. **Passenger car.** "Passenger car" has the meaning given under California Code of Regulations, title 13, section 1900(b)(17).

Subp. 13. **Transitional zero-emission vehicle or TZEV.** "Transitional zero-emission vehicle" or "TZEV" has the meaning given under California Code of Regulations, title 13, section 1962.2(c).

Subp. 14. **Used motor vehicle.** "Used motor vehicle" means a first effective model year or later model year motor vehicle with 7,500 miles or more of use accumulated as of the date of sale or lease.

Subp. 15. **Zero-emission vehicle or ZEV.** "Zero-emission vehicle" or "ZEV" has the meaning given under California Code of Regulations, title 13, section 1962.2(a).

#### **7023.0250 LOW-EMISSION VEHICLE STANDARDS.**

Subpart 1. **Requirement.** Beginning with the first effective model year, all of the following that are produced by a motor vehicle manufacturer and delivered for sale or lease in the state must be certified to the standards incorporated by reference under part 7023.0150, subpart 2, except as provided under subpart 2:

- A. new motor vehicles that are passenger cars, light-duty trucks, medium-duty passenger vehicles, and medium-duty vehicles;
- B. new light- or medium-duty motor vehicle engines; and
- C. motor vehicles with a new motor vehicle engine.

Subp. 2. **Exceptions.** This part does not apply to:

- A. a used motor vehicle;
- B. a new motor vehicle sold to another dealer;
- C. a new motor vehicle sold to be wrecked or dismantled;
- D. a new motor vehicle sold exclusively for off-highway use;
- E. a new motor vehicle sold for registration out-of-state;
- F. a new motor vehicle that has been certified to standards adopted under authority granted in United States Code, title 42, section 7521, and that is in the possession of a rental agency in the state and that is next rented with a final destination outside of the state;
- G. an authorized emergency vehicle;
- H. a military tactical vehicle;
- I. a new motor vehicle transferred by inheritance;
- J. a new motor vehicle transferred by court decree;
- K. a new motor vehicle acquired by a state resident to replace a motor vehicle that was registered to the resident and that, while out of state, was damaged, became inoperative beyond reasonable repair, or was stolen if the replacement motor vehicle is acquired out of state at the time the previously owned vehicle was damaged, became inoperative, or was stolen; or

L. a new motor vehicle purchased and registered in another state by a person who is a resident of that state and who subsequently establishes residency in Minnesota. Upon registering the new motor vehicle in Minnesota, the person must provide evidence to the commissioner of the previous residence and registration.

**Subp. 3. Fleet average emissions.**

A. For first effective model year motor vehicles and all subsequent model year motor vehicles to which this part applies, a motor vehicle manufacturer must not exceed the fleet average nonmethane organic gas plus oxides of nitrogen emission values under California Code of Regulations, title 13, section 1961.2. Credits and debits may be accrued and used based on a manufacturer's sales in the state of motor vehicles subject to this part according to California Code of Regulations, title 13, section 1961.2(c).

B. For first effective model year motor vehicles and all subsequent model year motor vehicles to which this part applies, a motor vehicle manufacturer must not exceed the fleet average greenhouse gas exhaust emission values under California Code of Regulations, title 13, section 1961.3. For first effective model year motor vehicles and all subsequent model year motor vehicles, manufacturers of medium-duty vehicles produced by a motor vehicle manufacturer and delivered for sale or lease in the state must not exceed the greenhouse gas emission standards under California Code of Regulations, title 13, section 1956.8(h)(6). Credits and debits may be accrued and used based on a manufacturer's sales in the state of motor vehicles subject to this part according to California Code of Regulations, title 13, section 1961.3.

**Subp. 4. Environmental performance labels.** Beginning with the first effective model year and all subsequent model years, all new motor vehicles subject to this part produced by a motor vehicle manufacturer and delivered for sale or lease in the state must be affixed with emission control labels and environmental performance labels according to California Code of Regulations, title 13, section 1965.

**Subp. 5. Warranty requirements.** For all motor vehicles subject to this part, the motor vehicle manufacturer must provide defect warranty coverage that complies with California Code of Regulations, title 13, sections 2035, 2037 to 2041, and 2046.

**Subp. 6. Recall requirements.** For all motor vehicles subject to this part and subject to recall in California, the motor vehicle manufacturer must undertake a recall campaign in this state according to California Code of Regulations, title 13, sections 2111 to 2121 and 2122 to 2135, unless the manufacturer demonstrates to the commissioner that the recall is not applicable to motor vehicles registered in Minnesota.

**Subp. 7. Reporting requirements.**

A. By May 1 of the calendar year after the end of the model year, a motor vehicle manufacturer must annually submit to the commissioner a report demonstrating that the motor vehicle manufacturer has met the requirements of subpart 3, item A, for its fleet delivered for sale in the state.

B. By May 1 of the calendar year after the end of the model year, a motor vehicle manufacturer must annually submit to the commissioner a report demonstrating that the motor vehicle manufacturer has met the requirements of subpart 3, item B, for its fleet delivered for sale in the state.

