

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4293**

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

1.1 A bill for an act

1.2 relating to state government; appropriating money for certain government agencies;

1.3 allowing certain contracts; determining acceptance of certain collateral by the

1.4 executive council; designating Juneteenth; defining certain terms; specifying

1.5 emergency management provisions; modifying data practices provisions; amending

1.6 provisions of the Legislative Salary Council; changing the revolving fund for

1.7 services rate and statewide systems services; providing changes to state budget

1.8 and finance sections; moving the Office of Collaborations and Dispute Resolution

1.9 under the Department of Administration; establishing the Office of Enterprise

1.10 Translations; creating the language access service account; changing provisions

1.11 for grant administration, solicitation process, affirmative action measures,

1.12 technology accessibility standards, hiring processes, salary differential benefits,

1.13 supported work practices, deposit and investment of local public funds, Minnesota

1.14 State Colleges and Universities, burial grounds, manufactured homes, managed

1.15 natural landscapes, military salary differential, Mississippi River Parkway

1.16 Commission, campaign finance and elections, barbering, and cosmetology; creating

1.17 certain separation and retention incentive programs; requiring an Office of Small

1.18 Agency study; establishing State Emblems Redesign Commission, Legislative

1.19 Task Force on Aging, and Advisory Committee on Service Worker Standards;

1.20 requiring reports; setting certain fees; amending Minnesota Statutes 2020, sections

1.21 3.303, subdivision 6; 5B.06; 9.031, subdivision 3; 10.55; 10A.273, subdivision 1;

1.22 12.03, by adding subdivisions; 12.21, subdivision 2; 12.31, subdivision 2; 12.35,

1.23 subdivision 4; 12.36; 13.04, subdivision 4; 13.072, subdivision 1; 15A.0825,

1.24 subdivisions 1, 2, 3; 16A.126, subdivision 1; 16A.1286, subdivision 2; 16A.15,

1.25 subdivision 3; 16B.33, subdivisions 1, 3, 3a, by adding a subdivision; 16B.98, by

1.26 adding a subdivision; 16C.10, subdivision 2; 16C.32, subdivision 1; 43A.01,

1.27 subdivision 2; 43A.02, by adding subdivisions; 43A.04, subdivisions 1a, 4, 7;

1.28 43A.09; 43A.10, subdivisions 2a, 7; 43A.14; 43A.15, subdivision 14, by adding

1.29 a subdivision; 43A.183, subdivisions 1, 2; 43A.19, subdivision 1; 43A.191; 43A.21,

1.30 subdivisions 1, 2, 3, by adding a subdivision; 43A.36, subdivision 1; 43A.421;

1.31 82.75, subdivision 8; 118A.09, subdivisions 1, 2; 136F.02, subdivision 1; 138.081,

1.32 subdivision 3; 138.665, subdivision 2; 154.001, subdivision 2; 154.003; 154.01;

1.33 154.02, subdivisions 1, 4, 5, by adding subdivisions; 154.05; 154.07, subdivision

1.34 1; 154.08; 154.09; 154.11, subdivision 1, by adding a subdivision; 155A.20;

1.35 155A.23, subdivisions 8, 11, 18, by adding a subdivision; 155A.25, subdivision

1.36 1a; 155A.27, subdivisions 1, 5a, 6, 10, by adding a subdivision; 155A.271,

1.37 subdivision 1; 155A.29, subdivision 1; 155A.30, subdivisions 2, 3, 4, 11; 161.1419,

1.38 subdivision 2; 201.061, subdivision 3; 201.071, subdivisions 1, 3, 8; 201.091,

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

3.4 **Subd. 2. House of Representatives** 1,400,000

3.5 The base for this appropriation is \$1,393,000
3.6 in fiscal year 2024 and thereafter.

3.7 **Subd. 3. Legislative Coordinating Commission** 15,474,000

3.8 \$252,000 the second year is for translation
3.9 services. This base for this appropriation is
3.10 \$230,000 in fiscal year 2024 and thereafter.

3.11 \$138,000 the second year is for the Legislative
3.12 Task Force on Aging. The base for this
3.13 appropriation is \$140,000 in fiscal year 2024
3.14 and thereafter, until the task force expires.

