

21.19

ARTICLE 2

21.20

STATE GOVERNMENT POLICY

21.21

Section 1. [1.1471] STATE FIRE MUSEUM.

21.22

The Bill and Bonnie Daniels Firefighters Hall and Museum in Minneapolis is designated

21.23

as the official state fire museum.

20.25

ARTICLE 2

20.26

STATE GOVERNMENT OPERATIONS

20.27

Section 1. Minnesota Statutes 2020, section 3.30, subdivision 2, is amended to read:

20.28

Subd. 2. **Members; duties.** (a) ~~The majority leader of the senate or a designee, the chair~~

20.29

~~of the senate Committee on Finance, and the chair of the senate Division of Finance~~

20.30

~~responsible for overseeing the items being considered by the commission, the speaker of~~

20.31

~~the house or a designee, the chair of the house of representatives Committee on Ways and~~

21.1

~~Means, and the chair of the appropriate finance committee, or division of the house of~~

21.2

~~representatives committee responsible for overseeing the items being considered by the~~

21.3

~~commissioner, constitute the Legislative Advisory Commission. The division chair of the~~

21.4

~~Finance Committee in the senate and the division chair of the appropriate finance committee~~

21.5

~~or division in the house of representatives. The Legislative Advisory Commission is composed~~

21.6

~~of the majority leader of the senate or a designee, the minority leader of the senate or a~~

21.7

~~designee, the president of the senate, the chair of the senate Committee on Finance, the~~

21.8

~~ranking minority member of the senate Committee on Finance, the chair of the appropriate~~

21.9

~~senate committee with budget jurisdiction over the item under consideration, the ranking~~

21.10

~~minority member of the appropriate senate committee with budget jurisdiction over the item~~

21.11

~~under consideration, the speaker of the house of representatives or a designee, the minority~~

21.12

~~leader of the house of representatives or a designee, the majority leader of the house of~~

21.13

~~representatives, the chair of the house of representatives Committee on Ways and Means,~~

21.14

~~the ranking minority member of the house of representatives Committee on Ways and~~

21.15

~~Means, the chair of the appropriate house of representatives committee with budget~~

21.16

~~jurisdiction over the item under consideration, and the ranking minority member of the~~

21.17

~~appropriate house of representatives committee with budget jurisdiction over the item under~~

21.18

~~consideration. The Legislative Advisory Commission members that serve on the commission~~

21.19

~~by being the chair or ranking minority member of the appropriate committee with budget~~

21.20

~~jurisdiction over the item under consideration shall rotate according to the items being~~

21.21

~~considered by the commission. If any of the members elect not to serve on the commission,~~

21.22

~~the house of which they are members, if in session, shall select some other member for the~~

21.23

~~vacancy. If the legislature is not in session, vacancies in the house of representatives~~

21.24

~~membership of the commission shall be filled by the last speaker of the house or, if the~~

21.25

~~speaker is not available, by the last chair of the house of representatives Rules Committee,~~

21.26

~~and by the last senate Committee on Committees or other appointing authority designated~~

21.27

~~by the senate rules in case of a senate vacancy. ~~The commissioner of management and~~~~

21.28

~~budget shall be secretary of the commission and keep a permanent record and minutes of~~

21.29

~~its proceedings, which are public records. ~~The commissioner of management and budget~~~~

- 21.30 ~~shall post to the agency website all actions of the commission. Members shall receive~~
 21.31 ~~traveling and subsistence expenses incurred attending meetings of the commission. The~~
 21.32 ~~commission shall meet from time to time upon the call of the governor or upon the call of~~
 21.33 ~~the secretary at the request of two or more of its members. A recommendation of the~~
 21.34 commission must be made at a meeting of the commission unless a written recommendation
 21.35 is signed by all the members entitled to vote on the item.
- 22.1 (b) Members shall receive traveling and subsistence expenses incurred while attending
 22.2 meetings of the commission.
- 22.3 (c) The chair of the commission alternates between a member of the senate and a member
 22.4 of the house of representatives in January of each odd-numbered year.
- 22.5 (d) The commissioner of management and budget shall serve as secretary of the
 22.6 Legislative Advisory Commission. The secretary shall keep a permanent record and minutes
 22.7 of the commission's proceedings, which are public records.
- 22.8 (e) The commissioner of management and budget shall post to the agency website all
 22.9 actions of the commission.
- 22.10 (f) The commission shall meet from time to time upon the call of the governor or upon
 22.11 the call of the secretary at the request of two or more of the commission's members.
- 22.12 Sec. 2. Minnesota Statutes 2020, section 3.3005, is amended by adding a subdivision to
 22.13 read:
- 22.14 Subd. 1a. **Application.** This section applies to the expenditure of all federal money
 22.15 whether that federal money is appropriated under section 4.07 or another section, unless
 22.16 the federal money is specifically excluded from the requirements of this section.
- 22.17 Sec. 3. Minnesota Statutes 2020, section 3.3005, subdivision 2, is amended to read:
- 22.18 Subd. 2. **Governor's request to legislature.** (a) A state agency shall not expend money
 22.19 received by it under federal law for any purpose unless a request to spend federal money
 22.20 from that source for that purpose in that biennium has been submitted by the governor to
 22.21 the legislature as a part of a budget request submitted during or within ten days before the
 22.22 start of a regular legislative session, or unless specifically authorized by law or as provided
 22.23 by this section. A budget request submitted to the legislature according to this subdivision
 22.24 must be submitted at least 20 days before the deadline set by the legislature for legislative
 22.25 budget committees to act on finance bills.
- 22.26 (b) A budget request to spend federal funds submitted to the legislature under this
 22.27 subdivision must clearly identify the federal funds submitted for review under this subdivision
 22.28 and subject to the review period under subdivision 2a. A state agency is prohibited from
 22.29 expending money subject to the requirements of paragraph (a) if the request to spend federal
 22.30 money from that source for that purpose in that biennium has not previously been reviewed

22.31 by the commission and is not clearly identified in the governor's federal funds budget request
 22.32 for review under this subdivision.

23.1 Sec. 4. Minnesota Statutes 2020, section 3.3005, subdivision 2a, is amended to read:

23.2 Subd. 2a. **Review of federal funds spending request.** (a) Twenty days after a governor's
 23.3 budget request that includes a request to spend federal money is submitted to the legislature
 23.4 under subdivision 2, a state agency may expend money included in that request unless,
 23.5 within the 20-day period, a member of the Legislative Advisory Commission requests further
 23.6 review. If a Legislative Advisory Commission member requests further review of a federal
 23.7 funds spending request, the agency may not expend the federal funds until the request has
 23.8 been satisfied and withdrawn, the expenditure is approved in law, or, if the commission has
 23.9 not provided a negative review under paragraph (b), the regular session of the legislature
 23.10 is adjourned for the year.

23.11 (b) If a member requests further review under paragraph (a), the member may request
 23.12 the chair of the Legislative Advisory Commission to call a public meeting to review the
 23.13 proposed expenditure of federal funds on which the member requested more information.
 23.14 The chair of the commission must call a public meeting of the commission to review the
 23.15 proposed expenditure within ten days. If at the public meeting a majority of the commission
 23.16 members provide a negative recommendation on the proposed expenditure that is under
 23.17 review, the agency is prohibited from expending the money. The commission may hold a
 23.18 separate public meeting and may revoke its negative recommendation. If the negative
 23.19 recommendation is revoked by the commission, the agency may expend the federal funds
 23.20 after the regular session of the legislature is adjourned for the year.

23.21 Sec. 5. Minnesota Statutes 2020, section 3.3005, subdivision 4, is amended to read:

23.22 Subd. 4. **Interim procedures; urgencies.** (a) If federal money is awarded to the state
 23.23 for expenditure after the deadline in subdivision 2 or while the legislature is not in session,
 23.24 and the availability of money from that source or for that purpose or in that fiscal year could
 23.25 not reasonably have been anticipated and included in the governor's budget request, and an
 23.26 urgency requires that all or part of the money be encumbered or expended before the
 23.27 legislature reconvenes or prior to the end of the 20-day period specified in subdivision 2,
 23.28 it may be allotted to a state agency after the ~~requirements of subdivision 5 are met~~ Legislative
 23.29 Advisory Commission has reviewed the request. If the members of the commission make
 23.30 a positive recommendation or no recommendation, or if the commission has not reviewed
 23.31 the request within ten days after the date the request was submitted, the commissioner may
 23.32 approve the request and the federal money may be allotted for expenditure. If the commission
 23.33 makes a negative recommendation or a recommendation for further review within ten days
 23.34 after the date the request was submitted, the commissioner is prohibited from approving
 24.1 the expenditure of the federal money. If a request to expend federal money submitted under
 24.2 this subdivision receives a negative recommendation or a recommendation for further review,
 24.3 the request may be submitted again under subdivision 2 or 6.

24.4 (b) For the purpose of this subdivision, a recommendation of the commission must be
 24.5 made at a meeting of the commission unless a written recommendation is signed by all
 24.6 members entitled to vote on the item.

24.7 (c) For the purposes of this subdivision, an urgency exists if:

24.8 (1) the expenditure of the federal funds would prevent imminent harm to life or property;
 24.9 or

24.10 (2) failure to encumber or spend the federal funds before the expiration of the earliest
 24.11 time provided under this subdivision would result in a loss of the federal funds.

24.12 Sec. 6. Minnesota Statutes 2020, section 3.3005, subdivision 5, is amended to read:

24.13 Subd. 5. **Legislative Advisory Commission review.** Federal money that is awarded
 24.14 and becomes available under subdivision 3, 3a, ~~or 3b, or 4~~ may be allotted after the
 24.15 commissioner of management and budget has submitted the request to the members of the
 24.16 Legislative Advisory Commission for their review and recommendation ~~for further review.~~
 24.17 ~~If a recommendation is not made within ten days, no further review by the Legislative~~
 24.18 ~~Advisory Commission is required, and the commissioner shall approve or disapprove the~~
 24.19 ~~request. If a recommendation by any member is for further review the governor shall submit~~
 24.20 ~~the request to the Legislative Advisory Commission for its review and recommendation.~~
 24.21 ~~Failure or refusal of the commission to make a recommendation promptly is a negative~~
 24.22 ~~recommendation. If a member of the commission makes a negative recommendation or~~
 24.23 ~~requests further review on a request within 20 days after the date the request was submitted,~~
 24.24 ~~the commissioner is prohibited from approving the expenditure of the federal money. If a~~
 24.25 ~~request to expend federal money submitted under this subdivision receives a negative~~
 24.26 ~~recommendation or a request for further review, the request may be submitted again under~~
 24.27 ~~subdivision 2. If the members of the commission make a positive recommendation or no~~
 24.28 ~~recommendation, the commissioner may approve the request and the federal money may~~
 24.29 ~~be allotted for expenditure.~~

24.30 Sec. 7. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

24.31 Subd. 3. **State documents.** The library is a depository of all documents published by
 24.32 the state and shall receive them automatically without cost to the legislature or library. As
 25.1 used in this chapter, "document" includes any publication issued by the state, constitutional
 25.2 officers, departments, commissions, councils, bureaus, research centers, societies, task
 25.3 forces, including advisory task forces created under section 15.014 or 15.0593, or other
 25.4 agencies supported by state funds, or any publication prepared for the state by private
 25.5 individuals or organizations considered to be of interest or value to the library. Intraoffice
 25.6 or interoffice memos and forms and information concerning only the internal operation of
 25.7 an agency are not included.

22.16 Sec. 3. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

22.17 Subd. 3. **State documents.** The library is a depository of all documents published by
 22.18 the state and shall receive them automatically without cost to the legislature or library. As
 22.19 used in this chapter, "document" includes any publication issued by the state, constitutional
 22.20 officers, departments, commissions, councils, bureaus, research centers, societies, task
 22.21 forces, including advisory task forces created under section 15.014 or 15.0593, or other
 22.22 agencies supported by state funds, or any publication prepared for the state by private
 22.23 individuals or organizations considered to be of interest or value to the library. Intraoffice
 22.24 or interoffice memos and forms and information concerning only the internal operation of
 22.25 an agency are not included.

22.26 Sec. 4. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

22.27 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to
 22.28 coordinate the legislative activities of the senate and house of representatives and the joint
 22.29 legislative commissions, committees, offices, and task forces.

23.1 Sec. 5. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

23.2 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial
 23.3 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
 23.4 section.

23.5 (b) Each division may be supervised by a deputy auditor, appointed by the legislative
 23.6 auditor, with the approval of the commission, for a term coterminous with the legislative
 23.7 auditor's term. The deputy auditors may be removed before the expiration of their terms
 23.8 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~
 23.9 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits
 23.10 of the legislative auditor, deputy auditors, and ~~confidential secretaries~~ administrative support
 23.11 specialists shall be determined by the compensation plan approved by the Legislative
 23.12 Coordinating Commission. The deputy auditors may perform and exercise the powers,
 23.13 duties and responsibilities imposed by law on the legislative auditor when authorized by
 23.14 the legislative auditor.

25.8 Sec. 8. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

25.9 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to
 25.10 coordinate the legislative activities of the senate and house of representatives and the joint
 25.11 legislative commissions, committees, offices, and task forces.

25.12 Sec. 9. Minnesota Statutes 2020, section 3.8853, subdivision 4, is amended to read:

25.13 Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative
 25.14 Budget Office, the head or chief administrative officer of each department or agency of
 25.15 state government, including the supreme court, must promptly supply data ~~that are used to~~
 25.16 ~~used by the agency to prepare or necessary for the Legislative Budget Office to review or~~
 25.17 ~~prepare a fiscal note, including data that are not public data under section 13.64 or other~~
 25.18 ~~applicable law, unless there are federal laws or regulations that prohibit the provision of the~~
 25.19 ~~not public data for this purpose. Not public data supplied under this subdivision may only~~
 25.20 ~~be used by the Legislative Budget Office to review a department or agency's work in~~
 25.21 ~~preparing a fiscal note and may not be used or disseminated for any other purpose, including~~
 25.22 ~~use by or dissemination to a legislator or to any officer, department, agency, or committee~~
 25.23 ~~within the legislative branch. Violation of this subdivision by the director or other staff of~~
 25.24 ~~the Legislative Budget Office is cause for removal, suspension without pay, or immediate~~
 25.25 ~~dismissal at the direction of the oversight commission.~~

25.26 Sec. 10. Minnesota Statutes 2020, section 3.8853, is amended by adding a subdivision to
 25.27 read:

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

27.1 Sec. 12. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

27.2 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial
 27.3 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
 27.4 section.

27.5 (b) Each division may be supervised by a deputy auditor, appointed by the legislative
 27.6 auditor, with the approval of the commission, for a term coterminous with the legislative
 27.7 auditor's term. The deputy auditors may be removed before the expiration of their terms
 27.8 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~
 27.9 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits
 27.10 of the legislative auditor, deputy auditors, and ~~confidential secretaries~~ administrative support
 27.11 specialists shall be determined by the compensation plan approved by the Legislative
 27.12 Coordinating Commission. The deputy auditors may perform and exercise the powers,
 27.13 duties and responsibilities imposed by law on the legislative auditor when authorized by
 27.14 the legislative auditor.

23.15 ~~(e)~~ The legislative auditor must appoint a fiscal oversight officer with duties that include
23.16 performing the review under section 3.972, subdivision 4.

23.17 ~~(d)~~ (c) The legislative auditor, deputy auditors, and the confidential secretaries
23.18 administrative support specialists shall serve in the unclassified civil service, but the fiscal
23.19 oversight officer and all other employees of the legislative auditor ~~are~~ shall serve in the
23.20 classified civil service. Compensation for employees of the legislative auditor in the classified
23.21 service shall be governed by a plan prepared by the legislative auditor and approved by the
23.22 Legislative Coordinating Commission and the legislature under section 3.855, subdivision
23.23 3.

23.24 ~~(e)~~ (d) While in office, a person appointed deputy for the Financial Audit Division must
23.25 hold an active license as a certified public accountant.

23.26 Sec. 6. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to
23.27 read:

23.28 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)
23.29 fulfill a legal requirement; (2) investigate allegations that an individual or organization
23.30 subject to audit by the legislative auditor may not have complied with legal requirements
23.31 related to the use of public money, other public resources, or government data classified as
23.32 not public; (3) respond to a legislative request for a review of an organization or program
24.1 subject to audit by the legislative auditor; or (4) investigate allegations that an individual
24.2 may not have complied with section 43A.38 or 43A.39.

24.3 Sec. 7. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

24.4 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~
24.5 ~~constant, as resources permit, audit of all the financial affairs activities of (1) all departments~~
24.6 ~~and, agencies of, offices, and other organizations in the state; executive branch; (2) courts,~~
24.7 ~~offices, and other organizations in the state judicial branch; and of the financial records and~~
24.8 ~~transactions of (3) public boards, associations, and societies, and other public organizations~~
24.9 ~~created by state law or supported, wholly or in part, by state funds. Once in each year, if~~
24.10 ~~funds and personnel permit, without previous notice, The legislative auditor shall visit each~~
24.11 ~~state department and agency, association or society and, so far as practicable,~~

24.12 (1) inspect;

24.13 (2) thoroughly examine its books and accounts, verifying the funds, securities, and other
24.14 assets;

24.15 (3) check the items of receipts and disbursements with its voucher records;

27.15 ~~(e)~~ The legislative auditor must appoint a fiscal oversight officer with duties that include
27.16 performing the review under section 3.972, subdivision 4.

27.17 ~~(d)~~ (c) The legislative auditor, deputy auditors, and the confidential secretaries
27.18 administrative support specialists shall serve in the unclassified civil service, but the fiscal
27.19 oversight officer and all other employees of the legislative auditor ~~are~~ shall serve in the
27.20 classified civil service. Compensation for employees of the legislative auditor in the classified
27.21 service shall be governed by a plan prepared by the legislative auditor and approved by the
27.22 Legislative Coordinating Commission and the legislature under section 3.855, subdivision
27.23 3.

27.24 ~~(e)~~ (d) While in office, a person appointed deputy for the Financial Audit Division must
27.25 hold an active license as a certified public accountant.

27.26 (e) Notwithstanding Minnesota Statutes, section 43A.32, subdivisions 2 and 3, or any
27.27 other law to the contrary, an employee of the legislative auditor is prohibited from being a
27.28 candidate for an elected public office.

27.29 Sec. 13. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to
27.30 read:

27.31 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)
27.32 fulfill a legal requirement; (2) investigate allegations that an individual or organization
27.33 subject to audit by the legislative auditor may not have complied with legal requirements
28.1 related to the use of public money, other public resources, or government data classified as
28.2 not public; (3) respond to a legislative request for a review of an organization or program
28.3 subject to audit by the legislative auditor; or (4) investigate allegations that an individual
28.4 may not have complied with section 43A.38 or 43A.39.

28.5 Sec. 14. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

28.6 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~
28.7 ~~constant, as resources permit, audit of all the financial affairs activities of (1) all departments~~
28.8 ~~and, agencies of, offices, and other organizations in the state; executive branch; (2) courts,~~
28.9 ~~offices, and other organizations in the state judicial branch; and of the financial records and~~
28.10 ~~transactions of (3) public boards, associations, and societies, and other public organizations~~
28.11 ~~created by state law or supported, wholly or in part, by state funds. Once in each year, if~~
28.12 ~~funds and personnel permit, without previous notice, The legislative auditor shall visit each~~
28.13 ~~state department and agency, association or society and, so far as practicable,~~

28.14 (1) inspect;

28.15 (2) thoroughly examine its books and accounts, verifying the funds, securities, and other
28.16 assets;

28.17 (3) check the items of receipts and disbursements with its voucher records;

- 24.16 (4) ascertain the character of the official bonds for its officers and the financial ability
24.17 of the bonding institution;
- 24.18 (5) inspect its sources of revenue and the use and disposition of state appropriations and
24.19 property;
- 24.20 (6) investigate the methods of purchase and sale and the character of contracts on public
24.21 account;
- 24.22 (7) ascertain proper custody and depository for its funds and securities;
- 24.23 (8) verify the inventory of public property and other assets held in trust; and
- 24.24 (9) ascertain that all financial transactions and operations involving the public funds and
24.25 property of the state comply with the spirit and purpose of the law, are sound by modern
24.26 standards of financial management, and are for the best protection of the public interest
24.27 funds and other public resources.

24.28 Sec. 8. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

24.29 Subd. 2a. **Audits of Department of Human Services.** (a) To ensure ~~continuous~~ effective
24.30 legislative oversight and accountability, the legislative auditor shall give high priority to
24.31 auditing the programs, services, and benefits administered by the Department of Human
25.1 Services. ~~The audits shall determine whether~~ As resources permit, the legislative auditor
25.2 shall track and assess expenditures throughout the human service delivery system, from the
25.3 department offered to the point of service delivery, and determine whether human services
25.4 programs and provided, services, and benefits are being provided cost-effectively and only
25.5 to eligible persons individuals and organizations, and complied in compliance with applicable
25.6 legal requirements.

25.7 (b) ~~The legislative auditor shall, based on an assessment of risk and using professional~~
25.8 ~~standards to provide a statistically significant sample, no less than three times each year,~~
25.9 ~~test a representative sample of persons enrolled in a medical assistance program or~~
25.10 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~
25.11 ~~programs. The legislative auditor shall report the results to the commissioner of human~~
25.12 ~~services and recommend corrective actions. The commissioner shall provide a response to~~
25.13 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~
25.14 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~
25.15 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~
25.16 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~
25.17 ~~ranking minority members of the legislative committees with jurisdiction over health and~~
25.18 ~~human services policy and finance. The legislative auditor's reports to the commission and~~
25.19 ~~the chairs and ranking minority members must include recommendations for any legislative~~
25.20 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~
25.21 ~~only to eligible persons.~~

- 28.18 (4) ascertain the character of the official bonds for its officers and the financial ability
28.19 of the bonding institution;
- 28.20 (5) inspect its sources of revenue and the use and disposition of state appropriations and
28.21 property;
- 28.22 (6) investigate the methods of purchase and sale and the character of contracts on public
28.23 account;
- 28.24 (7) ascertain proper custody and depository for its funds and securities;
- 28.25 (8) verify the inventory of public property and other assets held in trust; and
- 28.26 (9) ascertain that all financial transactions and operations involving the public funds and
28.27 property of the state comply with the spirit and purpose of the law, are sound by modern
28.28 standards of financial management, and are for the best protection of the public interest
28.29 funds and other public resources.