C. If requested by the commissioner, a motor vehicle manufacturer must provide reports in the same format as provided to CARB on all assembly-line emission testing and functional test results collected as a result of compliance with this part, warranty claim reports, recall reports, and any other reports required by CARB under the regulations incorporated by reference under part 7023.0150. The reports must be supplemented with data on motor vehicles delivered for sale or registered in Minnesota.

D. If the commissioner deems it necessary to administer and enforce this part, the commissioner must require a motor vehicle manufacturer subject to this part to submit additional documentation, including all certification materials submitted to CARB.

**Subp. 8. Record availability and retention; reporting noncompliance.**

A. Upon oral or written request of the commissioner, a person subject to this part must furnish to the commissioner or allow the commissioner to access and copy all records that relate to the motor vehicles that are subject to this part and that are relevant for determining compliance with this part. Unless otherwise specified, a person subject to this part must retain all relevant records for at least five years after creating the records.

B. If a report issued by a motor vehicle manufacturer under subpart 7 demonstrates noncompliance with the fleet average under subpart 3 for a model year, the manufacturer must, within 60 days, file a report with the commissioner to document the noncompliance. The report must identify all motor vehicle models delivered for sale or lease in the state, the models' corresponding certification standards, and the percentage of each model delivered for sale in this state and California in relation to total fleet sales in the respective state.

**7023.0300 ZERO-EMISSION VEHICLE STANDARDS.**

Subpart 1. **Requirement.** Beginning with the first effective model year, a motor vehicle manufacturer's sales fleet of passenger cars and light-duty trucks produced by motor vehicle manufacturers and delivered for sale or lease in the state must contain at least the same applicable percentage of ZEVs required under California Code of Regulations, title 13, section 1962.2.

**Subp. 2. Credit bank; reporting requirements; record availability and retention.**

A. Beginning in the first effective model year, a motor vehicle manufacturer subject to this part must open an account in the California ZEV credit system for banking credits earned in Minnesota. The account must be opened no later than March 1 of the calendar year after the end of the first effective model year. A motor vehicle manufacturer must notify the commissioner within 30 days of opening an account in the California ZEV credit system for the manufacturer's Minnesota ZEV credits.

B. At least annually by May 1 of the calendar year after the close of a model year, a motor vehicle manufacturer must submit a report to the commissioner that identifies the necessary delivery and placement data of all motor vehicles generating ZEV credits and all transfers and acquisitions of ZEV credits, according to California Code of Regulations, title 13, section 1962.2. The report may be amended based on late sales.

C. Upon oral or written request of the commissioner, a person subject to this part must furnish to the commissioner or allow the commissioner to access and copy all records that relate to the motor vehicles that are subject to this part and that are relevant for determining compliance with this part. Unless otherwise specified, a person subject to this part must retain all relevant records for at least five years after creating the records.

Subp. 3. **Requirement to make up ZEV deficit.** A motor vehicle manufacturer that delivers for sale in the state fewer ZEVs or TZEVs than required to meet its ZEV credit obligation in a given model year must make up the deficit by submitting a commensurate amount of ZEV credits to the commissioner according to California Code of Regulations, title 13, section 1962.2(g)(7). The number of motor vehicles not meeting the ZEV credit obligation must be equal to the manufacturer's credit deficit, rounded to the nearest 1/100th and calculated according to the equation in California Code of Regulations, title 13, section 1962.2(g)(8).

**Subp. 4. Early-action credits.**

A. Beginning with model year 2022 and ending at the beginning of the first effective model year, a motor vehicle manufacturer may earn early-action ZEV credits for delivering ZEVs for sale in the state. A motor vehicle manufacturer choosing to earn

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early-action ZEV credits under this subpart must notify the commissioner to open an account to track early-action ZEV credits in Minnesota no later than March 1 of the calendar year after the close of the first model year for which the manufacturer intends to accrue early-action credits.

B. New motor vehicles delivered for sale in the state under this subpart earn early-action ZEV credits with the same values established in California Code of Regulations, title 13, section 1962.2.

C. A motor vehicle manufacturer that notifies the commissioner under item A must submit a report to the commissioner at least annually by May 1 of the calendar year after the close of the model year that identifies the necessary delivery and placement data of all motor vehicles generating early-action ZEV credits under this subpart, according to California Code of Regulations, title 13, section 1962.2. The report may be amended based on late sales.

D. After the reporting deadline under item C during the first effective model year and after receiving notice from a motor vehicle manufacturer under subpart 2, item A, the commissioner must load the ZEV credits earned by the motor vehicle manufacturer under this subpart into the manufacturer's California ZEV credit system account.

E. This subpart is effective beginning with a motor vehicle manufacturer's model year 2022.

**Subp. 5. Onetime credit allotment.**

A. For the first effective model year, the commissioner must deposit into each motor vehicle manufacturer's account a credit allotment equivalent to the first effective model year's ZEV credit requirement for that motor vehicle manufacturer.

B. The credit amount under item A must be calculated for the first effective model year according to California Code of Regulations, title 13, section 1962.2(b)(1)(A) and (B).

C. The commissioner must deposit the onetime credit allotment at the same time that the commissioner loads the ZEV credits earned by the motor vehicle manufacturer under subpart 4, item D, into the manufacturer's California ZEV credit system account.