3.15 **Legislative Auditor.** \$342,000 the second
3.16 year is for the Office of the Legislative
3.17 Auditor.

3.18 **Revisor of Statutes.** \$14,277,000 the second
3.19 year is for the Office of the Revisor of
3.20 Statutes. Of this amount, \$14,000,000 is a
3.21 onetime appropriation for replacement of the
3.22 bill and administrative rules drafting system.
3.23 This appropriation is available until spent.

3.24 **Legislative Reference Library.** \$70,000 the
3.25 second year is for the Legislative Reference
3.26 Library.

3.27 **Legislative Budget Office.** \$92,000 the
3.28 second year is for the Legislative Budget
3.29 Office.

3.30 **Sec. 3. ATTORNEY GENERAL** \$ \$ 2,335,000

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

4.1	Sec. 4. <u>SECRETARY OF STATE</u>	\$	.....	\$	<u>310,000</u>
4.2	Sec. 5. <u>CAMPAIGN FINANCE AND PUBLIC</u>				
4.3	<u>DISCLOSURE BOARD</u>	\$	.....	\$	<u>5,000</u>
4.4	<u>This is a onetime appropriation.</u>				
4.5	Sec. 6. <u>MINNESOTA IT SERVICES</u>				
4.6	Subdivision 1. <u>Total Appropriation</u>	\$	<u>3,409,000</u>	\$	<u>32,376,000</u>
4.7	<u>Appropriations by Fund</u>				
4.8		<u>2022</u>	<u>2023</u>		
4.9	<u>General</u>	<u>3,409,000</u>	<u>32,226,000</u>		
4.10	<u>Special Revenue</u>	.....	<u>150,000</u>		
4.11	<u>The general fund base for this appropriation</u>				
4.12	<u>is \$20,409,000 in fiscal year 2024 and</u>				
4.13	<u>\$6,725,000 in fiscal year 2025 and thereafter.</u>				
4.14	<u>The amounts that may be spent for each</u>				
4.15	<u>purpose are specified in the following</u>				
4.16	<u>subdivisions.</u>				
4.17	Subd. 2. <u>Cybersecurity Grant Program</u>		<u>359,000</u>		<u>1,435,000</u>
4.18	<u>\$359,000 the first year and \$1,435,000 the</u>				
4.19	<u>second year are for a cybersecurity</u>				
4.20	<u>improvement grant program for political</u>				
4.21	<u>subdivisions and Minnesota Tribal</u>				
4.22	<u>governments, as established in Minnesota</u>				
4.23	<u>Statutes, section 16E.35. The base for this</u>				
4.24	<u>program is \$1,614,000 in fiscal year 2024 and</u>				
4.25	<u>\$717,000 in fiscal year 2025.</u>				
4.26	Subd. 3. <u>Cloud-Based Services</u>		<u>2,800,000</u>		<u>9,600,000</u>
4.27	<u>\$2,800,000 the first year and \$9,600,000 the</u>				
4.28	<u>second year are for supporting the</u>				
4.29	<u>procurement and adoption of cloud-based</u>				
4.30	<u>services. The base for this program is</u>				
4.31	<u>\$2,100,000 in fiscal year 2024 and \$0 in fiscal</u>				
4.32	<u>year 2025.</u>				