29.1 Sec. 15. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

29.2 Subd. 2a. **Audits of Department of Human Services.** (a) To ensure ~~continuous~~ effective
29.3 legislative oversight and accountability, the legislative auditor shall give high priority to
29.4 auditing the programs, services, and benefits administered by the Department of Human
29.5 Services. ~~The audits shall determine whether~~ As resources permit, the legislative auditor
29.6 shall track and assess expenditures throughout the human service delivery system, from the
29.7 department offered to the point of service delivery, and determine whether human services
29.8 programs and provided, services, and benefits are being provided cost-effectively and only
29.9 to eligible persons individuals and organizations, and complied in compliance with applicable
29.10 legal requirements.

29.11 (b) ~~The legislative auditor shall, based on an assessment of risk and using professional~~
29.12 ~~standards to provide a statistically significant sample, no less than three times each year,~~
29.13 ~~test a representative sample of persons enrolled in a medical assistance program or~~
29.14 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~
29.15 ~~programs. The legislative auditor shall report the results to the commissioner of human~~
29.16 ~~services and recommend corrective actions. The commissioner shall provide a response to~~
29.17 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~
29.18 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~
29.19 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~
29.20 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~
29.21 ~~ranking minority members of the legislative committees with jurisdiction over health and~~
29.22 ~~human services policy and finance. The legislative auditor's reports to the commission and~~
29.23 ~~the chairs and ranking minority members must include recommendations for any legislative~~
29.24 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~
29.25 ~~only to eligible persons.~~

25.22 Sec. 9. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

25.23 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
 25.24 officials and their deputies and employees, and all corporations, firms, and individuals
 25.25 having business involving the receipt, disbursement, or custody of public funds shall at all
 25.26 times afford reasonable facilities for examinations by the legislative auditor, make returns
 25.27 and reports required by the legislative auditor, attend and answer under oath the legislative
 25.28 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
 25.29 classification, and property that the legislative auditor ~~may need requests~~ to inspect, and in
 25.30 all things ~~aid cooperate with~~ the legislative auditor ~~in the performance of duties~~.

25.31 Sec. 10. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

25.32 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
 25.33 ~~review~~, program evaluation, ~~best practices~~ special review, or investigation. Data relating to
 26.1 an audit are not public or with respect to data on individuals are confidential until the final
 26.2 report of the audit has been released by the legislative auditor or the audit is no longer being
 26.3 actively pursued. Upon release of a final audit report by the legislative auditor, data relating
 26.4 to an audit are public except data otherwise classified as not public.

26.5 (b) Data related to an audit but not published in the audit report and that the legislative
 26.6 auditor reasonably believes will be used in litigation are not public and with respect to data
 26.7 on individuals are confidential until the litigation has been completed or is no longer being
 26.8 actively pursued.

29.26 Sec. 16. Minnesota Statutes 2020, section 3.9741, subdivision 5, is amended to read:

29.27 Subd. 5. **State Data security; account; appropriation.** ~~(a)~~ The data security account
 29.28 is created in the special revenue fund. Money in the account is appropriated to the legislative
 29.29 auditor.

29.30 ~~(b) Subject to available funds appropriated under paragraph (a), the legislative auditor~~
 29.31 ~~shall:~~

29.32 ~~(1) review and audit the audit reports of subscribers and requesters submitted under~~
 29.33 ~~section 168.327, subdivision 6, including producing findings and opinions;~~

30.1 ~~(2) in collaboration with the commissioner and affected subscribers and requesters,~~
 30.2 ~~recommend corrective action plans to remediate any deficiencies identified under clause~~
 30.3 ~~(1); and~~

30.4 ~~(3) review and audit driver records subscription services and bulk data practices of the~~
 30.5 ~~Department of Public Safety, including identifying any deficiencies and making~~
 30.6 ~~recommendations to the commissioner.~~

30.7 ~~(e) The legislative auditor shall submit any reports, findings, and recommendations~~
 30.8 ~~under this subdivision to the legislative commission on data practices.~~

30.9 Sec. 17. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

30.10 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
 30.11 officials and their deputies and employees, and all corporations, firms, and individuals
 30.12 having business involving the receipt, disbursement, or custody of public funds shall at all
 30.13 times afford reasonable facilities for examinations by the legislative auditor, make returns
 30.14 and reports required by the legislative auditor, attend and answer under oath the legislative
 30.15 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
 30.16 classification, and property that the legislative auditor ~~may need requests~~ to inspect, and in
 30.17 all things ~~aid cooperate with~~ the legislative auditor ~~in the performance of duties~~.

30.18 Sec. 18. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

30.19 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
 30.20 ~~review~~, program evaluation, ~~best practices~~ special review, or investigation. Data relating to
 30.21 an audit are not public or with respect to data on individuals are confidential until the final
 30.22 report of the audit has been released by the legislative auditor or the audit is no longer being
 30.23 actively pursued. Upon release of a final audit report by the legislative auditor, data relating
 30.24 to an audit are public except data otherwise classified as not public.

30.25 (b) Data related to an audit but not published in the audit report and that the legislative
 30.26 auditor reasonably believes will be used in litigation are not public and with respect to data
 30.27 on individuals are confidential until the litigation has been completed or is no longer being
 30.28 actively pursued.

26.9 (c) ~~Data on individuals~~ that could reasonably be used to determine the identity of an
 26.10 individual supplying data for an audit are private if the data supplied by the individual were
 26.11 needed for an audit and the individual would not have provided the data to the legislative
 26.12 auditor without an assurance that the individual's identity would remain private, or the
 26.13 legislative auditor reasonably believes that the subject would not have provided the data.

26.14 (d) The definitions of terms provided in section 13.02 apply for purposes of this
 26.15 subdivision.

26.16 Sec. 11. Minnesota Statutes 2020, section 4A.01, subdivision 3, is amended to read:

26.17 Subd. 3. **Report.** The commissioner must submit a report to the governor and chairs and
 26.18 ranking minority members of the senate and house of representatives committees with
 26.19 jurisdiction on state government finance by January 15 of each year that provides economic,
 26.20 social, and environmental demographic information to assist public and elected officials
 26.21 with long-term management decisions. The report must identify and assess the information
 26.22 important to understanding the state's two-, ten-, and 50-year outlook. The report must

30.29 (c) ~~Data on individuals~~ that could reasonably be used to determine the identity of an
 30.30 individual supplying data for an audit are private if the data supplied by the individual were
 30.31 needed for an audit and the individual would not have provided the data to the legislative
 31.1 auditor without an assurance that the individual's identity would remain private, or the
 31.2 legislative auditor reasonably believes that the subject would not have provided the data.

31.3 (d) The definitions of terms provided in section 13.02 apply for purposes of this
 31.4 subdivision.

31.5 Sec. 19. Minnesota Statutes 2020, section 3.98, subdivision 1, is amended to read:

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

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

31.17 Sec. 20. Minnesota Statutes 2020, section 4.07, is amended by adding a subdivision to
 31.18 read:

31.19 Subd. 4. **Federal funds savings; reports.** Beginning July 1, 2021, each state agency
 31.20 must submit a detailed report to the chairs and ranking minority members of the senate
 31.21 Committee on Finance and the house of representatives Committee on Ways and Means,
 31.22 and the chairs and ranking minority members of the legislative committees with jurisdiction
 31.23 over the budget for the agency concerning the use of any federal funds as described within
 31.24 this section. The report must detail the use of any federal funds in the calendar quarter
 31.25 preceding the report that permitted the agency to redirect or reduce the use of state funds.
 31.26 Agencies must continue reporting pursuant to this section on the first day of each subsequent
 31.27 calendar quarter until July 1, 2025, and annually on June 30 of each year beginning in 2026.
 31.28 For the purposes of this section, "agency" has the meaning given in section 16A.011,
 31.29 subdivision 2.

26.23 include the demographic forecast required by section 4A.02, paragraph (c), ~~and information~~
26.24 ~~to assist with the preparation of the milestones report required by section 4A.11~~, and may
26.25 include policy recommendations based upon the information and assessment provided.

26.26 Sec. 12. Minnesota Statutes 2020, section 4A.02, is amended to read:

26.27 **4A.02 STATE DEMOGRAPHER.**

26.28 (a) The commissioner shall appoint a state demographer. The demographer must be
26.29 professionally competent in demography and must possess demonstrated ability based upon
26.30 past performance.

26.31 (b) The demographer shall:

26.32 (1) continuously gather and develop demographic data relevant to the state;

27.1 (2) design and test methods of research and data collection;

27.2 (3) periodically prepare population projections for the state and designated regions and
27.3 periodically prepare projections for each county or other political subdivision of the state
27.4 as necessary to carry out the purposes of this section;

27.5 (4) review, comment on, and prepare analysis of population estimates and projections
27.6 made by state agencies, political subdivisions, other states, federal agencies, or
27.7 nongovernmental persons, institutions, or commissions;

27.8 (5) serve as the state liaison with the United States Bureau of the Census, coordinate
27.9 state and federal demographic activities to the fullest extent possible, and aid the legislature
27.10 in preparing a census data plan and form for each decennial census;

27.11 (6) compile an annual study of population estimates on the basis of county, regional, or
27.12 other political or geographical subdivisions as necessary to carry out the purposes of this
27.13 section and section 4A.03;

27.14 (7) by January 1 of each year, issue a report to the legislature containing an analysis of
27.15 the demographic implications of the annual population study and population projections;

27.16 (8) prepare maps for all counties in the state, all municipalities with a population of
27.17 10,000 or more, and other municipalities as needed for census purposes, according to scale
27.18 and detail recommended by the United States Bureau of the Census, with the maps of cities
27.19 showing precinct boundaries;

27.20 (9) prepare an estimate of population and of the number of households for each
27.21 governmental subdivision for which the Metropolitan Council does not prepare an annual
27.22 estimate, and convey the estimates to the governing body of each political subdivision by
27.23 June 1 of each year or, in a year following a decennial census, within six weeks of the date
27.24 the data are provided by the United States Census Bureau in that year;

27.25 (10) direct, under section 414.01, subdivision 14, and certify population and household
 27.26 estimates of annexed or detached areas of municipalities or towns after being notified of
 27.27 the order or letter of approval by the chief administrative law judge of the State Office of
 27.28 Administrative Hearings;

27.29 (11) prepare, for any purpose for which a population estimate is required by law or
 27.30 needed to implement a law, a population estimate of a municipality or town whose population
 27.31 is affected by action under section 379.02 or 414.01, subdivision 14; and

27.32 (12) prepare an estimate of average household size for each statutory or home rule charter
 27.33 city with a population of 2,500 or more by June 1 of each year or, in a year following a
 28.1 decennial census, within six weeks of the date the data are provided by the United States
 28.2 Census Bureau in that year.

28.3 (c) A governing body may challenge an estimate made under paragraph (b) by filing
 28.4 their specific objections in writing with the state demographer by June 24. If the challenge
 28.5 does not result in an acceptable estimate, the governing body may have a special census
 28.6 conducted by the United States Bureau of the Census. The political subdivision must notify
 28.7 the state demographer by July 1 of its intent to have the special census conducted. The
 28.8 political subdivision must bear all costs of the special census. Results of the special census
 28.9 must be received by the state demographer by the next April 15 to be used in that year's
 28.10 June 1 estimate to the political subdivision under paragraph (b). In the year following a
 28.11 decennial census, challenges to the census count must be submitted to the United States
 28.12 Census Bureau through its formal challenge process.

28.13 (d) The state demographer shall certify the estimates of population and household size
 28.14 to the commissioner of revenue by July 15 each year, including any estimates still under
 28.15 objection except that in a year following a decennial census, the estimate must be certified
 28.16 within six weeks of the date the data are provided by the United States Census Bureau in
 28.17 that year.

28.18 (e) The state demographer may contract for the development of data and research required
 28.19 under this chapter, including, but not limited to, population estimates and projections, the
 28.20 preparation of maps, and other estimates.

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

28.22 **Sec. 13. [5.42] DISPLAY OF BUSINESS ADDRESS ON WEBSITE.**

28.23 (a) A business entity may request in writing that all addresses submitted by the business
 28.24 entity to the secretary of state be omitted from display on the secretary of state's website.
 28.25 A business entity may only request that all addresses be omitted from display if the entity
 28.26 certifies that:

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

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

31.30 **Sec. 21. [5.42] DISPLAY OF BUSINESS ADDRESS ON WEBSITE.**

31.31 (a) The secretary of state must not display on its website the addresses of an eligible
 31.32 business entity that has made a written request to have the addresses omitted from the
 32.1 website. A business entity is eligible to have all addresses omitted from display if the entity
 32.2 certifies that:

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

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

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

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

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

29.6 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to business
29.7 entity filings filed with the secretary of state on or after that date.

29.8 Sec. 14. Minnesota Statutes 2020, section 10.44, is amended to read:

29.9 **10.44 HOUSE, SENATE, COURT, ELECTED OFFICE BUDGETS; HOW**
29.10 **TREATED.**

29.11 The budgets of the ~~house of representatives, senate,~~ constitutional officers, district courts,
29.12 court of appeals, and supreme court must be submitted to and considered by the appropriate
29.13 committees of the legislature in the same manner as the budgets of executive agencies.

29.14 Sec. 15. Minnesota Statutes 2020, section 10.45, is amended to read:

29.15 **10.45 BUDGETS; INFORMATION.**

29.16 The budgets of the house of representatives, the senate, the Legislative Coordinating
29.17 Commission, each constitutional officer, the district courts, court of appeals, and supreme
29.18 court shall be public information and shall be divided into expense categories. The categories
29.19 shall include, among others, travel and telephone expenses.

29.20 Sec. 16. **[10.551] INDIA DAY.**

29.21 (a) August 15 of each year is designated as India Day to commemorate and celebrate
29.22 the diverse culture, heritage, and traditions of Minnesotans of Indian ancestry. This date is
29.23 a time for the Indian American Minnesotan community to celebrate their contributions to
29.24 our state.

29.25 (b) The diverse culture, traditions, and values of this community have contributed to the
29.26 vitality of Minnesota. Each year, the governor shall issue a proclamation honoring the
29.27 observance of India Day and shall encourage Minnesotans to take the opportunity to learn
29.28 about and appreciate the Indian American Minnesotan community and their contributions
29.29 to Minnesota.

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

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

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

32.14 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to business
32.15 entity filings filed with the secretary of state on or after that date.

32.16 Sec. 22. **[10.551] INDIA DAY.**

32.17 (a) August 15 of each year is designated India Day to commemorate and to celebrate
32.18 the diverse culture, heritage, and traditions of the Minnesotans of Indian ancestry. This date
32.19 is a time for the Indian-American Minnesotan community to celebrate their contributions
32.20 to our state.

32.21 (b) The diverse culture, traditions, and value of this community have contributed to the
32.22 vitality of Minnesota. Each year, the governor shall issue a proclamation honoring the
32.23 observance and encouraging Minnesotans to take the opportunity to learn about and
32.24 appreciate the Indian-American Minnesotan community and their contributions to Minnesota.

30.1 Sec. 17. **[10.65] GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH**
30.2 **TRIBAL GOVERNMENTS.**

30.3 **Subdivision 1. Recognition of Tribal status and relationship with the state of**
30.4 **Minnesota.** (a) The state of Minnesota is home to 11 federally recognized Indian Tribes
30.5 with elected Tribal government officials. The state of Minnesota acknowledges and supports
30.6 the unique status of Minnesota Tribes and their absolute right to existence, self-governance,
30.7 and self-determination.

30.8 (b) The United States and the state of Minnesota have a unique relationship with federally
30.9 recognized Indian Tribes, formed by the Constitution of the United States, treaties, statutes,
30.10 case law, and agreements.

30.11 (c) The state of Minnesota and Minnesota Tribal governments significantly benefit from
30.12 working together, learning from one another, and partnering where possible.

30.13 (d) Timely and meaningful consultation between the state of Minnesota and Minnesota
30.14 Tribal governments will facilitate better understanding and informed decision-making by
30.15 allowing for communication on matters of mutual interest and helping to establish mutually
30.16 respectful and beneficial relationships between the state of Minnesota and Minnesota Tribal
30.17 governments.

30.18 **Subd. 2. Definitions.** As used in this section, the following terms have the meanings
30.19 given:

30.20 (1) "agency" means the Department of Administration, Department of Agriculture,
30.21 Department of Commerce, Department of Corrections, Department of Education, Department
30.22 of Employment and Economic Development, Department of Health, Office of Higher
30.23 Education, Housing Finance Agency, Department of Human Rights, Department of Human
30.24 Services, Office of MN.IT Services, Department of Iron Range Resources and Rehabilitation,
30.25 Department of Labor and Industry, Minnesota Management and Budget, Bureau of Mediation
30.26 Services, Department of Military Affairs, Metropolitan Council, Department of Natural
30.27 Resources, Pollution Control Agency, Department of Public Safety, Department of Revenue,
30.28 Department of Transportation, Department of Veterans Affairs, Gambling Control Board,
30.29 Racing Commission, Minnesota Lottery, Animal Health Board, and Board of Water and
30.30 Soil Resources;

30.31 (2) "consultation" means the direct and interactive involvement of Minnesota Tribal
30.32 governments in the development of policy on matters that have Tribal implications.
30.33 Consultation is the proactive, affirmative process of identifying and seeking input from
30.34 appropriate Tribal governments and considering their interest as a necessary and integral
31.1 part of the decision-making process. This definition adds to statutorily mandated notification
31.2 procedures. During a consultation, the burden is on the agency to show that it has made a
31.3 good faith effort to elicit feedback. Consultation is a formal engagement between agency
31.4 officials and the governing body or bodies of an individual Minnesota Tribal government
31.5 that the agency or an individual Tribal government may initiate. Formal meetings or

- 31.6 communication between top agency officials and the governing body of a Minnesota Tribal
31.7 government is a necessary element of consultation;
- 31.8 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
31.9 statements, or other actions that have substantial direct effects on one or more Minnesota
31.10 Tribal governments, or on the distribution of power and responsibilities between the state
31.11 and Minnesota Tribal governments;
- 31.12 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
31.13 in Minnesota including: Bois Forte Band; Fond du Lac Band; Grand Portage Band; Leech
31.14 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
31.15 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
31.16 and Upper Sioux Community; and
- 31.17 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
31.18 allows the result of consultation to be included in the agency's decision-making process for
31.19 a matter that has Tribal implications.
- 31.20 Subd. 3. **Consultation duties.** (a) An agency must recognize the unique legal relationship
31.21 between the state of Minnesota and Minnesota Tribal governments, respect the fundamental
31.22 principles that establish and maintain this relationship, and accord Tribal governments the
31.23 same respect accorded to other governments.
- 31.24 (b) An agency must, in consultation with Minnesota Tribal governments, implement
31.25 Tribal consultation policies to comply with this section and guide their work with Minnesota
31.26 Tribal governments, and must submit these policies to the governor and lieutenant governor.
31.27 Tribal consultation policies must address the communication protocols for each Minnesota
31.28 Tribal government, which must be developed in coordination with representatives of each
31.29 Minnesota Tribal government. An agency must update the Tribal consultation policies as
31.30 often as required in order to facilitate timely and meaningful consultation, but no less than
31.31 biannually.
- 31.32 (c) Consultation under this section is a duty of an agency to consult with the governing
31.33 body or bodies of each individual Minnesota Tribal government. Coordination with groups
31.34 or entities that have representation on some or all of the governing bodies of Minnesota
32.1 Tribal governments, such as the Minnesota Indian Affairs Council or the Minnesota
32.2 Chippewa Tribe, is encouraged but does not satisfy an agency's duty to consult with
32.3 individual Minnesota Tribal governments on matters that have Tribal implications. If a
32.4 matter has implications for one Minnesota Tribal government but not others, the agency's
32.5 duty is to only consult those Minnesota Tribal governments affected.
- 32.6 (d) An agency must consult with each Minnesota Tribal government at least annually,
32.7 and as often as it is required, to address matters that have Tribal implications.
- 32.8 (e) An agency must consult with Minnesota Tribal governments on legislative and fiscal
32.9 matters that affect one or all Minnesota Tribal governments or their members to identify
32.10 priority issues in order to allow agencies to proactively engage Minnesota Tribal governments

- 32.11 in the agency's development of legislative and fiscal proposals in time for submission into
32.12 the governor's recommended budget and legislative proposals each year.
- 32.13 (f) An agency must develop and maintain ongoing consultation with Minnesota Tribal
32.14 governments related to matters that have Tribal implications. Agencies must consider the
32.15 input gathered from Tribal consultation into their decision-making processes, with the goal
32.16 of achieving mutually beneficial solutions.
- 32.17 (g) An agency and a Minnesota Tribal government may agree that a formal consultation
32.18 is not necessary for a given year on a given matter that has Tribal implications, and the
32.19 agency must keep a written record of this decision.
- 32.20 (h) The prospective duty to consult does not apply to action on a matter that has Tribal
32.21 implications if immediate action is required to address a present and immediate threat to
32.22 the health, safety, or welfare of Minnesota citizens. For these actions, every effort should
32.23 be made to communicate, and formal consultation should occur as soon as possible. The
32.24 duty to consult also does not apply to criminal proceedings or other investigations or legal
32.25 proceedings that prohibit an agency from disclosure.
- 32.26 (i) An agency must designate a Tribal liaison to assume responsibility for implementation
32.27 of the Tribal consultation policy and to serve as the principal point of contact for Minnesota
32.28 Tribal governments. The Tribal liaison must be able to directly and regularly meet and
32.29 communicate with the agency's commissioner and deputy and assistant commissioners in
32.30 order to appropriately conduct government-to-government consultation and cooperation.
- 32.31 (j) The state has instituted Tribal state government relations training, which is the
32.32 foundation and basis of all other Tribal government relations training sources. All agencies
32.33 must direct certain staff to complete available training to foster a collaborative relationship
32.34 between the state of Minnesota and Minnesota Tribal governments, and to facilitate timely
33.1 and meaningful consultation. In addition to all commissioners, deputy commissioners, and
33.2 assistant commissioners, at a minimum all agency employees whose work is likely to include
33.3 matters that have Tribal implications must attend Tribal state relations training. Tribal
33.4 liaisons must actively support and participate in the Tribal state relations training.
- 33.5 (k) Any agency or board that is not listed in subdivision 2 is encouraged to and may
33.6 engage in consultation and communication with Minnesota Tribal governments for all
33.7 matters that have Tribal implications.
- 33.8 Subd. 4. **Applicability.** Nothing in this section requires the state or an agency to violate
33.9 or ignore any laws, rules, directives, or other legal requirements or obligations imposed by
33.10 state or federal law or set forth in agreements or compacts between one or more Minnesota
33.11 Tribal governments or any other Tribal government and the state or its agencies. This section
33.12 is not intended to, and does not create, any right to administrative or judicial review, or any
33.13 other right, benefit, or responsibility, substantive or procedural, enforceable against the state
33.14 of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions
33.15 or any other persons. Nothing in this section prohibits or limits any agency from asserting

33.16 any rights or pursuing any administrative or judicial action under state or federal law to
 33.17 effectuate the interests of the state of Minnesota or any of its agencies. Nothing in this
 33.18 section is intended to alter or reduce the state's duties to individual Minnesota citizens
 33.19 including those of Native American descent.

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

32.25 Sec. 23. Minnesota Statutes 2020, section 12.31, subdivision 2, is amended to read:

32.26 Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a
 32.27 peacetime emergency. A peacetime declaration of emergency may be declared only when
 32.28 an act of nature, a technological failure or malfunction, a terrorist incident, an industrial
 32.29 accident, a hazardous materials accident, or a civil disturbance endangers life and property
 32.30 and local government resources are inadequate to handle the situation. If the peacetime
 32.31 emergency occurs on Indian lands, the governor or state director of emergency management
 33.1 shall consult with tribal authorities before the governor makes such a declaration. Nothing
 33.2 in this section shall be construed to limit the governor's authority to act without such
 33.3 consultation when the situation calls for prompt and timely action. When the governor
 33.4 declares a peacetime emergency, the governor must immediately notify the majority and
 33.5 minority leaders of the senate and the speaker and majority and minority leaders of the
 33.6 house of representatives. A peacetime emergency must not be continued for more than five
 33.7 days unless extended by resolution of the Executive Council for up to an additional 25 days
 33.8 for a cumulative total of 30 days. An order, or proclamation declaring, continuing, or
 33.9 terminating an emergency must be given prompt and general publicity and filed with the
 33.10 secretary of state.

33.11 (b) The governor shall not extend a peacetime emergency beyond the 30 days provided
 33.12 in paragraph (a), unless the extension is approved by majority vote of each house of the
 33.13 legislature, the legislature may terminate a peacetime emergency extending beyond 30 days.
 33.14 The governor may make additional proposals to extend the peacetime emergency, and the
 33.15 legislature may, by majority vote of each house, extend the peacetime emergency for up to
 33.16 an additional 30 days per proposal. If the governor determines a need to extend the peacetime
 33.17 emergency declaration beyond 30 days or beyond a peacetime emergency declaration
 33.18 extended by up to 30 days by the legislature under this paragraph and the legislature is not
 33.19 sitting in session, the governor must provide at least three days' notice to the majority and
 33.20 minority leaders in both houses of the legislature of the governor's intent to issue a call
 33.21 immediately convening both houses of the legislature. Nothing in this section limits the
 33.22 governor's authority over or command of the National Guard as described in the Military
 33.23 Code, chapters 190 to 192A, and required by the Minnesota Constitution, article V, section
 33.24 3.

33.25 (c) The governor shall not allow a peacetime emergency declaration to expire and declare
 33.26 a new peacetime emergency for the same emergency in an effort to avoid obtaining legislative
 33.27 approval for an extension of a peacetime emergency as provided under this subdivision.

33.28 (d) If a peacetime emergency declaration is in effect under this subdivision and the
 33.29 governor determines the need to declare an additional, separate peacetime emergency in
 33.30 response to a different event than the event for which the first emergency was declared, the
 33.31 governor is not required to make an additional declaration under this subdivision for the
 33.32 second peacetime emergency except for purposes of receiving federal aid under section
 33.33 12.22. A second peacetime emergency declared under this paragraph shall be effective for
 33.34 the duration of the first peacetime emergency declaration. An extension of either the first
 34.1 or second peacetime emergency declaration, or both, under this paragraph is subject to
 34.2 legislative approval as required in paragraph (b).

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

34.4 Sec. 24. Minnesota Statutes 2020, section 13.64, subdivision 3, is amended to read:

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

34.9 (b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a
 34.10 directive from the requester that the data be classified under this ~~paragraph~~ subdivision.
 34.11 Government data on the request, the bill draft, and the unofficial fiscal note are private data
 34.12 on individuals or nonpublic data, ~~provided~~ except that the data are accessible to, and may
 34.13 be disclosed by, the requester. If the ~~proposed bill draft used to develop the unofficial fiscal~~
 34.14 ~~note or an updated version is subsequently used for an introduced bill, or any legislation,~~
 34.15 ~~including an amendment or a proposed bill, that any member of the legislature offers for~~
 34.16 ~~consideration by a legislative committee introduced as a bill, included in an introduced bill,~~
 34.17 ~~offered as an amendment, or otherwise distributed at a public meeting or event, or if an~~
 34.18 ~~unofficial fiscal note is distributed at a public meeting or event, the fiscal note becomes~~
 34.19 ~~public data.~~

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

34.25 Sec. 25. Minnesota Statutes 2020, section 13.64, subdivision 4, is amended to read:

34.26 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A head or
 34.27 chief administrative officer of a department or agency of the state government, including
 34.28 the supreme court, must provide data that are used to prepare a fiscal note or for the
 34.29 Legislative Budget Office to review the accuracy of fiscal notes on enacted legislation,

34.30 including data that are not public data under this section to the director of the Legislative
 34.31 Budget Office upon the director's request and consistent with section 3.8853, subdivision
 34.32 4, unless there are federal laws or regulations that prohibit the provision of the not public
 34.33 data for this purpose. The data must be supplied according to any standards and procedures
 35.1 adopted under section 3.8853, subdivision 3, including any standards and procedures
 35.2 governing timeliness. Notwithstanding section 13.05, subdivision 9, a responsible authority
 35.3 may not require the Legislative Budget Office to pay a cost for supplying data requested
 35.4 under this subdivision.

35.5 Sec. 26. Minnesota Statutes 2020, section 14.05, subdivision 1, is amended to read:

35.6 Subdivision 1. **Authority to adopt original rules restricted.** Each agency shall adopt,
 35.7 amend, suspend, or repeal its rules in accordance with the procedures specified in sections
 35.8 14.001 to 14.69, and only pursuant to specific authority delegated by law and in full
 35.9 compliance with its duties and obligations. If a law authorizing rules is repealed, the rules
 35.10 adopted pursuant to that law are automatically repealed on the effective date of the law's
 35.11 repeal unless there is another law authorizing the rules. Except as provided in ~~section 14.06~~
 35.12 sections 14.388 and 14.3895, sections 14.001 to 14.69 shall not be specific authority for an
 35.13 agency to adopt, amend, suspend, or repeal rules.

35.14 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to rules adopted
 35.15 on or after that date.

35.16 Sec. 27. Minnesota Statutes 2020, section 14.389, subdivision 5, is amended to read:

35.17 Subd. 5. **Option.** A law authorizing or requiring rules to be adopted under this section
 35.18 may refer specifically to this subdivision. If the law contains a specific reference to this
 35.19 subdivision, as opposed to a general reference to this section:

35.20 (1) the notice required in subdivision 2 must include a statement that a public hearing
 35.21 will be held if ~~100~~ 25 or more people request a hearing. The request must be in the manner
 35.22 specified in section 14.25; and

35.23 (2) if ~~100~~ 25 or more people submit a written request for a public hearing, the agency
 35.24 may adopt the rule only after complying with all of the requirements of chapter 14 for rules
 35.25 adopted after a public hearing.

35.26 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to rules proposed
 35.27 on or after that date.

35.28 Sec. 28. Minnesota Statutes 2020, section 14.57, is amended to read:

35.29 **14.57 INITIATION; DECISION; AGREEMENT TO ARBITRATE.**

35.30 (a) An agency shall initiate a contested case proceeding when one is required by law.
 35.31 ~~Unless otherwise provided by law, An agency shall decide submit a contested case only to~~
 36.1 the Office of Administrative Hearings for disposition in accordance with the contested case
 36.2 procedures of the Administrative Procedure Act. Upon initiation of a contested case

36.3 proceeding, ~~an agency may, by order, provide that~~ the report or order of the administrative
36.4 law judge constitutes the final decision in the case.

36.5 (b) As an alternative to initiating or continuing with a contested case proceeding, the
36.6 parties, subsequent to agency approval, may enter into a written agreement to submit the
36.7 issues raised to arbitration by an administrative law judge according to sections 572B.01
36.8 to 572B.31.

36.9 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to contested
36.10 cases initiated on or after that date.

37.1 Sec. 31. **[15.761] SAVI PROGRAM.**

37.2 **Subdivision 1. Program established.** The state agency value initiative (SAVI) program
37.3 is established to encourage state agencies to identify cost-effective and efficiency measures
37.4 in agency programs and operations that result in cost savings for the state. All state agencies
37.5 not separately authorized to carry forward operating funds may participate in this program.

37.6 **Subd. 2. Retained savings.** (a) In order to encourage innovation and creative cost savings
37.7 by state employees, upon approval of the commissioner of management and budget, 50
37.8 percent of any appropriations for agency operations that remain unspent at the end of a
37.9 biennium because of unanticipated innovation, efficiencies, or creative cost-savings may
37.10 be carried forward and retained by the agency to fund specific agency proposals or projects.
37.11 Agencies choosing to spend retained savings funds must ensure that project expenditures
37.12 do not create future obligations beyond the amounts available from the retained savings.
37.13 The retained savings must be used only to fund projects that directly support the performance
37.14 of the agency's duties. This section does not restrict authority granted by other law to carry
37.15 forward money for a different period or for different purposes.

37.16 (b) This section supersedes any contrary provision of section 16A.28.

37.17 **Subd. 3. Review process.** An agency may spend money for a project after:

37.18 (1) the agency has posted notice of spending for the proposed project on the agency
37.19 website for at least 30 days;

37.20 (2) the commissioner of management and budget has approved spending money from
37.21 the SAVI account for the project; and

37.22 (3) the commissioner has notified the Legislative Advisory Commission for its review
37.23 and comment.

37.24 **Subd. 4. SAVI-dedicated account.** Each agency that participates in the SAVI program
37.25 shall have a SAVI-dedicated account in the special revenue fund, or other appropriate fund
37.26 as determined by the commissioner of management and budget, into which the agency's
37.27 savings are deposited. The agency will manage and review projects that are funded from

33.21 Sec. 18. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
33.22 read:

33.23 Subd. 12. **Audit of state's use of federal funds; annual appropriation.** The
33.24 commissioner shall contract with a qualified auditor to conduct the annual audit required
33.25 by the Single Audit Act of 1984, Public Law 98-502; the Single Audit Act Amendments of
33.26 1996, Public Law 104-156; and Code of Federal Regulations, title 2, part 200, Uniform
33.27 Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
33.28 (Uniform Guidance). There is annually appropriated from the general fund to the
33.29 commissioner an amount sufficient to pay the cost of the annual audit. The cost of the audit
33.30 shall be billed to the agencies audited during the subsequent fiscal year. Amounts paid by
33.31 state agencies shall be deposited in the general fund.

34.1 Sec. 19. Minnesota Statutes 2020, section 16A.103, subdivision 1, is amended to read:

34.2 Subdivision 1. **State revenue and expenditures.** In February and November each year,
34.3 the commissioner shall prepare a forecast of state revenue and expenditures. The November
34.4 forecast must be delivered to the legislature and governor ~~no later than the end of the first~~
34.5 ~~week of December~~ by December 6. The February forecast must be delivered to the legislature
34.6 and governor by the end of February. Forecasts must be delivered to the legislature and
34.7 governor on the same day. If requested by the Legislative Commission on Planning and
34.8 Fiscal Policy, delivery to the legislature must include a presentation to the commission.

34.9 Sec. 20. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

34.10 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
34.11 revenues and expenditures, the commissioner of management and budget determines that
34.12 there will be a positive unrestricted budgetary general fund balance at the close of the
34.13 biennium, the commissioner of management and budget must allocate money to the following
34.14 accounts and purposes in priority order:

37.28 this account. Money in the account is appropriated to the participating agency for purposes
37.29 authorized by this section.

37.30 **EFFECTIVE DATE.** This section is effective June 30, 2022, and first applies to funds
37.31 to be carried forward from the biennium ending June 30, 2022, to the biennium beginning
37.32 July 1, 2022.

38.1 Sec. 32. **[16A.0465] LIMITING GROWTH IN STATE EMPLOYMENT BASED**
38.2 **ON STATE POPULATION.**

38.3 The percentage growth of the total number of full-time equivalent positions employed
38.4 by all executive branch state agencies from one fiscal year to the next must not exceed the
38.5 percentage growth of the state population during the same time frame, as projected by the
38.6 state demographer. "Executive branch state agencies" as used in this section has the meaning
38.7 given for the same term in Minnesota Statutes, section 16A.011, subdivision 12a, and does
38.8 not include Minnesota State Colleges and Universities.

38.9 Sec. 33. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
38.10 read:

38.11 Subd. 12. **Audit of state's use of federal funds; annual appropriation.** The
38.12 commissioner shall contract with a qualified auditor to conduct the annual audit required
38.13 by the United States Single Audit Act of 1984, Public Law 98-502, the Single Audit Act
38.14 Amendments of 1996, Public Law 104-156, and Title 2 United States Code of Federal
38.15 Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and
38.16 Audit Requirements for Federal Awards (Uniform Guidance). There is annually appropriated
38.17 from the general fund to the commissioner an amount sufficient to pay the cost of the annual
38.18 audit. The cost of the audit shall be billed to the agencies audited during the subsequent
38.19 fiscal year. Amounts paid by state agencies shall be deposited to the general fund.

38.20 Sec. 34. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

38.21 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
38.22 revenues and expenditures, the commissioner of management and budget determines that
38.23 there will be a positive unrestricted budgetary general fund balance at the close of the
38.24 biennium, the commissioner of management and budget must allocate money to the following
38.25 accounts and purposes in priority order:

34.15 (1) the cash flow account established in subdivision 1 until that account reaches
 34.16 \$350,000,000;

34.17 (2) the budget reserve account established in subdivision 1a until that account reaches
 34.18 \$1,596,522,000;

34.19 (3) the amount necessary to increase the aid payment schedule for school district aids
 34.20 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
 34.21 tenth of a percent without exceeding the amount available and with any remaining funds
 34.22 deposited in the budget reserve;

34.23 (4) the amount necessary to restore all or a portion of the net aid reductions under section
 34.24 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
 34.25 subdivision 5, by the same amount; and

34.26 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
 34.27 ~~transferred into the fund; and~~

34.28 ~~(6) (5) the amount necessary to increase the Minnesota 21st century fund by not more~~
 34.29 ~~than the difference between \$5,000,000 and the sum of the amounts credited and canceled~~
 34.30 ~~to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the~~
 34.31 ~~sum of all transfers under this section and all amounts credited or canceled under Laws~~
 34.32 ~~2020, chapter 71, article 1, section 11, equals \$20,000,000.~~

35.1 (b) The amounts necessary to meet the requirements of this section are appropriated
 35.2 from the general fund within two weeks after the forecast is released or, in the case of
 35.3 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
 35.4 schedules otherwise established in statute.

35.5 (c) The commissioner of management and budget shall certify the total dollar amount
 35.6 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
 35.7 The commissioner of education shall increase the aid payment percentage and reduce the
 35.8 property tax shift percentage by these amounts and apply those reductions to the current
 35.9 fiscal year and thereafter.

35.10 ~~(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~
 35.11 ~~made.~~

38.26 (1) the cash flow account established in subdivision 1 until that account reaches
 38.27 \$350,000,000;

38.28 (2) the budget reserve account established in subdivision 1a until that account reaches
 38.29 \$1,596,522,000;

38.30 (3) the amount necessary to increase the aid payment schedule for school district aids
 38.31 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
 39.1 tenth of a percent without exceeding the amount available and with any remaining funds
 39.2 deposited in the budget reserve;

39.3 (4) the amount necessary to restore all or a portion of the net aid reductions under section
 39.4 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
 39.5 subdivision 5, by the same amount; and

39.6 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
 39.7 ~~transferred into the fund; and~~

39.8 ~~(6) (5) the amount necessary to increase the Minnesota 21st century fund by not more~~
 39.9 ~~than the difference between \$5,000,000 and the sum of the amounts credited and canceled~~
 39.10 ~~to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the~~
 39.11 ~~sum of all transfers under this section and all amounts credited or canceled under Laws~~
 39.12 ~~2020, chapter 71, article 1, section 11, equals \$20,000,000.~~

39.13 (b) The amounts necessary to meet the requirements of this section are appropriated
 39.14 from the general fund within two weeks after the forecast is released or, in the case of
 39.15 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
 39.16 schedules otherwise established in statute.

39.17 (c) The commissioner of management and budget shall certify the total dollar amount
 39.18 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
 39.19 The commissioner of education shall increase the aid payment percentage and reduce the
 39.20 property tax shift percentage by these amounts and apply those reductions to the current
 39.21 fiscal year and thereafter.

39.22 (d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been
 39.23 made.

39.24 Sec. 35. Minnesota Statutes 2020, section 16A.28, subdivision 3, is amended to read:

39.25 Subd. 3. **Lapse.** Any portion of any appropriation not carried forward and remaining
 39.26 unexpended and unencumbered at the close of a fiscal year lapses to the fund from which
 39.27 it was originally appropriated. Except as provided in section 15.761, any appropriation
 39.28 amounts not carried forward and remaining unexpended and unencumbered at the close of
 39.29 a biennium lapse to the fund from which the appropriation was made.

39.30 **EFFECTIVE DATE.** This section is effective June 30, 2022.

35.12 Sec. 21. [16A.401] VIRTUAL PAYMENTS AUTHORIZED.

35.13 Subdivision 1. **Virtual payments.** The commissioner may establish a program to issue
 35.14 virtual payments from the state treasury. Any rebate to the state generated by the program
 35.15 must be deposited in the general fund unless retained under subdivision 3.

35.16 Subd. 2. **Rebates.** Notwithstanding subdivision 1, rebates attributable to expenditures
 35.17 in funds established in the state constitution or protected by federal law must be returned
 35.18 to the account from which the expenditure originated.

35.19 Subd. 3. **Rebates retained.** The commissioner may retain a portion of rebates for the
 35.20 administration of this section. Money retained under this subdivision must be deposited in
 35.21 an account in the special revenue fund and is appropriated to the commissioner for the
 35.22 purposes of this section.

40.1 Sec. 36. [16A.401] VIRTUAL PAYMENTS AUTHORIZED.

40.2 Subdivision 1. **Virtual payments.** The commissioner may establish a program to issue
 40.3 virtual payments from the state treasury. Any rebate to the state generated by the program
 40.4 must be deposited in the general fund unless retained under subdivision 3.

40.5 Subd. 2. **Rebates.** Notwithstanding subdivision 1, rebates attributable to expenditures
 40.6 in funds established in the state constitution or protected by federal law must be returned
 40.7 to the account from which the expenditure originated.

40.8 Subd. 3. **Rebates retained.** The commissioner may retain a portion of rebates for the
 40.9 administration of this section. Money retained under this subdivision must be deposited in
 40.10 an account in the special revenue fund and is appropriated to the commissioner for the
 40.11 purposes of this section.

40.12 Sec. 37. [16A.728] STADIUM PAYOFF FUND.

40.13 Subdivision 1. **Creation of fund.** The commissioner of management and budget shall
 40.14 establish the stadium payoff fund in the state treasury.

40.15 Subd. 2. **Payoff supplement transfer.** (a) If on the basis of a final closing balance for
 40.16 the general fund for a fiscal year the amount of the general reserve account under section
 40.17 297E.021, subdivision 4, exceeds the greater of the stadium-related expenses under section
 40.18 297E.021, subdivision 3, clause (1), or \$44,000,000, the commissioner shall certify a payoff
 40.19 supplement in the general reserve account. The payoff supplement is equal to the difference
 40.20 between the general reserve account at the final closing of a fiscal year and the greater of
 40.21 the stadium-related expenses, or \$44,000,000.

40.22 (b) By October 1 of each year, the commissioner shall transfer the payoff supplement
 40.23 computed under paragraph (a) to the stadium payoff fund.