5.1	<u>Subd. 4. Executive Branch Technology</u>		
5.2	<u>Modernization</u>	<u>250,000</u>	<u>10,000,000</u>
5.3	<u>\$250,000 the first year and \$10,000,000 the</u>		
5.4	<u>second year are for the modernization of</u>		
5.5	<u>executive branch software applications and</u>		
5.6	<u>services. These appropriations are available</u>		
5.7	<u>until June 30, 2025. The base for this program</u>		
5.8	<u>is \$7,500,000 in fiscal year 2024 and</u>		
5.9	<u>\$2,125,000 in fiscal year 2025.</u>		
5.10	<u>Subd. 5. Accessibility Assessment</u>	.....	<u>256,000</u>
5.11	<u>\$256,000 the second year is for conducting an</u>		
5.12	<u>accessibility assessment of digital service</u>		
5.13	<u>applications for compatibility of those</u>		
5.14	<u>applications with accessibility best practices.</u>		
5.15	<u>The base for this program is \$260,000 in fiscal</u>		
5.16	<u>year 2024 and \$133,000 in fiscal year 2025.</u>		
5.17	<u>Subd. 6. Interagency Innovation Fund</u>	.....	<u>750,000</u>
5.18	<u>\$750,000 the second year is for creating an</u>		
5.19	<u>interagency innovation fund to center the</u>		
5.20	<u>priorities of families and children across</u>		
5.21	<u>agency priorities and to deliver agile</u>		
5.22	<u>technology solutions necessary to improve</u>		
5.23	<u>access to services and increase coordination</u>		
5.24	<u>across multiple state agencies.</u>		
5.25	<u>Subd. 7. Technology Accessibility and Usability</u>	.....	<u>150,000</u>
5.26	<u>\$150,000 the second year is from the</u>		
5.27	<u>telecommunications access Minnesota fund</u>		
5.28	<u>account in the special revenue fund for</u>		
5.29	<u>coordinating technology accessibility and</u>		
5.30	<u>usability.</u>		
5.31	<u>Subd. 8. Advanced Cybersecurity Tools</u>	.....	<u>10,185,000</u>
5.32	<u>\$10,185,000 the second year is for advanced</u>		
5.33	<u>cybersecurity tools and modern identity access</u>		
5.34	<u>management solutions. This appropriation is</u>		

7.1 **Office of Small Agencies Study. \$102,500**
 7.2 in fiscal year 2023 is to complete the Office
 7.3 of Small Agencies study required in article 2.
 7.4 This is a onetime appropriation.

7.5 **Office of Enterprise Translations. \$556,000**
 7.6 the second year is to establish the Office of
 7.7 Enterprise Translations as required by
 7.8 Minnesota Statutes, section 16B.372. Of this
 7.9 amount, \$147,000 is a onetime appropriation.

7.10 **Office of Collaboration and Dispute**
 7.11 **Resolution. \$150,000** the second year is for
 7.12 the Office of Collaboration and Dispute
 7.13 Resolution.

7.14 **COVID Workers' Compensation Costs**
 7.15 **Related to Chapter 32. \$953,000** the first
 7.16 year and \$1,594,000 the second year are for
 7.17 covering agency costs related to extending the
 7.18 workplace presumption of COVID workers'
 7.19 compensation claims from February 22, 2022,
 7.20 through January 14, 2023. The base for this
 7.21 program is \$450,000 in fiscal year 2024 and
 7.22 \$200,000 in fiscal year 2025.

7.23 **COVID Workers' Compensation Costs.**
 7.24 \$1,000,000 in fiscal year 2023 is for covering
 7.25 agency costs related to workers' compensation
 7.26 claims incurred prior to March 4, 2021. This
 7.27 is a onetime appropriation.

7.28 **Subd. 3. Fiscal Agent** **2,773,000**

7.29 **Association of Minnesota Public**
 7.30 **Educational Radio Stations. \$773,000** the
 7.31 second year is for a grant to the Association
 7.32 of Minnesota Public Educational Radio
 7.33 Stations to provide new programs in
 7.34 community radio. Of this amount, up to

10.1	Sec. 11. <u>BOARD OF ACCOUNTANCY</u>	\$	.....	\$	<u>120,000</u>
10.2	Sec. 12. <u>BOARD OF COSMETOLOGIST</u>				
10.3	<u>EXAMINERS</u>	\$	.....	\$	<u>20,000</u>
10.4	Sec. 13. <u>BOARD OF BARBER EXAMINERS</u>	\$	.....	\$	<u>17,000</u>

10.5 This is a onetime appropriation.

10.6 Sec. 14. HELP AMERICA VOTE ACT APPROPRIATIONS; STATE MATCH
 10.7 REQUIREMENT.

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

10.10 (1) \$1,151,122 in fiscal year 2022 is appropriated from the Help America Vote Act
 10.11 (HAVA) account established in Minnesota Statutes, section 5.30; and

10.12 (2) \$230,224 in fiscal year 2023 is appropriated from the general fund. This is a onetime
 10.13 appropriation.

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

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

10.19 (2) monitoring, updating, and securing election systems and the systems supporting
 10.20 elections infrastructure;

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

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

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

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

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

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

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

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

11.4 The appropriations under this section are to
 11.5 the commissioner of administration for the
 11.6 purposes specified.