40.24 Subd. 3. **Use of fund.** (a) After the date that the appropriation bonds under section
 40.25 16A.695 become callable, the commissioner must use the amount in the fund to redeem or
 40.26 defease outstanding debt for the stadium appropriation bonds under section 16A.965, to the
 40.27 extent permitted by the bond contract. The money in the fund is appropriated only for this
 40.28 purpose. Notwithstanding sections 16A.66 and 16A.965, refunding bonds issued after
 40.29 redeeming outstanding debt for the stadium authorized under section 473J.03, subdivision
 40.30 8, using funds from the stadium payoff fund may be issued without regard to whether the
 40.31 interest to be paid on the bonds is includable in gross income for federal tax purposes.

40.32 (b) After receiving the written approval of a majority of the senate members and a
 40.33 majority of the house members of the Legislative Advisory Commission, the commissioner
 41.1 may transfer balances in the stadium payoff fund to the general fund to offset a shortfall in
 41.2 revenue collected under section 297A.994.

41.3 Subd. 4. **Report.** By October 15, 2021, and each year thereafter, the commissioner of
 41.4 management and budget must analyze and report to the legislature about the use of the
 41.5 money in the stadium payoff fund, and the amount of the actual and projected payoff balance

35.23 Sec. 22. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

35.24 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is
 35.25 authorized to maintain and operate the State Capitol building and grounds, subject to whatever
 35.26 standards and policies are set for its appearance and cleanliness by the Capitol Area
 35.27 Architectural and Planning Board and the commissioner under section 15B.15, subdivision
 35.28 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol
 35.29 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal
 35.30 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~
 35.31 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services
 35.32 building in Arden Hills, Ely Revenue building, any other properties acquired by the
 36.1 Department of Administration, and, when the commissioner considers it advisable and
 36.2 practicable, any other building or premises owned or rented by the state for the use of a
 36.3 state agency. The commissioner shall assign and reassign office space in the Capitol and
 36.4 state buildings to make an equitable division of available space among agencies. The
 36.5 commissioner shall regularly update the long-range strategic plan for locating agencies and
 36.6 shall follow the plan in assigning and reassigning space to agencies. The plan must include
 36.7 locational and urban design criteria, a cost-analysis method to be used in weighing state
 36.8 ownership against leasing of space in specific instances, and a transportation management
 36.9 plan. If the commissioner determines that a deviation from the plan is necessary or desirable
 36.10 in a specific instance, the commissioner shall provide the legislature with a timely written
 36.11 explanation of the reasons for the deviation. The power granted in this subdivision does not
 36.12 apply to state hospitals or to educational, penal, correctional, or other institutions not
 36.13 enumerated in this subdivision the control of which is vested by law in some other agency.

36.14 Sec. 23. Minnesota Statutes 2020, section 16B.24, is amended by adding a subdivision to
 36.15 read:

36.16 Subd. 13. **Electric vehicle charging.** The commissioner shall require that a user of a
 36.17 charging station located on the State Capitol complex used to charge a private electric
 36.18 vehicle pay for the electricity consumed by that vehicle.

41.6 transfers from the general reserve account. The report should also analyze when the money
 41.7 in the stadium payoff fund will be used to redeem or defease the outstanding debt on the
 41.8 stadium appropriation bonds under section 16A.965. The report must be provided to the
 41.9 chairs and ranking minority members of the house of representatives Committee on Ways
 41.10 and Means and Taxes Committee, and the chairs and ranking minority members of the
 41.11 senate Finance Committee and Taxes Committee.

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

41.13 Sec. 38. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

41.14 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is
 41.15 authorized to maintain and operate the State Capitol building and grounds, subject to whatever
 41.16 standards and policies are set for its appearance and cleanliness by the Capitol Area
 41.17 Architectural and Planning Board and the commissioner under section 15B.15, subdivision
 41.18 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol
 41.19 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal
 41.20 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~
 41.21 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services
 41.22 building in Arden Hills, Ely Revenue building, any other properties acquired by the
 41.23 Department of Administration, and, when the commissioner considers it advisable and
 41.24 practicable, any other building or premises owned or rented by the state for the use of a
 41.25 state agency. The commissioner shall assign and reassign office space in the Capitol and
 41.26 state buildings to make an equitable division of available space among agencies. The
 41.27 commissioner shall regularly update the long-range strategic plan for locating agencies and
 41.28 shall follow the plan in assigning and reassigning space to agencies. The plan must include
 41.29 locational and urban design criteria, a cost-analysis method to be used in weighing state
 41.30 ownership against leasing of space in specific instances, and a transportation management
 41.31 plan. If the commissioner determines that a deviation from the plan is necessary or desirable
 41.32 in a specific instance, the commissioner shall provide the legislature with a timely written
 41.33 explanation of the reasons for the deviation. The power granted in this subdivision does not
 42.1 apply to state hospitals or to educational, penal, correctional, or other institutions not
 42.2 enumerated in this subdivision the control of which is vested by law in some other agency.

42.3 Sec. 39. Minnesota Statutes 2020, section 16B.24, is amended by adding a subdivision to
 42.4 read:

42.5 Subd. 13. **Electric vehicle charging.** The commissioner shall require that a user of a
 42.6 charging station located on the State Capitol complex used to charge a private electric
 42.7 vehicle pay an electric service fee. The commissioner shall set the electric service fee rate
 42.8 to cover electricity costs for charging an electric vehicle, depreciation for the charging
 42.9 station, and the administrative costs associated with providing electric charging stations.

36.19 Sec. 24. [16B.276] CAPITOL FLAG PROGRAM.36.20 Subdivision 1. Definitions. (a) The terms used in this section have the meanings given.36.21 (b) "Active service" has the meaning given in section 190.05, subdivision 5.36.22 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
36.23 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
36.24 died while serving honorably in active service in the United States armed forces. For purposes
36.25 of this section, an eligibility relationship may be established by birth or adoption.36.26 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
36.27 3.36.28 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.36.29 Subd. 2. Establishment. A Capitol flag program is established. The purpose of the
36.30 program is to make a Minnesota state flag and an American flag that were flown over the
36.31 Minnesota State Capitol available to the family members of a public safety officer killed
36.32 in the line of duty or a member of the United States armed forces who died while in active
37.1 service. In addition to appropriations provided by law, the commissioner of management
37.2 and budget may receive gifts to support the program as authorized in sections 16A.013 to
37.3 16A.016. The program established by this section is required only to the extent that sufficient
37.4 funds are available through appropriations or gifts to support its operations.37.5 Subd. 3. Submission of request; presentation. (a) A flag request may only be made
37.6 by a legislator or state constitutional officer on behalf of an eligible family member after
37.7 verification of the family member's eligibility under the procedures adopted under subdivision
37.8 4. The request must be made to the commissioner of administration and must indicate the
37.9 type of flag requested, a certification that the family member's eligibility has been verified,
37.10 special requests for the date the flag is requested to be flown over the Capitol, and the
37.11 method of presentment. The commissioner may adopt a form to be used for this purpose.
37.12 With at least 30 days' notice, the commissioner must honor a request that a flag be flown
37.13 on a specific commemorative date.37.14 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
37.15 requesting legislator or constitutional officer for coordination of a later presentment
37.16 ceremony. If relevant information is made available, the commissioner shall provide a
37.17 certificate memorializing the details of the occasion and the date the flag was flown with
37.18 each flag presented.37.19 Subd. 4. Verification of eligibility. The house of representatives, the senate, and each
37.20 constitutional officer must adopt procedures for the administration of flag requests received
37.21 from eligible family members, including a procedure for verification of a family member's
37.22 eligibility to receive a flag.139.5 Sec. 3. [16B.276] CAPITOL FLAG PROGRAM.139.6 Subdivision 1. Definitions. (a) The terms used in this section have the meanings given
139.7 them.139.8 (b) "Active service" has the meaning given in section 190.05, subdivision 5.139.9 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
139.10 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
139.11 died while serving honorably in active service in the United States armed forces. For purposes
139.12 of this section, an eligibility relationship may be established by birth or adoption.139.13 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
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139.17 program is to make a Minnesota state flag and an American flag that were flown over the
139.18 Minnesota State Capitol available to the family members of a public safety officer killed
139.19 in the line of duty or a member of the United States armed forces who died while in active
139.20 service. In addition to appropriations provided by law, the commissioner of management
139.21 and budget may receive gifts to support the program as authorized in sections 16A.013 to
139.22 16A.016. The program established by this section is required only to the extent that sufficient
139.23 funds are available through appropriations or gifts to support its operations.139.24 Subd. 3. Submission of request; presentation. (a) A flag request may only be made
139.25 by a legislator or state constitutional officer on behalf of an eligible family member after
139.26 verification of the family member's eligibility under the procedures adopted under subdivision
139.27 4. The request must be made to the commissioner of administration, and must indicate the
139.28 type of flag requested, a certification that the family member's eligibility has been verified,
139.29 special requests for the date the flag is requested to be flown over the Capitol, and the
139.30 method of presentment. The commissioner may adopt a form to be used for this purpose.
139.31 With at least 30 days' notice, the commissioner must honor a request that a flag be flown
139.32 on a specific commemorative date.140.1 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
140.2 requesting legislator or constitutional officer for coordination of a later presentment
140.3 ceremony. If relevant information is made available, the commissioner shall provide a
140.4 certificate memorializing the details of the occasion and the date the flag was flown with
140.5 each flag presented.140.6 Subd. 4. Verification of eligibility. The house of representatives, the senate, and each
140.7 constitutional officer must adopt procedures for the administration of flag requests received
140.8 from eligible family members, including a procedure for verification of a family member's
140.9 eligibility to receive a flag.

37.23 Subd. 5. Eligibility; fees. (a) For deaths that occur on or after August 1, 2021, the family
 37.24 of a public safety officer killed in the line of duty or service member of the United States
 37.25 armed forces who died in active service is entitled to receive one United States flag and one
 37.26 Minnesota state flag free of charge under this section. If multiple flags of the same type are
 37.27 requested to be flown in honor of the same decedent, the commissioner may charge a
 37.28 reasonable fee that does not exceed the actual cost of flying each flag and preparing a
 37.29 certificate memorializing the occasion.

37.30 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer
 37.31 killed in the line of duty or service member of the United States armed forces who died in
 37.32 active service may receive one United States flag and one Minnesota state flag for a fee,
 37.33 unless there are donated, nonstate funds available to provide a flag without a fee. If payment
 37.34 of a fee is required under this paragraph, the commissioner may charge an eligible family
 38.1 an amount that does not exceed the actual cost of flying each flag and preparing a certificate
 38.2 memorializing the occasion.

38.3 Subd. 6. Police canine officers. A legislator or state constitutional officer may submit
 38.4 a request to the commissioner of administration to fly a United States or Minnesota state
 38.5 flag over the Minnesota State Capitol in honor of a police canine officer that died in the
 38.6 line of duty when the police canine officer's handler or the chief of the agency that oversaw
 38.7 the canine officer requests a flag. Unless there are donated, nonstate funds designated for
 38.8 the purchase of flags distributed under this subdivision, the commissioner shall charge the
 38.9 police canine officer's handler or the agency requesting the flag a reasonable fee that does
 38.10 not exceed the actual cost of flying each flag and preparing a certificate to memorialize the
 38.11 occasion.

38.12 EFFECTIVE DATE. This section is effective August 1, 2021.

140.10 Subd. 5. Eligibility; fees. (a) For deaths that occur on or after August 1, 2021, the family
 140.11 of a public safety officer killed in the line of duty or service member of the United States
 140.12 armed forces who died in active service is entitled to receive one United States flag and one
 140.13 Minnesota state flag free of charge under this section. If multiple flags of the same type are
 140.14 requested to be flown in honor of the same decedent, the commissioner may charge a
 140.15 reasonable fee that does not exceed the actual cost of flying each flag and preparing a
 140.16 certificate memorializing the occasion.

140.17 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer
 140.18 killed in the line of duty or service member of the United States armed forces who died in
 140.19 active service may receive a Minnesota state flag and a United States flag for a fee, unless
 140.20 there are donated, nonstate funds available to provide a flag without a fee. If payment of a
 140.21 fee is required under this paragraph, the commissioner may charge an eligible family an
 140.22 amount that does not exceed the actual cost of flying each flag and preparing a certificate
 140.23 memorializing the occasion.

140.24 EFFECTIVE DATE. This section is effective August 1, 2021.

42.10 Sec. 40. Minnesota Statutes 2020, section 16B.281, subdivision 3, is amended to read:

42.11 Subd. 3. Notice to agencies; determination of surplus. The commissioner of
 42.12 administration shall send written notice to all state departments, agencies, and the University
 42.13 of Minnesota describing any lands or tracts that may be declared surplus. For any property
 42.14 designated as a historic place under section 138.664 or a historic site under section 138.662,
 42.15 the commissioner must send written notice to the State Historic Preservation Office describing
 42.16 any lands or tracts that may be declared surplus. If a department or agency or the University
 42.17 of Minnesota desires custody of the lands or tracts, it shall submit a written request to the
 42.18 commissioner, no later than four calendar weeks after mailing of the notice, setting forth
 42.19 in detail its reasons for desiring to acquire and its intended use of the land or tract. The
 42.20 commissioner shall then determine whether any of the lands described should be declared
 42.21 surplus and offered for sale or otherwise disposed of by transferring custodial control to
 42.22 other requesting state departments or agencies or to the Board of Regents of the University
 42.23 of Minnesota for educational purposes, provided however that transfer to the Board of
 42.24 Regents shall not be determinative of tax exemption or immunity. If the commissioner
 42.25 determines that any of the lands are no longer needed for state purposes, the commissioner

38.13 Sec. 25. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
38.14 to read:

38.15 Subd. 8. **Canine management.** The commissioner may give and convey to the canine's
38.16 handler the state's entirety of the right, title, interest, and estate in and to the canine for
38.17 which the handler trained and worked with while the canine was in service to the state. The
38.18 handler is solely responsible for all future expenses related to the retired canine.

38.19 Sec. 26. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

38.20 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
38.21 the Office of Collaboration and Dispute Resolution formerly codified as sections 179.90
38.22 and 179.91 within the Department of Administration. The office must:

38.23 (1) assist state agencies, offices of the executive, legislative and judicial branches, tribal
38.24 governments, and units of local government in improving collaboration, dispute resolution,
38.25 and public engagement;

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

38.28 (i) establishing criteria and procedures for identification and assessment of collaborative
38.29 dispute resolution projects;

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

39.1 (iii) preparing and training participants; and

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

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

42.26 shall make findings of fact, describe the lands, declare the lands to be surplus state land,
42.27 and state the reasons for the sale or disposition of the lands.

42.28 Sec. 41. Minnesota Statutes 2020, section 16B.281, subdivision 6, is amended to read:

42.29 Subd. 6. **Maintenance of land before sale.** The state department or agency holding
42.30 custodial control shall maintain the state-owned lands until the lands are sold or otherwise
42.31 disposed of as provided for in sections 16B.281 to 16B.287. **State-owned land designated**
42.32 **as a historic place under section 138.664 or a historic site under section 138.662 must not**
42.33 **be disposed of without specific authorization in law.**

43.1 Sec. 42. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
43.2 to read:

43.3 Subd. 8. **Canine management.** The commissioner may give and convey to a canine's
43.4 handler the state's entirety of the right, title, interest, and estate in and to a canine who is
43.5 retired from service, with whom the handler trained and worked while the canine was in
43.6 service to the state. The handler is solely responsible for all future expenses related to the
43.7 retired canine.

- 39.7 (4) promote the broad use of community mediation in the state;
- 39.8 (5) ensure that all areas of the state have access to services by providing grants to private
39.9 nonprofit entities certified by the state court administrator under chapter 494 that assist in
39.10 resolution of disputes; and
- 39.11 (6) educate the public and government entities on collaboration, dispute resolution
39.12 options, and public engagement.
- 39.13 Subd. 2. **Grant applications.** The commissioner may apply for and receive money made
39.14 available from federal, state, or other sources for the purposes of carrying out the mission
39.15 of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision
39.16 are appropriated to the commissioner for their intended purpose.
- 39.17 Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated
39.18 for this purpose, make grants to private nonprofit community mediation entities certified
39.19 by the state court administrator under chapter 494 that assist in resolution of disputes. The
39.20 commissioner shall establish a grant review committee to assist in the review of grant
39.21 applications and the allocation of grants under this section.
- 39.22 Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization
39.23 must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).
- 39.24 Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to
39.25 comply with guidelines adopted by the state court administrator under section 494.015,
39.26 subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under
39.27 this section. The exclusions in section 494.03 apply to grants under this section.
- 39.28 Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate
39.29 quality and outcomes.
- 40.1 Sec. 27. **[16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT**
40.2 **OPERATIONS; OFFICE CREATED.**
- 40.3 Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is
40.4 established to assist all state agencies in making measurable progress toward improving the
40.5 sustainability of government operations by reducing the impact on the environment,
40.6 controlling unnecessary waste of natural resources and public funds, and spurring innovation.
40.7 The office shall create new tools and share best practices, assist state agencies to plan for
40.8 and implement improvements, and monitor progress toward achieving intended outcomes.
40.9 Specific duties include but are not limited to:
- 40.10 (1) managing a sustainability metrics and reporting system, including a public dashboard
40.11 that allows Minnesotans to track progress;
- 40.12 (2) assisting agencies in developing and executing sustainability plans; and

40.13 (3) publishing an annual report.

40.14 Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make
40.15 reasonable attempts to share tools and best practices with local governments.

40.16 Sec. 28. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

40.17 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
40.18 revolving fund and money that is deposited in the fund is appropriated annually to the
40.19 commissioner for the following purposes:

40.20 (1) to operate the central mailing service, including purchasing postage and related items
40.21 and refunding postage deposits;

40.22 (2) to operate a documents service as prescribed by section 16B.51;

40.23 (3) to provide services for the maintenance, operation, and upkeep of buildings and
40.24 grounds managed by the commissioner of administration;

40.25 ~~(4) to operate a materials handling service, including interagency mail and product~~
40.26 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
40.27 ~~maintenance;~~

40.28 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
40.29 agencies, local units of government, metropolitan and regional agencies, and school districts;
40.30 and

41.1 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
41.2 only when directed by the governor. The agency receiving the services shall reimburse the
41.3 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
41.4 The term "services" as used in this clause means compensation paid officers and employees
41.5 of the state government; supplies, materials, equipment, and other articles and things used
41.6 by or furnished to an agency; and utility services and other services for the maintenance,
41.7 operation, and upkeep of buildings and offices of the state government; ~~and.~~

41.8 ~~(7) to operate a state recycling center.~~

41.9 Sec. 29. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

41.10 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
41.11 passenger motor vehicles and trucks used by state agencies with principal offices in the city
41.12 of St. Paul and may provide for branch central motor pools at other places within the state.

41.13 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
41.14 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting
41.15 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

43.8 Sec. 43. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

43.9 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
43.10 revolving fund and money that is deposited in the fund is appropriated annually to the
43.11 commissioner for the following purposes:

43.12 (1) to operate the central mailing service, including purchasing postage and related items
43.13 and refunding postage deposits;

43.14 (2) to operate a documents service as prescribed by section 16B.51;

43.15 (3) to provide services for the maintenance, operation, and upkeep of buildings and
43.16 grounds managed by the commissioner of administration;

43.17 ~~(4) to operate a materials handling service, including interagency mail and product~~
43.18 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
43.19 ~~maintenance;~~

43.20 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
43.21 agencies, local units of government, metropolitan and regional agencies, and school districts;
43.22 and

43.23 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
43.24 only when directed by the governor. The agency receiving the services shall reimburse the
43.25 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
43.26 The term "services" as used in this clause means compensation paid officers and employees
43.27 of the state government; supplies, materials, equipment, and other articles and things used
43.28 by or furnished to an agency; and utility services and other services for the maintenance,
43.29 operation, and upkeep of buildings and offices of the state government; ~~and.~~

43.30 ~~(7) to operate a state recycling center.~~

44.1 Sec. 44. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

44.2 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
44.3 passenger motor vehicles and trucks used by state agencies with principal offices in the city
44.4 of St. Paul and may provide for branch central motor pools at other places within the state.

44.5 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
44.6 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting
44.7 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

41.16 Sec. 30. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

41.17 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
41.18 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
41.19 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
41.20 whose motor vehicles have been paid for with funds dedicated by the constitution for a
41.21 special purpose and which are assigned to the central motor pool. The amount of
41.22 reimbursement for a motor vehicle is its average wholesale price as determined from the
41.23 midwest edition of the National Automobile Dealers Association official used car guide.

41.24 (b) To the extent that funds are available for the purpose, the commissioner may purchase
41.25 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central
41.26 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
41.27 central motor pool is in the name of the Department of Administration.

41.28 (c) On the request of an agency, the commissioner may transfer to the central motor
41.29 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
41.30 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
41.31 account established by this section in an amount equal to two-thirds of the average wholesale
41.32 price of the vehicle or truck as determined from the midwest edition of the National
41.33 Automobile Dealers Association official used car guide.

42.1 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
42.2 vehicle colors must be selected from the regular color chart provided by the manufacturer
42.3 each year. The commissioner may further provide for the use of motor vehicles without
42.4 marking by:

42.5 (1) the governor;

42.6 (2) the lieutenant governor;

42.7 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
42.8 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
42.9 Public Safety;

42.10 (4) the Financial Institutions Division and investigative staff of the Department of
42.11 Commerce;

42.12 (5) the Division of Disease Prevention and Control of the Department of Health;

42.13 (6) the State Lottery;

42.14 (7) criminal investigators of the Department of Revenue;

42.15 (8) state-owned community service facilities in the Department of Human Services;

42.16 (9) the Office of the Attorney General; ~~and~~

44.8 Sec. 45. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

44.9 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
44.10 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
44.11 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
44.12 whose motor vehicles have been paid for with funds dedicated by the constitution for a
44.13 special purpose and which are assigned to the central motor pool. The amount of
44.14 reimbursement for a motor vehicle is its average wholesale price as determined from the
44.15 midwest edition of the National Automobile Dealers Association official used car guide.