11.7 **In Lieu of Rent.** \$10,515,000 each year is for
 11.8 space costs of the legislature and veterans
 11.9 organizations, ceremonial space, and
 11.10 statutorily free space.

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

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

11.16 (c) The commissioner of administration must
 11.17 consider the recommendations of the
 11.18 Minnesota Public Television Association
 11.19 before allocating the amounts appropriated in
 11.20 paragraphs (a) and (b) for equipment or
 11.21 matching grants.

11.22 **Public Radio.** (a) \$492,000 each year is for
 11.23 community service grants to public
 11.24 educational radio stations. This appropriation
 11.25 may be used to disseminate emergency
 11.26 information in foreign languages.

11.27 (b) \$142,000 each year is for equipment grants
 11.28 to public educational radio stations. This
 11.29 appropriation may be used for the repair,
 11.30 rental, ~~and purchase,~~ and upgrades of
 11.31 equipment, including computer software,
 11.32 applications, firmware, and equipment under
 11.33 \$500.

12.1 (c) \$510,000 each year is for equipment grants
12.2 to Minnesota Public Radio, Inc., including
12.3 upgrades to Minnesota's Emergency Alert and
12.4 AMBER Alert Systems.

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

12.8 (e) The commissioner of administration must
12.9 consider the recommendations of the
12.10 Association of Minnesota Public Educational
12.11 Radio Stations before awarding grants under
12.12 Minnesota Statutes, section 129D.14, using
12.13 the appropriations in paragraphs (a) and (b).
12.14 No grantee is eligible for a grant unless they
12.15 are a member of the Association of Minnesota
12.16 Public Educational Radio Stations on or before
12.17 July 1, 2021.

12.18 (f) Any unencumbered balance remaining the
12.19 first year for grants to public television or
12.20 public radio stations does not cancel and is
12.21 available for the second year.

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

12.23 **ARTICLE 2**
12.24 **STATE GOVERNMENT POLICY**

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

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

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

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

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

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

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

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

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

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

13.15 (3) general obligation securities of any state other than the state and its agencies or local
13.16 government with taxing powers that is rated "A" or better by a national bond rating service,
13.17 or revenue obligation securities of any state other than the state and its agencies or local
13.18 government with taxing powers which is rated "AA" or better by a national bond rating
13.19 service;

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

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

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

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

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

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

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

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

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

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

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

14.17 **10.55 JUNETEENTH.**

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

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

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

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

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

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

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

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

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

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

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

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

15.28 (1) an act of nature;

15.29 (2) a technological failure or malfunction;

15.30 (3) a terrorist incident;

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

16.3 (5) an industrial accident;

16.4 (6) a hazardous materials accident; or

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

16.7 If the peacetime emergency occurs on Indian lands, the governor or state director of
16.8 emergency management shall consult with tribal authorities before the governor makes such
16.9 a declaration. Nothing in this section shall be construed to limit the governor's authority to
16.10 act without such consultation when the situation calls for prompt and timely action. When
16.11 the governor declares a peacetime emergency, the governor must immediately notify the
16.12 majority and minority leaders of the senate and the speaker and majority and minority leaders
16.13 of the house of representatives. A peacetime emergency must not be continued for more
16.14 than five days unless extended by resolution of the Executive Council up to 30 days. An
16.15 order, or proclamation declaring, continuing, or terminating an emergency must be given
16.16 prompt and general publicity and filed with the secretary of state.

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

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

16.25 Subd. 4. **Reimbursement of other state.** When emergency management personnel of
16.26 another state render aid in Minnesota, including but not limited to aid provided from outside
16.27 Minnesota to assist with the response to a physical or electronic attack on the state's
16.28 information and telecommunications technology infrastructure, systems, or services, pursuant
16.29 to the orders of the governor of its home state, and upon the request of the governor of
16.30 Minnesota, this state shall reimburse the other state for (1) the compensation paid and actual
16.31 and necessary travel, subsistence, and maintenance expenses of the personnel of the other
16.32 state while rendering aid as emergency management personnel, (2) all payments for death,
16.33 disability, or injury of those personnel incurred in the course of rendering that aid, and (3)

17.1 all losses of or damage to supplies and equipment of the other state, or a governmental
17.2 subdivision of the other state, resulting from the rendering of aid; provided, that the laws
17.3 of the other state contain provisions substantially similar to this section.