44.16 (b) To the extent that funds are available for the purpose, the commissioner may purchase
44.17 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central
44.18 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
44.19 central motor pool is in the name of the Department of Administration.

44.20 (c) On the request of an agency, the commissioner may transfer to the central motor
44.21 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
44.22 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
44.23 account established by this section in an amount equal to two-thirds of the average wholesale
44.24 price of the vehicle or truck as determined from the midwest edition of the National
44.25 Automobile Dealers Association official used car guide.

44.26 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
44.27 vehicle colors must be selected from the regular color chart provided by the manufacturer
44.28 each year. The commissioner may further provide for the use of motor vehicles without
44.29 marking by:

44.30 (1) the governor;

44.31 (2) the lieutenant governor;

45.1 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
45.2 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
45.3 Public Safety;

45.4 (4) the Financial Institutions Division and investigative staff of the Department of
45.5 Commerce;

45.6 (5) the Division of Disease Prevention and Control of the Department of Health;

45.7 (6) the State Lottery;

45.8 (7) criminal investigators of the Department of Revenue;

45.9 (8) state-owned community service facilities in the Department of Human Services;

45.10 (9) the Office of the Attorney General; ~~and~~

42.17 (10) the investigative staff of the Gambling Control Board; and

42.18 (11) the Department of Corrections inmate community work crew program under section

42.19 352.91, subdivision 3g.

42.20 Sec. 31. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to

42.21 read:

42.22 **Subd. 12. Grants administration.** It is the policy of the legislature to ensure that grant

42.23 activities and outcomes of programs and services funded by legislative appropriations are

42.24 administered by state agencies in accordance with this section and section 16B.97. Unless

42.25 amounts are otherwise appropriated for administrative costs, a state agency may retain up

42.26 to five percent of the amount appropriated to the agency for grants enacted by the legislature

42.27 and formula grants and up to ten percent for competitively awarded grants. This subdivision

42.28 applies to appropriations made for new grant programs enacted on or after July 1, 2021.

43.1 Sec. 32. **[16C.0535] CONTRACTS WITH CERTAIN VENDORS PROHIBITED.**

43.2 **Subdivision 1. Prohibited contracts.** A state agency may not enter into a contract with

43.3 a vendor that produces, manufactures, or procures goods from China's Zinjiang Uyghur

43.4 Autonomous region that are made using convict labor, forced labor, indentured labor under

43.5 penal sanctions, or involuntary servitude.

43.6 **Subd. 2. Exemption.** This section does not apply to contracts with a value of less than

43.7 \$5,000.

43.8 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to contracts

43.9 entered on or after that date.

43.10 Sec. 33. Minnesota Statutes 2020, section 43A.046, is amended to read:

43.11 **43A.046 STAFF REDUCTIONS.**

43.12 (a) In order to maximize delivery of services to the public, if layoffs of state employees

43.13 are necessary, each agency with more than 50 full-time equivalent employees must reduce

43.14 at least the same percentage of management and supervisory personnel as line and support

43.15 personnel.

43.16 (b) Notwithstanding any law to the contrary, if layoffs of state employees are necessary

43.17 due to a shortage of funds, each agency must make personnel reductions so that economies

43.18 of the state outside the metropolitan area, as defined in section 473.121, subdivision 2, are

43.19 not disproportionately affected by the layoffs.

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

43.21 applies to collective bargaining agreements entered into on or after that date.

45.11 (10) the investigative staff of the Gambling Control Board; and

45.12 (11) the Department of Corrections inmate community work crew program under section

45.13 352.91, subdivision 3g.

36.23 Sec. 30. **[15.4442] GEOGRAPHIC DISTRIBUTION OF STATE EMPLOYEE**

36.24 **LAYOFFS.**

36.25 Notwithstanding any law to the contrary, if layoffs of employees of executive branch

36.26 state agencies are necessary due to an anticipated budget deficit, each executive branch state

36.27 agency must make personnel reductions so that economies of the state outside of the

36.28 metropolitan area, as defined in section 473.121, subdivision 2, are not disproportionately

36.29 affected by the layoffs. "Executive branch state agency" has the meaning given in section

36.30 16A.011, subdivision 12a.

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

36.32 applies to collective bargaining agreements entered into on or after that date.

43.22 Sec. 34. Minnesota Statutes 2020, section 43A.23, subdivision 1, is amended to read:

43.23 Subdivision 1. **General.** (a) The commissioner is authorized to request proposals or to
 43.24 negotiate and to enter into contracts with parties which in the judgment of the commissioner
 43.25 are best qualified to provide service to the benefit plans. Contracts entered into are not
 43.26 subject to the requirements of sections 16C.16 to 16C.19. The commissioner may negotiate
 43.27 premium rates and coverage. The commissioner shall consider the cost of the plans,
 43.28 conversion options relating to the contracts, service capabilities, character, financial position,
 43.29 and reputation of the carriers, and any other factors which the commissioner deems
 43.30 appropriate. Each benefit contract must be for a uniform term of at least one year, but may
 43.31 be made automatically renewable from term to term in the absence of notice of termination
 44.1 by either party. A carrier licensed under chapter 62A is exempt from the taxes imposed by
 44.2 chapter 297I on premiums paid to it by the state.

44.3 (b) All self-insured hospital and medical service products must comply with coverage
 44.4 mandates, data reporting, and consumer protection requirements applicable to the licensed
 44.5 carrier administering the product, had the product been insured, including chapters 62J,
 44.6 62M, and 62Q. Any self-insured products that limit coverage to a network of providers or
 44.7 provide different levels of coverage between network and nonnetwork providers shall comply
 44.8 with section 62D.123 and geographic access standards for health maintenance organizations
 44.9 adopted by the commissioner of health in rule under chapter 62D.

44.10 (c) Notwithstanding paragraph (b), a self-insured hospital and medical product offered
 44.11 under sections 43A.22 to 43A.30 is required to extend dependent coverage to an eligible
 44.12 employee's child to the full extent required under chapters 62A and 62L. Dependent child
 44.13 coverage must, at a minimum, extend to an eligible employee's dependent child to the
 44.14 limiting age as defined in section 62Q.01, subdivision 2a, disabled children to the extent
 44.15 required in sections 62A.14 and 62A.141, and dependent grandchildren to the extent required
 44.16 in sections 62A.042 and 62A.302.

44.17 (d) Beginning January 1, 2010, the health insurance benefit plans offered in the
 44.18 commissioner's plan under section 43A.18, subdivision 2, and the managerial plan under
 44.19 section 43A.18, subdivision 3, ~~must~~ may include an option for a health plan that is compatible
 44.20 with the definition of a high-deductible health plan in section 223 of the United States
 44.21 Internal Revenue Code.

44.22 Sec. 35. [43A.3165] PROCUREMENT OF A PHARMACY BENEFIT MANAGER
 44.23 AND A PLATFORM TECHNOLOGY VENDOR.

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

44.26 (b) "Market check" means a technology-driven evaluation of prescription drug pricing
 44.27 based on benchmarks derived from reverse auction processes conducted in the United States
 44.28 over the immediately preceding 12 months.

56.22 Sec. 59. [43A.3165] PROCUREMENT OF A PHARMACY BENEFIT MANAGER
 56.23 AND A PLATFORM TECHNOLOGY VENDOR.

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

56.26 (b) "Market check" means a technology-driven evaluation of prescription drug pricing
 56.27 based on benchmarks derived from reverse auction processes conducted in the United States
 56.28 over the immediately preceding 12 months.

44.29 (c) "Pharmacy benefit management services" means:

44.30 (1) the procurement of prescription drugs at a negotiated rate for dispensation within
44.31 the State Employees Group Insurance Program (SEGIP) to enrollees;

44.32 (2) the administration and management of the prescription drug benefit under SEGIP;
44.33 and

45.1 (3) any of the following services provided with regard to the administration and
45.2 management of the prescription drug benefit, including:

45.3 (i) mail service pharmacy;

45.4 (ii) claims processing, retail network management, and payment of claims to pharmacies
45.5 for prescription drugs dispensed to enrollees;

45.6 (iii) supplemental rebate contracting and administration;

45.7 (iv) patient compliance, therapeutic intervention, and generic substitution programs; or

45.8 (v) disease management programs.

45.9 (d) "Pharmacy benefit manager" has the meaning given in section 62W.02, subdivision
45.10 15, paragraph (a).

45.11 (e) "Price" means the projected cost of a bid for providing pharmacy benefit management
45.12 services over the duration of the contract.

45.13 (f) "Reverse auction" means an automated bidding process conducted online that starts
45.14 with an opening price and allows qualified bidders to counteroffer a lower price for multiple
45.15 rounds of bidding.

45.16 (g) "SEGIP" is the State Employees Group Insurance Program under section 43A.316,
45.17 provided to participants eligible under section 43A.24.

45.18 Subd. 2. Purpose. The purpose of this section is to optimize prescription drug savings
45.19 in SEGIP through:

45.20 (1) contracting with a pharmacy benefit manager to manage and administer the
45.21 prescription drug benefit for SEGIP;

45.22 (2) the adoption of a reverse auction process for the selection of a pharmacy benefit
45.23 manager;

45.24 (3) providing a process for the electronic review and validation of pharmacy benefit
45.25 manager claims invoices for the purpose of reconciling pharmacy bills;

45.26 (4) market checks of the pharmacy benefit manager's prescription drug pricing; and

45.27 (5) limiting independent pharmacies from unsustainable reimbursement practices.

56.29 (c) "Pharmacy benefit management services" means:

56.30 (1) the procurement of prescription drugs at a negotiated rate for dispensation within
56.31 the State Employees Group Insurance Program (SEGIP) to enrollees;

57.1 (2) the administration and management of the prescription drug benefit under SEGIP;
57.2 and

57.3 (3) any of the following services provided with regard to the administration and
57.4 management of the prescription drug benefit, including:

57.5 (i) mail service pharmacy;

57.6 (ii) claims processing, retail network management, and payment of claims to pharmacies
57.7 for prescription drugs dispensed to enrollees;

57.8 (iii) supplemental rebate contracting and administration;

57.9 (iv) patient compliance, therapeutic intervention, and generic substitution programs; or

57.10 (v) disease management programs.

57.11 (d) "Pharmacy benefit manager" has the meaning given in section 62W.02, subdivision
57.12 15, paragraph (a).

57.13 (e) "Price" means the projected cost of a bid for providing pharmacy benefit management
57.14 services over the duration of the contract.

57.15 (f) "Reverse auction" means an automated bidding process conducted online that starts
57.16 with an opening price and allows qualified bidders to counteroffer a lower price for multiple
57.17 rounds of bidding.

57.18 (g) "SEGIP" is the State Employees Group Insurance Program under section 43A.22,
57.19 provided to participants eligible under sections 43A.24 and 43A.27.

57.20 Subd. 2. Purpose. The purpose of this section is to optimize prescription drug savings
57.21 in SEGIP through:

57.22 (1) contracting with a pharmacy benefit manager to manage and administer the
57.23 prescription drug benefit for SEGIP;

57.24 (2) the adoption of a reverse auction process for the selection of a pharmacy benefit
57.25 manager;

57.26 (3) providing a process for the electronic review and validation of pharmacy benefit
57.27 manager claims invoices for the purpose of reconciling pharmacy bills;

57.28 (4) market checks of the pharmacy benefit manager's prescription drug pricing; and

57.29 (5) limiting independent pharmacies from unsustainable reimbursement practices.

45.28 Subd. 3. Procurement of a pharmacy benefit manager. (a) Notwithstanding any law
 45.29 to the contrary, the commissioner of management and budget shall procure a contract for
 45.30 the services of a pharmacy benefit manager to administer the prescription drug benefit and
 45.31 pharmacy benefit management services for SEGIP participants, effective January 1, 2023.

46.1 (b) The commissioner shall conduct a reverse auction as described in this section to
 46.2 select the pharmacy benefit manager.

46.3 (c) In consultation with the technology platform vendor selected under subdivision 4
 46.4 and any recommendations offered by the Formulary Committee under section 256B.0625,
 46.5 subdivision 13c, the commissioner shall specify the terms of a participant bidding agreement
 46.6 that all bidders must accept as a prerequisite for participation in the reverse auction process,
 46.7 including:

46.8 (1) common definitions;

46.9 (2) prescription drug classifications;

46.10 (3) retail pricing rules, including maximum allowable cost price lists and dispensing
 46.11 fees; and

46.12 (4) any other contract terms the commissioner deems necessary to further the purpose
 46.13 of this section as specified under subdivision 2.

46.14 (d) A pharmacy benefit manager that submits a bid under this subdivision must provide
 46.15 the commissioner access to complete pharmacy claims data necessary for the commissioner
 46.16 to conduct the reverse auction and to carry out administrative and management duties.

46.17 (e) The terms of any contract entered into under this subdivision shall not be modified
 46.18 by the pharmacy benefit manager except with the approval of the commissioner.

46.19 (f) The commissioner may structure the contract awarded under this subdivision to pay
 46.20 the cost of the technology platform and the associated professional services contracted for
 46.21 under this subdivision by assessing a per-prescription fee to be paid directly by the pharmacy
 46.22 benefit manager to the technology platform vendor.

46.23 (g) The commissioner must perform annual market checks on pharmacy benefit manager
 46.24 services performed by the pharmacy benefit manager during the term of the contract. A
 46.25 market check performed under this paragraph may include an evaluation of the effect of
 46.26 alternative drug pricing metrics, such as the national average drug acquisition cost and
 46.27 average wholesale price, on the cost of prescription drugs and savings to the state.

46.28 (h) The commissioner shall make regular, periodic payment of invoices within the time
 46.29 periods specified in the contract based on the automated adjudication of invoiced claims
 46.30 using the technology platform to validate that claims payments comply with the terms of
 46.31 the contract.

58.1 Subd. 3. Procurement of a pharmacy benefit manager. (a) Notwithstanding any law
 58.2 to the contrary, the commissioner of management and budget shall procure a contract for
 58.3 the services of a pharmacy benefit manager to administer the prescription drug benefit and
 58.4 pharmacy benefit management services for SEGIP participants, effective January 1, 2023.

58.5 (b) The commissioner shall conduct a reverse auction as described in this section to
 58.6 select the pharmacy benefit manager.

58.7 (c) In consultation with the technology platform vendor selected under subdivision 4
 58.8 and any recommendations offered by the Formulary Committee under section 256B.0625,
 58.9 subdivision 13c, the commissioner shall specify the terms of a participant bidding agreement
 58.10 that all bidders must accept as a prerequisite for participation in the reverse auction process,
 58.11 including:

58.12 (1) common definitions;

58.13 (2) prescription drug classifications;

58.14 (3) retail pricing rules, including maximum allowable cost price lists and dispensing
 58.15 fees; and

58.16 (4) any other contract terms the commissioner deems necessary to further the purpose
 58.17 of this section as specified under subdivision 2.

58.18 (d) A pharmacy benefit manager that submits a bid under this subdivision must provide
 58.19 the commissioner access to complete pharmacy claims data necessary for the commissioner
 58.20 to conduct the reverse auction and to carry out administrative and management duties.

58.21 (e) The terms of any contract entered into under this subdivision shall not be modified
 58.22 by the pharmacy benefit manager except with the approval of the commissioner.

58.23 (f) The commissioner may structure the contract awarded under this subdivision to pay
 58.24 the cost of the technology platform and the associated professional services contracted for
 58.25 under this subdivision by assessing a per-prescription fee to be paid directly by the pharmacy
 58.26 benefit manager to the technology platform vendor.

58.27 (g) The commissioner must perform annual market checks on pharmacy benefit manager
 58.28 services performed by the pharmacy benefit manager during the term of the contract. A
 58.29 market check performed under this paragraph may include an evaluation of the effect of
 58.30 alternative drug pricing metrics, such as the national average drug acquisition cost and
 58.31 average wholesale price, on the cost of prescription drugs and savings to the state.

59.1 (h) The commissioner shall make regular, periodic payment of invoices within the time
 59.2 periods specified in the contract based on the automated adjudication of invoiced claims
 59.3 using the technology platform to validate that claims payments comply with the terms of
 59.4 the contract.

47.1 (i) The volunteer joint labor-management committees shall designate two representatives
 47.2 to assist in the process through which the commissioner conducts the reverse auction and
 47.3 automated adjudication of invoiced claims, including but not limited to specification of the
 47.4 terms of the participant bidding agreement and evaluation and comparison of the competing
 47.5 vendor bids for award of the contract.

47.6 Subd. 4. **Technology platform vendor.** (a) Notwithstanding section 16C.08, at least
 47.7 three months before the reverse auction process is scheduled to be completed, the
 47.8 commissioner shall procure through a competitive bidding process a contract with a
 47.9 professional services vendor for a technology platform and any associated professional
 47.10 services necessary to operate the platform to:

47.11 (1) evaluate the qualifications of prospective pharmacy benefit manager bidders for the
 47.12 pharmacy benefit manager procurement;

47.13 (2) automatically adjudicate prescription drug claims; and

47.14 (3) collect data on pharmacy reimbursement.

47.15 (b) The platform procured under paragraph (a) must have the capability to:

47.16 (1) host and conduct an online automated reverse auction:

47.17 (i) using a software application and high-performance data infrastructure to intake,
 47.18 cleanse, and normalize pharmacy benefit manager data; and

47.19 (ii) with development methods and information security standards that have been validated
 47.20 by receiving Service Organization Control 2 (SOC 2) and National Institute of Standards
 47.21 and Technology certification;

47.22 (2) automate repricing of diverse and complex pharmacy benefit manager prescription
 47.23 drug pricing proposals to enable direct comparisons of the price of bids using all annual
 47.24 claims data available for the medical assistance program using code-based classification or
 47.25 prescription drugs from nationally accepted drug sources;

47.26 (3) simultaneously evaluate, within one hour, diverse and complex multiple proposals
 47.27 from full-service pharmacy benefit managers, including average wholesale price (AWP),
 47.28 guaranteed net cost, and National Average Drug Acquisition Cost (NADAC) pricing models,
 47.29 as well as proposals from pharmacy benefit administrators and specialty drug and rebate
 47.30 carve-out service providers;

48.1 (4) produce an automated report and analysis of bids, including ranking of bids on the
 48.2 comparative costs and qualitative aspects of the costs within one hour after the close of each
 48.3 round of reverse auction bidding; and

48.4 (5) after the close of the reverse auction process, perform an electronic, line-by-line,
 48.5 claim-by-claim review of all invoiced pharmacy benefit manager claims within one hour
 48.6 of receipt that allows for an online comparison of pharmacy benefit manager invoices, an

59.5 Subd. 4. **Technology platform vendor.** (a) Notwithstanding section 16C.08, at least
 59.6 three months before the reverse auction process is scheduled to be completed, the
 59.7 commissioner shall procure through a competitive bidding process a contract with a
 59.8 professional services vendor for a technology platform and any associated professional
 59.9 services necessary to operate the platform to:

59.10 (1) evaluate the qualifications of prospective pharmacy benefit manager bidders for the
 59.11 pharmacy benefit manager procurement;

59.12 (2) automatically adjudicate prescription drug claims; and

59.13 (3) collect data on pharmacy reimbursement.

59.14 (b) The platform procured under paragraph (a) must have the capability to:

59.15 (1) host and conduct an online automated reverse auction:

59.16 (i) using a software application and high-performance data infrastructure to intake,
 59.17 cleanse, and normalize pharmacy benefit manager data; and

59.18 (ii) with development methods and information security standards that have been validated
 59.19 by receiving Service Organization Control 2 (SOC 2) and National Institute of Standards
 59.20 and Technology certification;

59.21 (2) automate repricing of diverse and complex pharmacy benefit manager prescription
 59.22 drug pricing proposals to enable direct comparisons of the price of bids using all annual
 59.23 claims data available for the medical assistance program using code-based classification or
 59.24 prescription drugs from nationally accepted drug sources;

59.25 (3) simultaneously evaluate, within one hour, diverse and complex multiple proposals
 59.26 from full-service pharmacy benefit managers, including average wholesale price (AWP),
 59.27 guaranteed net cost, and National Average Drug Acquisition Cost (NADAC) pricing models,
 59.28 as well as proposals from pharmacy benefit administrators and specialty drug and rebate
 59.29 carve-out service providers;

59.30 (4) produce an automated report and analysis of bids, including ranking of bids on the
 59.31 comparative costs and qualitative aspects of the costs within one hour after the close of each
 59.32 round of reverse auction bidding; and

60.1 (5) after the close of the reverse auction process, perform an electronic, line-by-line,
 60.2 claim-by-claim review of all invoiced pharmacy benefit manager claims within one hour
 60.3 of receipt that allows for an online comparison of pharmacy benefit manager invoices, an

48.7 audit of other services provided by the pharmacy benefit manager services, and identifies
 48.8 all deviations from the specific terms of the services contract resulting from the reverse
 48.9 auction.

48.10 (c) The commissioner shall not award the platform technology vendor contract under
 48.11 this subdivision to:

48.12 (1) a pharmacy benefit manager;
 48.13 (2) a subsidiary or affiliate of a pharmacy benefit manager; or

48.14 (3) a vendor that is managed by a pharmacy benefit manager or receives, directly or
 48.15 indirectly, remuneration from a pharmacy benefit manager for aggregating clients into a
 48.16 contractual relationship with a pharmacy benefit manager.

48.17 (d) The vendor that is awarded the contract under this subdivision must not subcontract
 48.18 any part of the reverse auction process or the review described under paragraph (b), clause
 48.19 (5).