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

17.5 **12.36 GOVERNOR'S POWERS TO FAST PROVIDE EMERGENCY AID.**

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

17.8 (1) enter into contracts and incur obligations necessary to combat the disaster by
17.9 protecting the health and safety of persons ~~and~~, the safety of property, and the safety of the
17.10 state's information and telecommunications technology infrastructure, systems, or services
17.11 and by providing emergency assistance to the victims of the disaster; and

17.12 (2) exercise the powers vested by this subdivision in the light of the exigencies of the
17.13 disaster without compliance with time-consuming procedures and formalities prescribed
17.14 by law pertaining to:

17.15 (i) the performance of public work;

17.16 (ii) entering into contract;

17.17 (iii) incurring of obligations;

17.18 (iv) employment of temporary workers;

17.19 (v) rental of equipment;

17.20 (vi) purchase of supplies and materials, for example, but not limited to, publication of
17.21 calls for bids;

17.22 (vii) provisions of the Civil Service Act and rules;

17.23 (viii) provisions relating to low bids; and

17.24 (ix) requirements for the budgeting and allotment of funds.

17.25 (b) All contracts must be in writing, executed on behalf of the state by the governor or
17.26 a person delegated by the governor in writing so to do, and must be promptly filed with the
17.27 commissioner of management and budget, who shall forthwith encumber funds appropriated
17.28 for the purposes of the contract for the full contract liability and certify thereon that the
17.29 encumbrance has been made.

18.1 Sec. 11. Minnesota Statutes 2020, section 13.04, subdivision 4, is amended to read:

18.2 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject
18.3 of the data may contest the accuracy or completeness of public or private data about
18.4 themselves.

18.5 (b) To exercise this right, an individual shall notify in writing the responsible authority
18.6 of the government entity that maintains the data, describing the nature of the disagreement.

18.7 (c) Upon receiving the notification from the data subject, the responsible authority shall
18.8 within 30 days either:

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

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

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

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

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

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

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

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

19.4 (g) After completing, correcting, or destroying successfully challenged data, a government
19.5 entity may retain a copy of the commissioner of administration's order issued under chapter
19.6 14 or, if no order were issued, a summary of the dispute between the parties that does not
19.7 contain any particulars of the successfully challenged data.

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

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

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

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

19.30 (d) ~~For good cause and upon written notice to the person requesting the opinion, the
19.31 commissioner may extend this deadline for one additional 30-day period. The notice must
19.32 state the reason for extending the deadline.~~ The government entity or the members of a body
19.33 subject to chapter 13D must be provided a reasonable opportunity to explain the reasons
19.34 for its decision regarding the data or how they perform their duties under chapter 13D. The

20.1 commissioner or the government entity or body subject to chapter 13D may choose to give
20.2 notice to the subject of the data concerning the dispute regarding the data or compliance
20.3 with chapter 13D.

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

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

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

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

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

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

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

20.17 (c) One-half of the members appointed by the governor and one-half of the members
20.18 appointed by the chief justice must belong to the political party that has the most members
20.19 in the legislature. One-half of the members appointed by the governor and one-half of the
20.20 members appointed by the chief justice must belong to the political party that has the second
20.21 most members in the legislature.

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

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

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

20.25 (3) a current employee of the legislature;

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

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

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

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

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

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

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

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

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

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

21.21 Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay
21.22 to a revolving fund for services. Funds subject to this subdivision include, but are not limited
21.23 to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48;
21.24 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section
21.25 43A.30; and the account established in section 16A.1286.

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

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

21.28 Subd. 2. **Billing procedures.** The commissioner may bill ~~up to \$10,000,000 in~~ each
21.29 fiscal year for statewide systems services provided to state agencies, ~~judicial branch agencies~~
21.30 in the executive, judicial, and legislative branches, ~~the University of Minnesota,~~ the
21.31 Minnesota State Colleges and Universities, and other entities. Each agency shall transfer

22.1 from agency operating appropriations to the statewide systems account the amount billed
22.2 by the commissioner. ~~Billing policies and procedures related to statewide systems services~~
22.3 ~~must be developed by the commissioner in consultation with the commissioners of~~
22.4 ~~management and budget and administration, the University of Minnesota, and the Minnesota~~
22.5 ~~State Colleges and Universities.~~ The commissioner shall develop billing policies and
22.6 procedures.