48.20 Sec. 36. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

48.21 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
 48.22 Department of Administration is hereby designated the state agency with power to accept
 48.23 any and all money provided for or made available to this state by the United States of
 48.24 America or any department or agency thereof for surveys, restoration, construction,
 48.25 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in
 48.26 accordance with the provisions of federal law and any rules or regulations promulgated
 48.27 thereunder and are further authorized to do any and all things required of this state by such
 48.28 federal law and the rules and regulations promulgated thereunder in order to obtain such
 48.29 federal money.

48.30 Sec. 37. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

48.31 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
 48.32 preservation officer shall be responsible for the preparation, implementation and
 49.1 administration of the State Historic Preservation Plan and shall administer the State Historic
 49.2 Preservation Program authorized by the National Historic Preservation Act (United States
 49.3 Code, title ~~46~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
 49.4 and approve in writing all grants-in-aid for architectural, archaeological and historic
 49.5 preservation made by state agencies and funded by the state or a combination of state and
 49.6 federal funds in accordance with the State Historic Preservation Program.

49.7 Sec. 38. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

49.8 Subd. 3. **Administration of federal act.** The ~~Department of Administration~~ Minnesota
 49.9 Historical Society is designated as the state agency to administer the provisions of the federal
 49.10 act providing for the preservation of historical and archaeological data, United States Code,

60.4 audit of other services provided by the pharmacy benefit manager services, and identifies
 60.5 all deviations from the specific terms of the services contract resulting from the reverse
 60.6 auction.

60.7 (c) The commissioner shall not award the platform technology vendor contract under
 60.8 this subdivision to:

60.9 (1) a pharmacy benefit manager;
 60.10 (2) a subsidiary or affiliate of a pharmacy benefit manager; or

60.11 (3) a vendor that is managed by a pharmacy benefit manager or receives, directly or
 60.12 indirectly, remuneration from a pharmacy benefit manager for aggregating clients into a
 60.13 contractual relationship with a pharmacy benefit manager.

60.14 (d) The vendor that is awarded the contract under this subdivision must not subcontract
 60.15 any part of the reverse auction process or the review described under paragraph (b), clause
 60.16 (5).

60.26 Sec. 61. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

60.27 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
 60.28 Department of Administration is hereby designated the state agency with power to accept
 60.29 any and all money provided for or made available to this state by the United States of
 60.30 America or any department or agency thereof for surveys, restoration, construction,
 60.31 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in
 60.32 accordance with the provisions of federal law and any rules or regulations promulgated
 61.1 thereunder and are further authorized to do any and all things required of this state by such
 61.2 federal law and the rules and regulations promulgated thereunder in order to obtain such
 61.3 federal money.

61.4 Sec. 62. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

61.5 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
 61.6 preservation officer shall be responsible for the preparation, implementation and
 61.7 administration of the State Historic Preservation Plan and shall administer the State Historic
 61.8 Preservation Program authorized by the National Historic Preservation Act (United States
 61.9 Code, title ~~46~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
 61.10 and approve in writing all grants-in-aid for architectural, archaeological and historic
 61.11 preservation made by state agencies and funded by the state or a combination of state and
 61.12 federal funds in accordance with the State Historic Preservation Program.

61.13 Sec. 63. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

61.14 Subd. 3. **Administration of federal act.** The Department of Administration is designated
 61.15 as the state agency to administer the provisions of the federal act providing for the
 61.16 preservation of historical and archaeological data, United States Code, title ~~46~~, ~~sections 469~~

49.11 title ~~16, sections 469 to 469C~~ 54, section 312501, as amended, insofar as the provisions of
49.12 the act provide for implementation by the state.

49.13 Sec. 39. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
49.14 read:

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

49.17 Sec. 40. Minnesota Statutes 2020, section 138.34, is amended to read:

49.18 **138.34 ADMINISTRATION OF THE ACT.**

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

49.22 Sec. 41. Minnesota Statutes 2020, section 138.40, is amended to read:

49.23 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

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

49.30 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
49.31 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
50.1 Conservation officers and other enforcement officers of the Department of Natural Resources
50.2 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
50.3 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
50.4 on scientific investigations are predicted to exist on public lands or waters, the agency or

61.17 ~~to 469C~~ 54, section 312501, as amended, insofar as the provisions of the act provide for
61.18 implementation by the state.

61.19 Sec. 64. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
61.20 read:

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

61.23 Sec. 65. Minnesota Statutes 2020, section 138.34, is amended to read:

61.24 **138.34 ADMINISTRATION OF THE ACT.**

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

62.1 Sec. 66. Minnesota Statutes 2020, section 138.38, is amended to read:

62.2 **138.38 REPORTS OF STATE ARCHAEOLOGIST.**

62.3 The state archaeologist shall consult with and keep the Indian Affairs Council ~~and~~, the
62.4 director of the historical society, and the State Historic Preservation Office informed as to
62.5 significant field archaeology, projected or in progress, and as to significant discoveries
62.6 made. Annually, and also upon leaving office, the state archaeologist shall file with the
62.7 commissioner a full report of the office's activities including a summary of the activities of
62.8 licensees, from the date of the last full report of the state archaeologist. Copies of the report
62.9 must be sent upon completion to the Minnesota Historical Society ~~and~~, the Indian Affairs
62.10 Council, and the State Historic Preservation Office, and made available to other interested
62.11 parties.

62.12 Sec. 67. Minnesota Statutes 2020, section 138.40, is amended to read:

62.13 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

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

62.20 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
62.21 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
62.22 Conservation officers and other enforcement officers of the Department of Natural Resources
62.23 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
62.24 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
62.25 on scientific investigations are predicted to exist on public lands or waters, the agency or

50.5 department controlling said lands or waters shall use the professional services of
 50.6 archaeologists from the University of Minnesota, Minnesota Historical Society, or other
 50.7 qualified professional archaeologists, to preserve these sites. In the event that archaeological
 50.8 excavation is required to protect or preserve these sites, state and other governmental agencies
 50.9 may use their funds for such activities.

50.10 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
 50.11 or, based on scientific investigations, are predicted to exist on public lands or waters, the
 50.12 agency or department controlling said lands or waters shall submit construction or
 50.13 development plans to the state archaeologist and the ~~director of the society~~ State Historic
 50.14 Preservation Office for review prior to the time bids are advertised. The state archaeologist
 50.15 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and
 50.16 within 30 days of receiving the plans shall make recommendations for the preservation of
 50.17 archaeological or historic sites which may be endangered by construction or development
 50.18 activities. When archaeological or historic sites are related to Indian history or religion, the
 50.19 state archaeologist shall submit the plans to the Indian Affairs Council for the council's
 50.20 review and recommend action.

62.26 department controlling said lands or waters shall use the professional services of
 62.27 archaeologists from the University of Minnesota, Minnesota Historical Society, or other
 62.28 qualified professional archaeologists, to preserve these sites. In the event that archaeological
 62.29 excavation is required to protect or preserve these sites, state and other governmental agencies
 62.30 may use their funds for such activities.

62.31 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
 62.32 or, based on scientific investigations, are predicted to exist on public lands or waters, the
 62.33 agency or department controlling said lands or waters shall submit construction or
 63.1 development plans to the state archaeologist and the ~~director of the society~~ State Historic
 63.2 Preservation Office for review prior to the time bids are advertised. The state archaeologist
 63.3 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and
 63.4 within 30 days of receiving the plans shall make recommendations for the preservation of
 63.5 archaeological or historic sites which may be endangered by construction or development
 63.6 activities. When archaeological or historic sites are related to Indian history or religion, the
 63.7 state archaeologist shall submit the plans to the Indian Affairs Council for the council's
 63.8 review and recommend action.

63.9 Sec. 68. Minnesota Statutes 2020, section 138.661, subdivision 2, is amended to read:

63.10 Subd. 2. **Authority for property owned by the Historical Society.** The Minnesota
 63.11 Historical Society shall exercise the administration and control of the sites in section 138.662
 63.12 ~~other than the Minnesota State Capitol~~ that are owned by the Minnesota Historical Society,
 63.13 preserve their historic features, conduct archaeological investigations, establish necessary
 63.14 interpretive centers, and perform additional duties and services at the sites necessary to meet
 63.15 their educational mission. ~~Ownership of the properties is either by the state or the Minnesota~~
 63.16 ~~Historical Society.~~ The Minnesota Historical Society may contract with existing state
 63.17 departments and agencies for materials and services, including utility services, necessary
 63.18 for the administration and maintenance of the sites listed in section 138.662 that are owned
 63.19 by the Minnesota Historical Society. The authority of the commissioner of natural resources
 63.20 to administer and control the historic sites enumerated in section 138.662 that are owned
 63.21 by the Minnesota Historical Society is withdrawn, and is conferred upon the Minnesota
 63.22 Historical Society. ~~The commissioner of natural resources shall continue to administer and~~
 63.23 ~~control the state parks enumerated in this section excepting the portions designated as historic~~
 63.24 ~~sites, the administration and control of which is by this section vested in the Minnesota~~
 63.25 ~~Historical Society.~~

63.26 Sec. 69. Minnesota Statutes 2020, section 138.661, is amended by adding a subdivision
 63.27 to read:

63.28 Subd. 2a. **Authority for property owned by the state.** The State Historic Preservation
 63.29 Office shall exercise the administration and control of the sites in section 138.662 that are
 63.30 owned by the state, preserve their historic features, conduct archaeological investigations,
 63.31 establish necessary interpretive centers, and perform additional duties and services at the
 63.32 sites necessary to meet their educational mission. The State Historic Preservation Office
 63.33 may contract with existing state departments and agencies for materials and services,

50.21 Sec. 42. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

50.22 Subd. 2. **Mediation.** The state, state departments, agencies, and political subdivisions,
50.23 including the Board of Regents of the University of Minnesota, have a responsibility to
50.24 protect the physical features and historic character of properties designated in sections
50.25 138.662 and 138.664 or listed on the National Register of Historic Places created by Public
50.26 Law 89-665. Before carrying out any undertaking that will affect designated or listed
50.27 properties, or funding or licensing an undertaking by other parties, the state department or
50.28 agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~
50.29 State Historic Preservation Office's established procedures to determine appropriate
50.30 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
50.31 listed properties. If the state department or agency and the State Historic Preservation Office
50.32 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
50.33 agree, any one of the parties may request that the governor appoint and convene a mediation
50.34 task force consisting of five members, two appointed by the governor, the chair of the State
50.35 Review Board of the State Historic Preservation Office, the commissioner of administration
51.1 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
51.2 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
51.3 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
51.4 training or experience in one or more of the following disciplines: (1) history; (2)
51.5 archaeology; and (3) architectural history. The mediation task force is not subject to the
51.6 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
51.7 24, and section 138.664, subdivisions 8 and 111.

51.8 Sec. 43. Minnesota Statutes 2020, section 138.666, is amended to read:

51.9 **138.666 COOPERATION.**

51.10 The state, state departments and agencies, political subdivisions, and the Board of Regents
51.11 of the University of Minnesota shall cooperate with the Minnesota Historical Society and
51.12 the State Historic Preservation Office in safeguarding state historic sites and in the
51.13 preservation of historic and archaeological properties.

63.34 including utility services, necessary for the administration and maintenance of the sites
64.1 listed in section 138.662 that are owned by the state. The authority of the commissioner of
64.2 natural resources to administer and control the historic sites enumerated in section 138.662
64.3 that are owned by the state is withdrawn, and is conferred upon the State Historic Preservation
64.4 Office. The commissioner of natural resources shall continue to administer and control the
64.5 state parks enumerated in this section excepting the portions designated as historic sites,
64.6 the administration and control of which is by this section vested in the State Historic
64.7 Preservation Office.

64.8 Sec. 70. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

64.9 Subd. 2. **Mediation.** The state, state departments, agencies, and political subdivisions,
64.10 including the Board of Regents of the University of Minnesota, have a responsibility to
64.11 protect the physical features and historic character of properties designated in sections
64.12 138.662 and 138.664 or listed on the National Register of Historic Places created by Public
64.13 Law 89-665. Before carrying out any undertaking that will affect designated or listed
64.14 properties, or funding or licensing an undertaking by other parties, or conveying state-owned
64.15 designated or listed property, the state department or agency shall consult with the State
64.16 Historic Preservation Office pursuant to the ~~society's~~ State Historic Preservation Office's
64.17 established procedures to determine appropriate treatments and to seek ways to avoid and
64.18 mitigate any adverse effects on designated or listed properties. If the state department or
64.19 agency and the State Historic Preservation Office agree in writing on a suitable course of
64.20 action, the project may proceed. If the parties cannot agree, any one of the parties may
64.21 request that the governor appoint and convene a mediation task force consisting of five
64.22 members, two appointed by the governor, the chair of the State Review Board of the State
64.23 Historic Preservation Office, the commissioner of administration or the commissioner's
64.24 designee, and one member who is not an employee of the Minnesota Historical Society
64.25 appointed by the director of the Minnesota Historical Society. The two appointees of the
64.26 governor and ~~the one~~ of the director of the society shall be qualified by training or experience
64.27 in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural
64.28 history. The mediation task force is not subject to the conditions of section 15.059. This
64.29 subdivision does not apply to section 138.662, subdivision 24, and section 138.664,
64.30 subdivisions 8 and 111.

65.1 Sec. 71. Minnesota Statutes 2020, section 138.666, is amended to read:

65.2 **138.666 COOPERATION.**

65.3 The state, state departments and agencies, political subdivisions, and the Board of Regents
65.4 of the University of Minnesota shall cooperate with the Minnesota Historical Society and
65.5 the State Historic Preservation Office in safeguarding state historic sites and in the
65.6 preservation of historic and archaeological properties.

51.14 Sec. 44. Minnesota Statutes 2020, section 138.667, is amended to read:

51.15 **138.667 HISTORIC PROPERTIES; CHANGES.**

51.16 Properties designated as historic properties by sections 138.661 to 138.664 may be
51.17 changed from time to time, and the Minnesota Historical Society and the State Historic
51.18 Preservation Office shall notify the legislature of the need for changes, and shall make
51.19 recommendations to keep the state historic sites network and the state register of historic
51.20 places current and complete. The significance of properties proposed for designation under
51.21 section 138.663, subdivision 2, shall be documented under the documentation standards
51.22 established by the ~~Minnesota Historical Society~~. This State Historic Preservation Office.
51.23 Documentation shall include the opinion of the Minnesota Historical Society for the historic
51.24 sites network under section 138.661, subdivision 3, and the State Historic Preservation
51.25 Office for the state register of historic places under section 138.663, subdivision 2, as to
51.26 whether the property meets the selection criteria.

51.27 Sec. 45. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

51.28 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
51.29 22 members with the director of the Minnesota Historical Society as chair. The members
51.30 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
51.31 designee; the president of the Minneapolis Park and Recreation Board or the president's
51.32 designee; the superintendent of the park board; two members each from the house of
52.1 representatives appointed by the speaker, the senate appointed by the Rules Committee, the

65.7 Sec. 72. Minnesota Statutes 2020, section 138.667, is amended to read:

65.8 **138.667 HISTORIC PROPERTIES; CHANGES.**

65.9 Properties designated as historic properties by sections 138.661 to 138.664 may be
65.10 changed from time to time, and the Minnesota Historical Society and the State Historic
65.11 Preservation Office shall notify the legislature of the need for changes, and shall make
65.12 recommendations to keep the state historic sites network and the state register of historic
65.13 places current and complete. The significance of properties proposed for designation under
65.14 section 138.663, subdivision 2, shall be documented under the documentation standards
65.15 established by the ~~Minnesota Historical Society~~. This State Historic Preservation Office.
65.16 documentation shall include the opinion of the Minnesota Historical Society for the historic
65.17 sites network under section 138.661, subdivision 3, and the State Historic Preservation
65.18 Office for the state register of historic places under section 138.663, subdivision 2, as to
65.19 whether the property meets the selection criteria.

65.20 Sec. 73. ~~[138.667]~~ **UNITED STATES AND MINNESOTA FLAGS.**

65.21 At every historic site owned by the state, a United States flag and a Minnesota state flag
65.22 must be displayed on a flag pole on the grounds of the site, or outside a building on the site
65.23 on proper staffs. The State Historic Preservation Office must display the flags in a prominent
65.24 place and in a manner consistent with the United States Flag Code.

65.25 **EFFECTIVE DATE.** This section is effective July 1, 2024, except that the State Historic
65.26 Preservation Office must install flag poles and staffs and display flags as funding becomes
65.27 available for this purpose.

65.28 Sec. 74. Minnesota Statutes 2020, section 138.669, is amended to read:

65.29 **138.669 CONTRACTS FOR HISTORIC SITE MANAGEMENT.**

65.30 ~~The Minnesota Historical Society~~ State Historic Preservation Office may contract with
65.31 a county, municipality, or a county or local historical society for the management and
66.1 operation of sites in the state historic site network. Notwithstanding section 138.668, the
66.2 contract may provide for the retention of admission fees received by the management unit
66.3 and for grants-in-aid to the management unit for use in the site's operation and maintenance.

66.4 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to contracts
66.5 executed on or after that date.

66.6 Sec. 75. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

66.7 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
66.8 22 members with the director of the Minnesota Historical Society as chair. The members
66.9 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
66.10 designee; the president of the Minneapolis Park and Recreation Board or the president's
66.11 designee; the superintendent of the park board; two members each from the house of
66.12 representatives appointed by the speaker, the senate appointed by the Rules Committee, the

52.2 city council, the Hennepin County Board, and the park board; one member each from the
 52.3 preservation commission, the State Historic Preservation Office, Hennepin County Historical
 52.4 Society, and the society; one person appointed by the park board; and two persons appointed
 52.5 by the chair of the board.

66.13 city council, the Hennepin County Board, and the park board; one member each from the
 66.14 preservation commission, the State Historic Preservation Office, Hennepin County Historical
 66.15 Society, and the society; one person appointed by the park board; and two persons appointed
 66.16 by the chair of the board.

66.17 Sec. 76. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
 66.18 to read:

66.19 Subd. 2a. Commissioner. "Commissioner" means the commissioner of health.

66.20 Sec. 77. Minnesota Statutes 2020, section 155A.23, subdivision 16, is amended to read:

66.21 Subd. 16. School manager. A "school manager" is ~~a cosmetologist who is~~ a salon
 66.22 manager ~~and~~ who has a school manager license. A school manager must maintain an active
 66.23 salon manager's license.

66.24 Sec. 78. Minnesota Statutes 2020, section 155A.271, subdivision 2, is amended to read:

66.25 Subd. 2. Continuing education providers. (a) Only a ~~board-licensed~~ school of
 66.26 cosmetology licensed under this chapter, a postsecondary institution as defined in section
 66.27 136A.103, paragraph (a), or a ~~board-recognized~~ professional association organized under
 66.28 chapter 317A may be approved by the ~~board~~ commissioner to offer continuing education
 66.29 for credit under subdivision 1, paragraph (a). Continuing education under subdivision 1,
 66.30 paragraph (b), may be offered by a:

66.31 (1) ~~board-licensed~~ school of cosmetology licensed under this chapter;

67.1 (2) ~~board-recognized~~ professional association organized under chapter 317A; or

67.2 (3) ~~board-licensed~~ salon licensed under this chapter.

67.3 An approved school or professional association may offer web-based continuing education
 67.4 instruction to achieve maximum involvement of licensees. Continuing education providers
 67.5 are encouraged to offer classes available in foreign language formats.

67.6 (b) ~~Board~~ Commissioner approval of any continuing education provider is valid for one
 67.7 calendar year and is contingent upon submission and preapproval of the lesson plan or plans
 67.8 with learning objectives for the class to be offered and the payment of the application fee
 67.9 in section 155A.25, subdivision 1a, paragraph (d), clause (10). The ~~board~~ commissioner
 67.10 shall maintain a list of approved providers and courses on the ~~board's~~ Department of Health's
 67.11 website. The ~~board~~ commissioner may revoke authorization of a continuing education
 67.12 provider at any time for just cause and the ~~board~~ commissioner may demand return of
 67.13 documents required under subdivision 3.

67.14 Sec. 79. Minnesota Statutes 2020, section 179A.20, is amended by adding a subdivision
 67.15 to read:

67.16 Subd. 2b. Limited by appropriation. A public employer must not contract to pay more
 67.17 to employees in compensation and benefits in a biennium than is permitted under the first

67.18 pending plan submitted by July 31 in an odd-numbered year and approved by the
 67.19 commissioner under section 16A.14, subdivisions 3 and 4.

52.6 Sec. 46. Minnesota Statutes 2020, section 211B.20, subdivision 1, is amended to read:

52.7 Subdivision 1. **Prohibition.** (a) It is unlawful for a person, either directly or indirectly,
 52.8 to deny access to an apartment house, dormitory, nursing home, manufactured home park,
 52.9 other multiple unit facility used as a residence, or an area in which two or more single-family
 52.10 dwellings are located on private roadways to ~~a candidate~~ an individual who ~~has~~:

52.11 (1) has organized a campaign committee under applicable federal or state law;

52.12 (2) has filed a financial report as required by section 211A.02; ~~or~~

52.13 (3) has filed an affidavit of candidacy for elected office; or

52.14 (4) is a United States Census Bureau employee.

52.15 A candidate granted access under this section must be allowed to be accompanied by
 52.16 campaign volunteers.

52.17 (b) For candidates, access to a facility or area is only required if it is located within the
 52.18 district or territory that will be represented by the office to which the candidate seeks election,
 52.19 and the candidate and any accompanying campaign volunteers seek access exclusively for
 52.20 the purpose of campaigning for a candidate or registering voters. The candidate must be
 52.21 seeking election to office at the next general or special election to be held for that office.

52.22 (c) A candidate and any accompanying campaign volunteers granted access under this
 52.23 section must be permitted to leave campaign materials for residents at their doors, except
 52.24 that the manager of a nursing home may direct that the campaign materials be left at a central
 52.25 location within the facility. The campaign materials must be left in an orderly manner.

52.26 (d) If a facility or area contains multiple buildings, a candidate and accompanying
 52.27 volunteers must be permitted to access more than one building on a single visit, but access
 52.28 is limited to only one building at a time. If multiple candidates are traveling together, each
 52.29 candidate and that candidate's accompanying volunteers is limited to one building at a time,
 52.30 but all of the candidates and accompanying volunteers traveling together must not be
 52.31 restricted to accessing the same building at the same time.

53.1 (e) For a United States Census Bureau employee, access to a facility or area is only
 53.2 required if it is part of their official work duties on a decennial census of population. United
 53.3 States Census Bureau employees working on other surveys and censuses are not granted
 53.4 access under this section.

53.5 (f) A United States Census Bureau employee must be permitted to leave census materials
 53.6 for residents at their doors. The census materials must be left in an orderly manner.

53.7 (g) If a facility or area contains multiple buildings, a United States Census Bureau
 53.8 employee must be permitted to access more than one building on a single visit. If multiple

- 53.9 employees are traveling together, they must not be restricted to accessing the same building
 53.10 at the same time.
 53.11 (e) (h) A violation of this section is a petty misdemeanor.

67.20 Sec. 80. Minnesota Statutes 2020, section 214.01, subdivision 3, is amended to read:

67.21 Subd. 3. **Non-health-related licensing board.** "Non-health-related licensing board"
 67.22 means the Professional Educator Licensing and Standards Board established pursuant to
 67.23 section 122A.07, the Board of Barber Examiners established pursuant to section 154.001,
 67.24 ~~the Board of Cosmetologist Examiners established pursuant to section 155A.20,~~ the Board
 67.25 of Assessors established pursuant to section 270.41, the Board of Architecture, Engineering,
 67.26 Land Surveying, Landscape Architecture, Geoscience, and Interior Design established
 67.27 pursuant to section 326.04, the Private Detective and Protective Agent Licensing Board
 67.28 established pursuant to section 326.33, the Board of Accountancy established pursuant to
 67.29 section 326A.02, and the Peace Officer Standards and Training Board established pursuant
 67.30 to section 626.841.

68.1 Sec. 81. Minnesota Statutes 2020, section 240.01, subdivision 18, is amended to read:

68.2 Subd. 18. **Racing meeting.** "Racing meeting" is a series of days in which racing days
 68.3 are not separated by more than five nonracing days unless approved in advance by the
 68.4 commission.

68.5 Sec. 82. Minnesota Statutes 2020, section 240.06, subdivision 7, is amended to read:

68.6 Subd. 7. **License suspension and revocation.** The commission:

68.7 (1) may revoke a class A license for (i) a violation of law, order, or rule which in the
 68.8 commission's opinion adversely affects the integrity of horse racing in Minnesota, or for
 68.9 an intentional false statement made in a license application, or (ii) a willful failure to pay
 68.10 any money required to be paid by Laws 1983, chapter 214;

68.11 (2) may revoke a class A license for failure to perform material covenants or
 68.12 representations made in a license application; and

68.13 (3) shall revoke a class A license if live racing has not been conducted on at least 50
 68.14 racing days assigned by the commission during any period of 12 consecutive months, unless
 68.15 the commission authorizes a shorter period because of circumstances beyond the licensee's
 68.16 control pursuant to section 240.30, subdivision 5.

68.17 The commission may suspend a class A license for up to one year for a violation of law,
 68.18 order, or rule which in the commission's opinion adversely affects the integrity of horse
 68.19 racing in Minnesota, and may suspend a class A license indefinitely if it determines that
 68.20 the licensee has as an officer, director, shareholder, or other person with a direct, indirect,

68.21 or beneficial interest a person who is in the commission's opinion inimical to the integrity
68.22 of horse racing in Minnesota or who cannot be certified under subdivision 1, clause (4).

68.23 A license revocation or suspension under this subdivision is a contested case under
68.24 sections 14.57 to 14.69 of the Administrative Procedure Act, and is in addition to criminal
68.25 penalties imposed for a violation of law or rule.

68.26 Sec. 83. Minnesota Statutes 2020, section 240.11, is amended to read:

68.27 **240.11 LICENSES NONTRANSFERABLE.**

68.28 (a) Except as provided in paragraph (b), a license issued under this chapter may not be
68.29 transferred.

68.30 (b) A class A, class B, class C, or class D license to provide advance deposit wagering
68.31 may be transferred with prior approval by the commission.

69.1 Sec. 84. Minnesota Statutes 2020, section 240.131, subdivision 7, is amended to read:

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

69.11 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all
69.12 amounts wagered by Minnesota residents with an authorized advance deposit wagering
69.13 provider. The fee shall be declared on a form prescribed by the commission. The ADW
69.14 provider must pay the fee to the commission no more than 15 days after the end of the month
69.15 in which the wager was made. Fees collected under this paragraph must be deposited in the
69.16 state treasury and credited to a racing and card-playing regulation account in the special
69.17 revenue fund and are appropriated to the commission to offset the cost of administering the
69.18 breeders fund and promote horse breeding in Minnesota.

69.19 Sec. 85. Minnesota Statutes 2020, section 240.24, subdivision 2a, is amended to read:

69.20 Subd. 2a. **Reimbursement.** Increased expenses related to the use of upgraded drug
69.21 testing technologies and procedures are deemed to be necessary costs within the meaning
69.22 of section 240.155 and the commission ~~shall~~ may be reimbursed for these expenses from
69.23 receipts from card playing activities regulated by the commission.

53.12 Sec. 47. Minnesota Statutes 2020, section 270B.13, is amended by adding a subdivision
53.13 to read:

53.14 Subd. 3. **Background check; access to federal tax information.** An individual
53.15 performing services for an independent contractor or a vendor under subdivision 1 who has
53.16 or will have access to federal tax information is subject to the requirements of section
53.17 299C.76.

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

53.19 Sec. 48. Minnesota Statutes 2020, section 270C.21, is amended to read:

53.20 **270C.21 TAXPAYER ASSISTANCE GRANTS.**

53.21 Subdivision 1. **Taxpayer assistance.** When the commissioner awards grants to ~~nonprofit~~
53.22 eligible organizations to coordinate, facilitate, encourage, and aid in the provision of taxpayer
53.23 assistance services, the commissioner must provide public notice of the grants in a timely
53.24 manner so that the grant process is completed and grants are awarded by October 1, in order
53.25 for recipient eligible organizations to adequately plan expenditures for the filing season. At
53.26 the time the commissioner provides public notice, the commissioner must also notify
53.27 ~~nonprofit~~ eligible organizations that received grants in the previous biennium.

53.28 Subd. 2. **Eligible organization.** "Eligible organization" means an organization that meets
53.29 the definition of eligible organization provided in section 7526A(e)(2)(B) of the Internal
53.30 Revenue Code.

69.24 Sec. 86. Minnesota Statutes 2020, section 240.24, subdivision 3, is amended to read:

69.25 Subd. 3. **Fees.** The commission shall establish by rule a fee or schedule of fees that may
69.26 be used to recover the costs of medical testing of horses running at racetracks licensed by
69.27 the commission. Fees charged for the testing of horses shall cover the cost of the medical
69.28 testing laboratory. Fee receipts shall be deposited in the state treasury and credited to the
69.29 racing reimbursement account.

69.30 Sec. 87. Minnesota Statutes 2020, section 240.30, subdivision 5, is amended to read:

69.31 Subd. 5. **Limitation.** (a) The commission shall not authorize a licensee to operate a card
69.32 club if the licensee has not conducted at least 50 days of live racing at a class A facility
70.1 within the past 12 months or during the preceding calendar year unless the commission
70.2 authorizes a shorter period ~~because of~~ as a result of an epidemic, natural disaster, flood,
70.3 war, or other circumstances beyond the licensee's control that made conducting 50 days of
70.4 live racing untenable for either public or equine health, welfare, or safety.

70.5 (b) Any authorization by the commission for a shorter period under paragraph (a), must
70.6 be approved in writing by the horsepersons' organization representing the majority of
70.7 horsepersons racing the breed racing the majority of races at the licensee's class A facility
70.8 during the preceding 12 months.

[NOTE: SEE UEH0991-1, ARTICLE 9, SECTION 1]

53.31

EFFECTIVE DATE. This section is effective for grants awarded after June 30, 2021.

- 70.9 Sec. 88. Minnesota Statutes 2020, section 297E.021, subdivision 3, is amended to read:
- 70.10 Subd. 3. **Available revenues.** For purposes of this section, "available revenues" equals
 70.11 the amount determined under subdivision 2, ~~plus up to \$20,000,000 each fiscal year from~~
 70.12 ~~the taxes imposed under section 290.06, subdivision 1:~~
- 70.13 (1) reduced by the following amounts paid for the fiscal year under:
- 70.14 (i) the appropriation to principal and interest on appropriation bonds under section
 70.15 16A.965, subdivision 8;
- 70.16 (ii) the appropriation from the general fund to make operating expense payments under
 70.17 section 473J.13, subdivision 2, paragraph (b);
- 70.18 (iii) the appropriation for contributions to the capital reserve fund under section 473J.13,
 70.19 subdivision 4, paragraph (c);
- 70.20 (iv) the appropriations under Laws 2012, chapter 299, article 4, for administration and
 70.21 any successor appropriation;
- 70.22 (v) the reduction in revenues resulting from the sales tax exemptions under section
 70.23 297A.71, subdivision 43;
- 70.24 (vi) reimbursements authorized by section 473J.15, subdivision 2, paragraph (d);
- 70.25 (vii) the compulsive gambling appropriations under section 297E.02, subdivision 3,
 70.26 paragraph (c), and any successor appropriation; and
- 70.27 (viii) the appropriation for the city of St. Paul under section 16A.726, paragraph (c); and
- 70.28 (2) increased by the revenue deposited in the general fund under section 297A.994,
 70.29 subdivision 4, clauses (1) to (3), for the fiscal year.
- 71.1 Sec. 89. Minnesota Statutes 2020, section 297E.021, is amended by adding a subdivision
 71.2 to read:
- 71.3 Subd. 3a. **Revenue dedication.** If the commissioner of management and budget
 71.4 determines that the available revenues determined under subdivision 2 are insufficient, the
 71.5 commissioner may add up to \$20,000,000 each fiscal year from the taxes imposed under
 71.6 section 290.06, subdivision 1, to the available revenues under subdivision 3. The
 71.7 commissioner must notify the chairs and ranking minority members of the house of
 71.8 representatives Ways and Means Committee and the senate Finance Committee at least 15
 71.9 days prior to increasing the available revenue under subdivision 3.

54.1 Sec. 49. [299C.76] BACKGROUND CHECK; ACCESS TO FEDERAL TAX
 54.2 INFORMATION.

54.3 Subdivision 1. Definitions. (a) For the purposes of this section, the following definitions
 54.4 apply.

54.5 (b) "Federal tax information" means federal tax returns and return information or
 54.6 information derived or created from federal tax returns, in possession of or control by the
 54.7 requesting agency, that is covered by the safeguarding provisions of section 6103(p)(4) of
 54.8 the Internal Revenue Code.

54.9 (c) "IRS Publication 1075" means Internal Revenue Service Publication 1075 that
 54.10 provides guidance and requirements for the protection and confidentiality of federal tax
 54.11 information as required in section 6103(p)(4) of the Internal Revenue Code.

54.12 (d) "National criminal history record information" means the Federal Bureau of
 54.13 Investigation identification records as defined in Code of Federal Regulations, title 28,
 54.14 section 20.3(d).

54.15 (e) "Requesting agency" means the Department of Revenue, Department of Employment
 54.16 and Economic Development, Department of Human Services, board of directors of MNsure,
 54.17 the Office of MN.IT Services, and counties.

54.18 Subd. 2. National criminal history record information check. As required by IRS
 54.19 Publication 1075, a requesting agency shall require fingerprints for a national criminal
 54.20 history record information check from the following individuals who have or will have
 54.21 access to federal tax information:

71.10 Sec. 90. Minnesota Statutes 2020, section 297E.021, subdivision 4, is amended to read:

71.11 Subd. 4. **Appropriation; general reserve account.** To the extent the commissioner
 71.12 determines that revenues are available under ~~subdivision~~ subdivisions 3 and 3a for the fiscal
 71.13 year, those amounts are appropriated from the general fund for deposit in a general reserve
 71.14 account established by order of the commissioner of management and budget. Amounts in
 71.15 this reserve are appropriated as necessary for application against any shortfall in the amounts
 71.16 deposited to the general fund under section 297A.994 or, after consultation with the
 71.17 Legislative Commission on Planning and Fiscal Policy, amounts in this reserve are
 71.18 appropriated to the commissioner of management and budget for other uses related to the
 71.19 stadium authorized under section 473J.03, subdivision 8, that the commissioner deems
 71.20 financially prudent including but not limited to reimbursements for capital and operating
 71.21 costs relating to the stadium, refundings, and prepayment of debt. In no event, shall available
 71.22 revenues be pledged, nor shall the appropriations of available revenues made by this section
 71.23 constitute a pledge of available revenues as security for the prepayment of principal and
 71.24 interest on the appropriation bonds under section 16A.965.

[NOTE: SEE UEH0991-1, ARTICLE 9, SECTION 6]

- 54.22 (1) a current or prospective permanent or temporary employee of the requesting agency;
- 54.23 (2) an independent contractor or vendor of the requesting agency;
- 54.24 (3) an employee or agent of an independent contractor or vendor of the requesting agency;
- 54.25 or
- 54.26 (4) any other individual authorized to access federal tax information by the requesting
- 54.27 agency.
- 54.28 **Subd. 3. Fingerprint submission and written statement of understanding.** An
- 54.29 individual subject to this section must provide fingerprints and a written statement of
- 54.30 understanding that the fingerprints will be used for a background check to the requesting
- 54.31 agency. The requesting agency must submit the fingerprints and written statement of
- 55.1 understanding, along with the processing fees, to the superintendent of the Bureau of Criminal
- 55.2 Apprehension. The fingerprints must only be used for the purposes described in this section.
- 55.3 **Subd. 4. Bureau of Criminal Apprehension requirements.** (a) After the superintendent
- 55.4 of the Bureau of Criminal Apprehension notifies requesting agencies that the United States
- 55.5 Attorney General has approved the request for submission under Public Law 92-544, a
- 55.6 requesting agency may submit information under subdivision 3.
- 55.7 (b) Upon receipt of the information under subdivision 3, the superintendent of the Bureau
- 55.8 of Criminal Apprehension must:
- 55.9 (1) perform a state criminal history record information search;
- 55.10 (2) exchange the fingerprints to the Federal Bureau of Investigation to facilitate a search
- 55.11 of the national criminal history record information;
- 55.12 (3) compile the results of the state and national criminal history record information
- 55.13 searches; and
- 55.14 (4) provide the results to the requesting agency.
- 55.15 **Subd. 5. Classification of data.** (a) All data collected, created, received, maintained, or
- 55.16 disseminated by the requesting agency under this section is classified as private data on
- 55.17 individuals as defined in section 13.02, subdivision 12.
- 55.18 (b) Notwithstanding any law to the contrary, a requesting agency must not further
- 55.19 disseminate the results received under subdivision 4.
- 55.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

55.21 Sec. 50. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

55.22 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five
55.23 members appointed by the governor; (2) one member appointed by the commissioner of
55.24 public safety; and (3) one member appointed by the attorney general.

55.25 (b) All appointments under this subdivision are with the advice and consent of the senate.

55.26 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may
55.27 continue holding office until a successor is appointed unless, prior to the expiration of the
55.28 member's term, the appointing authority notifies the board that a member's appointment
55.29 may not be extended.

56.1 (d) The board shall select one of its members to serve as chair. No more than three
56.2 members appointed by the governor under this subdivision may belong to the same political
56.3 party.

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

71.25 Sec. 91. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

71.26 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five
71.27 members appointed by the governor; (2) one member appointed by the commissioner of
71.28 public safety; and (3) one member appointed by the attorney general.

71.29 (b) All appointments under this subdivision are with the advice and consent of the senate.

71.30 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may
71.31 continue holding office until a successor is appointed unless, prior to the expiration of the
71.32 member's term, the appointing authority notifies the board that a member's appointment
71.33 may not be extended.

72.1 (d) The board shall select one of its members to serve as chair. No more than three
72.2 members appointed by the governor under this subdivision may belong to the same political
72.3 party.

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

72.5 Sec. 92. Minnesota Statutes 2020, section 349A.01, is amended by adding a subdivision
72.6 to read:

72.7 Subd. 14. **Second chance drawing.** "Second chance drawing" means a drawing in which
72.8 an eligible nonwinning lottery ticket is submitted to the lottery for entry into a drawing for
72.9 a chance to win a prize.

72.10 Sec. 93. Minnesota Statutes 2020, section 349A.08, subdivision 9, is amended to read:

72.11 Subd. 9. **Privacy.** (a) The phone number and street address of a winner of a lottery prize
72.12 is private data on individuals under chapter 13.

72.13 (b) Data on an individual, including name, physical and electronic address, and telephone
72.14 number, that are given to the lottery for direct marketing purposes are private data on
72.15 individuals as defined in section 13.02. For purposes of this subdivision, "direct marketing"
72.16 means marketing conducted by the lottery directly with the consumer.

72.17 (c) The name of the winner of a lottery prize that includes a cash payment greater than
72.18 \$10,000, and the name of a winner of a second chance drawing prize that includes a cash
72.19 payment greater than \$10,000, are private data on individuals under chapter 13.

72.20 (d) The name of the winner of a lottery prize that is classified under paragraph (c) may
72.21 be made public if the winner provides written consent after the director has informed the
72.22 winner of the director's intended use of the winner's name.

72.23 **EFFECTIVE DATE.** This section is effective September 1, 2021.

72.24 Sec. 94. Minnesota Statutes 2020, section 353.27, subdivision 3c, is amended to read:

72.25 Subd. 3c. **Former MERF members; member and employer contributions.** (a) For
72.26 the period July 1, 2019, through December 31, 2031, the member contributions for former

72.27 members of the Minneapolis Employees Retirement Fund and by the former Minneapolis
72.28 Employees Retirement Fund-covered employing units are governed by this subdivision.

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

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

73.4 (d) The annual employer supplemental contribution is the employing unit's share of
73.5 ~~\$21,000,000~~ \$31,000,000.

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

73.10 (f) The employer supplemental contribution amount under paragraph (d) for calendar
73.11 year 2019 must be invoiced by the executive director of the Public Employees Retirement
73.12 Association by July 1, 2019. For subsequent calendar years, the employer supplemental
73.13 contribution under paragraph (d) must be invoiced on January 31 of each year. The employer
73.14 supplemental contribution is payable in two parts, with the first half payable on or before
73.15 July 31 and with the second half payable on or before December 15. Late payments are
73.16 payable with interest, compounded annually, at the applicable rate or rates specified in
73.17 section 356.59, subdivision 3, per month for each month or portion of a month that has
73.18 elapsed after the due date.

73.19 (g) The employer supplemental contribution under paragraph (d) terminates on December
73.20 31, 2031.

73.21 Sec. 95. Minnesota Statutes 2020, section 353.505, is amended to read:

73.22 **353.505 STATE CONTRIBUTIONS; FORMER MERF DIVISION.**

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

73.26 (b) State contributions under this section end on September 15, 2031.

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

56.5 Sec. 51. Minnesota Statutes 2020, section 473.24, is amended to read:

56.6 **473.24 POPULATION ESTIMATES.**

56.7 (a) The Metropolitan Council shall annually prepare an estimate of population for each
56.8 county, city, and town in the metropolitan area and an estimate of the number of households
56.9 and average household size for each city in the metropolitan area with a population of 2,500
56.10 or more, and an estimate of population over age 65 for each county in the metropolitan area,
56.11 and convey the estimates to the governing body of each county, city, or town by June 1
56.12 each year or, in a year following a decennial census, within six weeks of the date the data
56.13 are provided by the United States Census Bureau in that year. In the case of a city or town
56.14 that is located partly within and partly without the metropolitan area, the Metropolitan
56.15 Council shall estimate the proportion of the total population and the average size of
56.16 households that reside within the area. The Metropolitan Council may prepare an estimate
56.17 of the population and of the average household size for any other political subdivision
56.18 located in the metropolitan area.

56.19 (b) A governing body may challenge an estimate made under this section by filing its
56.20 specific objections in writing with the Metropolitan Council by June 24. If the challenge
56.21 does not result in an acceptable estimate, the governing body may have a special census
56.22 conducted by the United States Bureau of the Census. The political subdivision must notify
56.23 the Metropolitan Council on or before July 1 of its intent to have the special census
56.24 conducted. The political subdivision must bear all costs of the special census. Results of
56.25 the special census must be received by the Metropolitan Council by the next April 15 to be
56.26 used in that year's June 1 estimate under this section. In the year following a decennial
56.27 census, challenges to the census count must be submitted to the United States Census Bureau
56.28 through its formal challenge process. The Metropolitan Council shall certify the estimates
56.29 of population and the average household size to the state demographer and to the
56.30 commissioner of revenue by July 15 each year, including any estimates still under objection,
56.31 except that in a year following a decennial census, the estimate must be certified within six
56.32 weeks of the date the data are provided by the United States Census Bureau in that year.

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

57.1 Sec. 52. **PURPOSE; BACKGROUND CHECKS TO ACCESS FEDERAL TAX**
57.2 **INFORMATION.**

57.3 It is the intent of the legislature to ensure compliance with section 6103 of the Internal
57.4 Revenue Code and IRS Publication 1075.

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

57.6 Sec. 53. RACIAL EQUITY IMPACT ASSESSMENT WORKING GROUP.

57.7 Subdivision 1. Working group established; membership. (a) A Racial Equity Impact
57.8 Assessment Working Group is established. The working group consists of the following
57.9 members:

57.10 (1) the commissioner of human rights or the commissioner's designee;

57.11 (2) a representative of the Center for Economic Inclusion;

57.12 (3) a representative of Voices for Racial Justice;

57.13 (4) three members of the public, appointed by the commissioner of human rights;

57.14 (5) two business community representatives designated by the Minnesota Business
57.15 Partnership;

57.16 (6) one member of the public appointed by the Council for Minnesotans of African
57.17 Heritage;

57.18 (7) one member of the public appointed by the Minnesota Council on Latino Affairs;

57.19 (8) one member of the public appointed by the Council on Asian-Pacific Minnesotans;

57.20 (9) one member of the public appointed by the Indian Affairs Council;

57.21 (10) four members affiliated with community-based organizations that represent people
57.22 of color and indigenous communities, appointed by the speaker of the house; and

57.23 (11) four members affiliated with community-based organizations that represent people
57.24 of color and indigenous communities, appointed by the majority leader of the senate.

57.25 (b) In making appointments, the speaker of the house and the majority leader of the
57.26 senate must consult with the members of the People of Color and Indigenous Caucus within
57.27 each respective body.

57.28 (c) The commissioner of management and budget, the state demographer, the state
57.29 economist, and the director of the Legislative Budget Office serve as ex-officio, nonvoting
57.30 members of the working group.

58.1 Subd. 2. Duties. (a) The working group must develop recommendations for the
58.2 preparation of a racial equity impact note for proposed legislation. In conducting its work,
58.3 the group must engage members of racial and ethnic groups disproportionately impacted
58.4 by disparities. The working group must consider racial equity analysis procedures for
58.5 legislation proposed in other states, and identify sources of disaggregated data that could
58.6 be used in the development and completion of a racial equity impact note in Minnesota.

58.7 (b) The working group must submit a report describing its recommendations by February
58.8 1, 2022, to the chairs and ranking minority members of the house of representatives Ways
58.9 and Means and State Government Finance and Elections committees, and the senate Finance

58.10 and State Government Finance and Policy and Elections committees. The report may include
58.11 draft legislation to codify the working group's recommendations.

58.12 (c) At its discretion, the working group may continue to study and make additional
58.13 reports following the submission of its initial report under paragraph (b).

58.14 (d) For purposes of this section, "disparities" includes but is not limited to the difference
58.15 in economic, employment, health, education, housing, or public safety outcomes between
58.16 the state population as a whole and racial and ethnic subgroups of the population.

58.17 Subd. 3. **Administration; assistance of experts.** (a) The executive director of the
58.18 Legislative Budget Office shall convene the first meeting of the working group no later than
58.19 September 1, 2021, and serves as the working group's executive secretary. Upon request of
58.20 the working group members, the executive director of the Legislative Budget Office must
58.21 arrange meeting space and provide administrative support for the group.

58.22 (b) In conducting its work, the working group may request the assistance of private
58.23 sector experts specializing in issues related to the economic impacts of racial inequity.

58.24 Subd. 4. **Chair.** The members of the working group must elect a chair or cochair at the
58.25 initial meeting.

58.26 Subd. 5. **Compensation.** Members of the working group may be compensated as provided
58.27 in Minnesota Statutes, section 15.059, subdivision 3.

58.28 Subd. 6. **Gifts and grants.** The working group may accept gifts and grants, which are
58.29 accepted on behalf of the state and constitute donations to the state. Funds received under
58.30 this subdivision are appropriated to the Legislative Budget Office for purposes of the working
58.31 group.

58.32 Subd. 7. **Deadline for appointments and designations.** The appointments and
58.33 designations authorized by this section must be completed by August 1, 2021.

59.1 Subd. 8. **Expiration.** The working group expires September 1, 2023.

59.2 Sec. 54. **SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS.**

59.3 (a) The Minnesota Council on Disability shall award grants to state organizations,
59.4 counties, cities, and private holders of public access space to fund building modifications
59.5 to provide sensory accessibility or accommodations to increase accessible community
59.6 involvement and access for individuals who have autism spectrum disorder or a related
59.7 disability or other nonvisible health issue with sensory impacts. Grantees may use grants
59.8 to modify public space to:

59.9 (1) create sensory-friendly spaces;

59.10 (2) modify public use space to meet sensory-friendly design standards;

59.11 (3) equip a facility with mobile tool kits to support sensory needs; or

59.12 (4) provide quiet zones or times of service.

59.13 Grantees must also complete disability training to provide staff with the skills necessary to
59.14 successfully incorporate building modifications that support individuals within the sensory
59.15 modifications made.

59.16 (b) The council may use up to ten percent of this appropriation for grants administration.

59.17 (c) By February 15, 2024, the council shall report to the legislative committees having
59.18 jurisdiction over health and public safety policy on how this appropriation was spent and
59.19 what results were achieved.

59.20 Sec. 55. CHECK OR DEBIT CARD FOR CERTAIN GAMBLING PURCHASES.

59.21 Notwithstanding Minnesota Statutes, section 349.2127, subdivision 7, during a telephone
59.22 communication initiated by persons seeking to purchase a raffle ticket, an organization may
59.23 accept a check or debit card for raffle purchases, provided a debit card is checked against
59.24 a nationally recognized database of bank identification numbers that confirms the card is a
59.25 debit card.

59.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and
59.27 expires July 1, 2022.

59.28 Sec. 56. STUDY OF L'ORIENT AVENUE PROPERTY USE.

59.29 No later than January 1, 2022, the commissioner of administration must submit a report
59.30 to the chairs and ranking minority members of the legislative committees with jurisdiction
60.1 over state government finance detailing plans for future use of the property located at 1415
60.2 L'Orient Avenue in St. Paul.

60.3 Sec. 57. MASS DEMONSTRATION RESPONSE REVIEW COMMISSION.

60.4 Subdivision 1. Purpose; finding of facts and time line of public responses. (a) The
60.5 legislature and governor of the state of Minnesota recognize that the mass demonstrations
60.6 that occurred in Minnesota in 2020 and 2021 raise questions about the state's preparedness,
60.7 the nature of orders given, responses made, and actions taken by civil authorities. The
60.8 Minnesota public needs a comprehensive understanding of the role played in those events
60.9 by:

77.2 Sec. 103. DESIGNATION AND SALE OF SURPLUS STATE-OWNED REAL
77.3 PROPERTY; ST. PAUL.

77.4 (a) For purposes of this act, "L'Orient Street property" means the real property located
77.5 at 1415 L'Orient Street in the city of St. Paul that was acquired by the state using money
77.6 appropriated from the COVID-19 Minnesota fund in accordance with the Legislative
77.7 COVID-19 Response Commission, Action Order number 13, signed by the commissioner
77.8 of management and budget May 7, 2020.

77.9 (b) The commissioner of administration must designate the L'Orient Street property as
77.10 surplus and dispose of the property in accordance with Minnesota Statutes, sections 16B.281
77.11 to 16B.287.

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

- 60.10 (1) local authorities, including applicable municipal police and fire departments;
- 60.11 (2) State Patrol;
- 60.12 (3) National Guard;
- 60.13 (4) appointed and elected officials; and
- 60.14 (5) all other responsible parties whose duties commanded the public response to the
- 60.15 unprecedented events that tragically unfolded in both instances.
- 60.16 (b) Civil authorities remain actively engaged at this moment in time to perform ongoing
- 60.17 duties and manage the ongoing public interests in responding to the mass demonstrations,
- 60.18 and to help affected citizens.
- 60.19 (c) However, a review of actions is a crucial task that must be completed to provide
- 60.20 confidence to the Minnesota public regarding the capacity of civil government in the current
- 60.21 and future responses. Further, an investigation into decisions and actions cannot be
- 60.22 undertaken by persons currently in state or local government, whose ongoing duties and
- 60.23 past responsibilities render the persons too involved for dispassionate analysis.
- 60.24 (d) Therefore, a Mass Demonstration Response Review Commission is established to
- 60.25 examine and create a public record of all actions, choices, orders, and responses by all local
- 60.26 governments, police and military authorities, and elected officials who were crucial to the
- 60.27 government's response to the mass demonstrations that unfolded in 2020 and 2021.
- 60.28 Subd. 2. **Duties of commission.** The commission must take public and private testimony,
- 60.29 hold public meetings, and issue a public report with an accurate and dispassionate analysis
- 60.30 of the responses of Minnesota's state and local government officials.
- 60.31 Subd. 3. **Cooperation.** The commission must be given access to all records and
- 60.32 documents held by any government entity that are in any way associated with the mass
- 61.1 demonstrations. Within legal and constitutional rights, all elected and appointed officials
- 61.2 must cooperate with requests made by the commission.
- 61.3 Subd. 4. **Data.** All materials and information held by or created by the commission must
- 61.4 be made public upon completion of the report required under this act.
- 61.5 Sec. 58. **COMMISSION STRUCTURE.**
- 61.6 (a) The chief justice of the Minnesota Supreme Court must appoint a panel of ten neutral
- 61.7 persons to constitute the Mass Demonstration Response Review Commission. Appointees
- 61.8 must: (1) have no current involvement with any political party; (2) have played no role in
- 61.9 the mass demonstration events of 2020 or 2021; and (3) have the highest personal probity
- 61.10 and ability to command public confidence. Members must be chosen for expertise in
- 61.11 management of public crises and knowledge of government responses to mass
- 61.12 demonstrations.

- 61.13 (b) The commission must be established by August 1, 2021. The chief justice must
 61.14 designate one member of the panel to serve as chair.
- 61.15 (c) The chief justice must determine the pay and expenses received by the commission.
 61.16 A member's total pay, not including expenses, must not exceed \$1,000.
- 61.17 (d) The commission may issue subpoenas, take testimony under oath, and hire outside
 61.18 investigators and counsel.
- 61.19 (e) The legislative auditor must act as fiscal agent for the commission and must provide
 61.20 administrative support to the commission.
- 61.21 **Sec. 59. DUTIES AND REPORT.**
- 61.22 (a) The Mass Demonstration Response Review Commission must:
- 61.23 (1) create a timeline of events, with a detailed explanation of the choices made by public
 61.24 officials;
- 61.25 (2) conduct a review of the responses of police, National Guard, and other responders;
- 61.26 (3) conduct a review of use of force versus protesters; and
- 61.27 (4) analyze the effect of social media in promoting mass demonstrations.
- 61.28 (b) The commission may suggest best practices and specific policies and procedures
 61.29 that should be considered for future responses in the event of mass demonstrations.
- 62.1 (c) The commission must issue a report no later than December 15, 2021, with the
 62.2 commission's findings.

- 74.1 Sec. 96. Minnesota Statutes 2020, section 477A.03, subdivision 2b, is amended to read:
- 74.2 Subd. 2b. **Counties.** (a) For aids payable in 2018 and 2019, the total aid payable under
 74.3 section 477A.0124, subdivision 3, is \$103,795,000, of which \$3,000,000 shall be allocated
 74.4 as required under Laws 2014, chapter 150, article 4, section 6. For aids payable in 2020,
 74.5 the total aid payable under section 477A.0124, subdivision 3, is \$116,795,000, of which
 74.6 \$3,000,000 shall be allocated as required under Laws 2014, chapter 150, article 4, section
 74.7 6. For aids payable in 2021 through 2024, the total aid payable under section 477A.0124,
 74.8 subdivision 3, is \$118,795,000, of which \$3,000,000 shall be allocated as required under
 74.9 Laws 2014, chapter 150, article 4, section 6. For aids payable in 2025 and thereafter, the
 74.10 total aid payable under section 477A.0124, subdivision 3, is \$115,795,000. Each calendar
 74.11 year, \$500,000 of this appropriation shall be retained by the commissioner of revenue to
 74.12 make reimbursements to the commissioner of management and budget for payments made
 74.13 under section 611.27. The reimbursements shall be to defray the additional costs associated
 74.14 with court-ordered counsel under section 611.27. Any retained amounts not used for
 74.15 reimbursement in a year shall be included in the next distribution of county need aid that

74.16 is certified to the county auditors for the purpose of property tax reduction for the next taxes
74.17 payable year.

74.18 (b) For aids payable in 2018 and 2019, the total aid under section 477A.0124, subdivision
74.19 4, is \$130,873,444. For aids payable in 2020, the total aid under section 477A.0124,
74.20 subdivision 4, is \$143,873,444. For aids payable in 2021 and thereafter, the total aid under
74.21 section 477A.0124, subdivision 4, is \$145,873,444. The commissioner of revenue shall
74.22 transfer to the ~~commissioner of management and budget~~ Legislative Budget Office \$207,000
74.23 annually for the cost of preparation of local impact notes as required by section 3.987, and
74.24 other local government activities. The commissioner of revenue shall transfer to the
74.25 commissioner of education \$7,000 annually for the cost of preparation of local impact notes
74.26 for school districts as required by section 3.987. The commissioner of revenue shall deduct
74.27 the amounts transferred under this paragraph from the appropriation under this paragraph.
74.28 The amounts transferred are appropriated to the commissioner of management and budget
74.29 and the commissioner of education respectively.

74.30 Sec. 97. Minnesota Statutes 2020, section 645.071, is amended to read:

74.31 **645.071 STANDARD OF TIME.**

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

75.4 **EFFECTIVE DATE.** This section is effective upon the first commencement of advanced
75.5 standard time, also known as daylight saving time, following enactment of an amendment
75.6 to United States Code, title 15, section 260a, or another applicable law, which authorizes
75.7 states to observe advanced standard time year-round.

75.8 Sec. 98. **FEDERAL FUNDS; SUSPENSION OF STATUTORY APPROPRIATION.**

75.9 Notwithstanding Minnesota Statutes, sections 3.3005 and 4.07, or any other appropriation
75.10 of federal funds, any federal funds received by the state of Minnesota for COVID-19 between
75.11 March 1, 2021, and June 30, 2022, must not be spent except pursuant to a direct appropriation
75.12 by law. This section does not apply to appropriations of federal funds under Laws 2020,
75.13 Seventh Special Session chapter 2, article 7.

75.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and
75.15 applies to all federal funds received between March 1, 2021, and June 30, 2022.

75.16 Sec. 99. **VIOLATION OF EXECUTIVE ORDERS DURING A PEACETIME**
75.17 **EMERGENCY.**

75.18 Notwithstanding any other law to the contrary, no board or agency, including agencies
75.19 that issue licenses, may impose additional penalties on a business for a violation of an

75.20 executive order issued in response to the spread of COVID-19, pursuant to Minnesota
 75.21 Statutes, section 12.21 or 12.31, beyond the penalties imposed by the executive orders.

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

75.23 **Sec. 100. REDUCTION IN APPROPRIATIONS FOR UNFILLED POSITIONS.**

75.24 **Subdivision 1. Reduction required.** The general fund and nongeneral fund appropriations
 75.25 to an executive branch state agency for agency operations for the biennium ending June 30,
 75.26 2023, are reduced by the amount for salary and benefits savings that results from any
 75.27 positions that have not been filled within 180 days of the initial posting of the position.
 75.28 "Agency" as used in this section has the meaning given in Minnesota Statutes, section
 75.29 16A.011, subdivision 12a, but does not include Minnesota State Colleges and Universities.
 75.30 This section applies only to positions that are posted in fiscal years 2021, 2022, and 2023.
 75.31 Reductions made under this subdivision must be reflected as reductions in agency base
 75.32 budgets for fiscal years 2024 and 2025. This section does not apply to:

76.1 (1) any position within the Department of Public Safety;

76.2 (2) any position that requires law enforcement training; or

76.3 (3) any other public safety position.

76.4 **Subd. 2. Reporting.** The commissioner of management and budget must report to the
 76.5 chairs and ranking minority members of the senate and the house of representatives finance
 76.6 committees regarding the amount of reductions in spending by each agency under this
 76.7 section.

76.8 **Sec. 101. OBSOLETE RULES REPORT MUST DESCRIBE CURRENT GRANTS**
 76.9 **OF RULEMAKING AUTHORITY.**

76.10 (a) As part of its obsolete rules report due December 1, 2021, each agency must list all
 76.11 current grants of rulemaking authority provided to the agency by law. The list must include
 76.12 a citation to the applicable law, a citation to any current rules adopted under the authority
 76.13 provided by that law, and describe, in the agency's view, whether the grant of authority
 76.14 complies with the provisions of Minnesota Statutes, section 14.05, subdivision 1, that permit
 76.15 adoption of rules only under a specific grant of rulemaking authority. A grant of rulemaking
 76.16 authority is presumed invalid for purposes of adopting future rules if the authority is not
 76.17 cited in the report required by this section.

76.18 (b) The requirements of this section are in addition to the ongoing requirements for the
 76.19 obsolete rules report provided by Minnesota Statutes, section 14.05, subdivision 5.

77.13 **Sec. 104. REQUIRING REPAIR AND RETURN OF COLUMBUS STATUE.**

77.14 The commissioner of administration shall repair the statue of Christopher Columbus
 77.15 and its pedestal that was illegally removed from its place on the Capitol grounds in the
 77.16 summer of 2020. Notwithstanding any process in law for approving the installation of

77.17 memorials or artwork on the Capitol grounds, the commissioner must reinstall the statue in
77.18 its former location on the Capitol grounds on the same pedestal with the same signage as
77.19 before its removal.

77.20 **Sec. 105. CONDITIONAL REPEALER.**

77.21 The commissioner of management and budget shall report within 30 days that the bonds
77.22 under Minnesota Statutes, section 16A.965, have been redeemed or defeased to the revisor
77.23 of statutes.

77.24 **Sec. 106. TRANSFER FROM THE BOARD OF COSMETOLOGIST EXAMINERS**
77.25 **TO COMMISSIONER OF HEALTH.**

77.26 Minnesota Statutes, section 15.039, applies to the transfer of responsibilities from the
77.27 Board of Cosmetologist Examiners to the commissioner of health, except that the position
77.28 of executive director of the Board of Cosmetologist Examiners is not transferred.

78.1 **Sec. 107. EMERGENCY CONTRACTS; LEGISLATIVE REPORTS REQUIRED.**

78.2 Within 30 days after executing a contract pursuant to authority granted by law to manage
78.3 a declared peacetime emergency, the commissioner of administration must submit a report
78.4 to the speaker of the house, the president of the senate, and the chairs and ranking minority
78.5 members of the committees of the legislature with jurisdiction over state government finance
78.6 listing the subject and general purpose of the contract, the name of each vendor or party,
78.7 and the total contract value.

78.8 **EFFECTIVE DATE.** This section is effective the day following final enactment. Within
78.9 30 days of the effective date of this section, the commissioner must submit a report listing
78.10 all applicable contracts executed during the peacetime emergency declared in response to
78.11 the COVID-19 infectious disease outbreak, regardless of the date the contracts were executed.

78.12 **Sec. 108. LEGISLATIVE AUDITOR; COMPREHENSIVE REVIEW OF COVID-19**
78.13 **RESPONSE.**

78.14 The legislative auditor is requested to conduct a special review of the state's response
78.15 to the infectious disease known as COVID-19. If conducted, the review must be designed
78.16 as a comprehensive analysis of all major aspects of the state's response, including programs
78.17 to provide testing, vaccination, and public outreach; contracting and other state purchasing
78.18 necessary to facilitate the response or to provide public services; and the methodology used
78.19 in modeling and forecasting the course of the outbreak. For each program, service, or activity,
78.20 the review must consider whether it was efficiently and successfully implemented to achieve
78.21 its intended outcome. If a program, service, or activity was not efficiently or successfully
78.22 implemented, the review may make recommendations for process improvements to facilitate
78.23 the state's response to future infectious disease outbreaks.

62.3 Sec. 60. **REVISOR INSTRUCTION.**

62.4 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
 62.5 the term appears in Minnesota Statutes.

62.6 Sec. 61. **REPEALER.**

62.7 Subdivision 1. **Legislative auditor.** Minnesota Statutes 2020, sections 3.972, subdivisions
 62.8 2c and 2d; 3.9741, subdivision 5; and 299D.03, subdivision 2a, are repealed.

62.9 Subd. 2. **Employee gainsharing.** Minnesota Statutes 2020, section 16A.90, is repealed.

62.10 Subd. 3. **Interagency agreements and transfers.** Minnesota Statutes 2020, section
 62.11 15.0395, is repealed.

62.12 Subd. 4. **Department of Administration.** Minnesota Statutes 2020, sections 4A.11;
 62.13 179.90; and 179.91, are repealed.

62.14 Subd. 5. **Legislative carryforward.** Minnesota Statutes 2020, section 16A.281, is
 62.15 repealed.

78.24 Sec. 109. **REVISOR INSTRUCTION.**

78.28 Subd. 2. **Contested case procedures.** By January 15, 2022, the revisor of statutes shall
 78.29 present a bill to the legislature to make the conforming statutory changes to incorporate the
 78.30 contested case procedures under section 27.

78.31 Subd. 3. **Cosmetology.** The revisor of statutes shall change the terms "board" and
 78.32 "executive secretary of the board" to "commissioner of health" or "commissioner" wherever
 79.1 those terms appear in Minnesota Statutes, chapter 155A, and in Minnesota Rules adopted
 79.2 by the Board of Cosmetologist Examiners.

79.3 Subd. 4. **Enterprise fleet.** The revisor of statutes shall change "central motor pool" to
 79.4 "enterprise fleet" wherever it appears in Minnesota Statutes.

79.5 Sec. 110. **REPEALER.**

79.6 (a) Minnesota Statutes 2020, section 3.972, subdivisions 2c and 2d, are repealed.

79.9 (c) Minnesota Statutes 2020, section 155A.23, subdivision 2, is repealed.