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

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

22.9 Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior
22.10 obligation. An obligation may not be incurred against any fund, allotment, or appropriation
22.11 unless the commissioner has certified a sufficient unencumbered balance or the accounting
22.12 system shows sufficient allotment or encumbrance balance in the fund, allotment, or
22.13 appropriation to meet it. The commissioner shall determine when the accounting system
22.14 may be used to incur obligations without the commissioner's certification of a sufficient
22.15 unencumbered balance. An expenditure or obligation authorized or incurred in violation of
22.16 this chapter is invalid and ineligible for payment until made valid. A payment made in
22.17 violation of this chapter is illegal. An employee authorizing or making the payment, or
22.18 taking part in it, and a person receiving any part of the payment, are jointly and severally
22.19 liable to the state for the amount paid or received. If an employee knowingly incurs an
22.20 obligation or authorizes or makes an expenditure in violation of this chapter or takes part
22.21 in the violation, the violation is just cause for the employee's removal by the appointing
22.22 authority or by the governor if an appointing authority other than the governor fails to do
22.23 so. In the latter case, the governor shall give notice of the violation and an opportunity to
22.24 be heard on it to the employee and to the appointing authority. A claim presented against
22.25 an appropriation without prior allotment or encumbrance may be made valid on investigation,
22.26 review, and approval by the agency head in accordance with the commissioner's policy, if
22.27 the services, materials, or supplies to be paid for were actually furnished in good faith
22.28 without collusion and without intent to defraud. The commissioner may then pay the claim
22.29 just as properly allotted and encumbered claims are paid.

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

22.32 (c) To minimize potential construction delay claims, an agency with a project funded
22.33 by a building appropriation may allow a consultant or contractor to proceed with
22.34 supplemental work within the limits of the appropriation before money is encumbered.

23.1 Under this circumstance, the agency may requisition funds and allow consultants or
23.2 contractors to expeditiously proceed with services or a construction sequence. While the
23.3 consultant or contractor is proceeding, the agency shall immediately act to encumber the
23.4 required funds.

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

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

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

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

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

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

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

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

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

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

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

23.27 (k) "Project" means an undertaking to construct, erect, or remodel a building by or for
23.28 the state or an agency. Capital projects exempt from the requirements of this section include
23.29 demolition or decommissioning of state assets; hazardous materials abatement; repair and
23.30 replacement of utility infrastructure, parking lots, and parking structures; security upgrades;
23.31 building systems replacement or repair, including alterations to building interiors needed

24.1 to accommodate the systems; and other asset preservation work not involving remodeling
24.2 of occupied space.

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

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

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

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

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

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

24.31 Subd. 3a. **Higher education projects.** (a) When the University of Minnesota or the
24.32 Minnesota State Colleges and Universities undertakes a project involving construction or
24.33 major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost

25.1 greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than
25.2 ~~\$200,000~~ \$400,000, the system shall submit a written request for a primary designer to the
25.3 commissioner, as provided in subdivision 3.

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

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

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

25.15 Subd. 6. **Rate of inflation.** No later than December 31 of every fifth year starting in
25.16 2025, the commissioner shall determine the percentage increase in the rate of inflation, as
25.17 measured by the means quarterly construction cost index, during the four-year period
25.18 preceding that year. The thresholds in subdivisions 3, paragraph (a), and 3a, paragraph (a),
25.19 shall be increased by the percentage calculated by the commissioner to the nearest
25.20 ten-thousandth dollar.

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

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

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

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

25.30 (i) establishing criteria and procedures for identifying and assessing collaborative dispute
25.31 resolution projects;

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

26.3 (iii) preparing and training participants; and

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

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

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

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

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

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

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

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

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

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

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

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

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

27.4 (2) create and maintain language-specific landing web pages in Spanish, Hmong, and

27.5 Somali with links to translated materials at state agency websites; and

27.6 (3) serve as a resource to executive branch agencies in areas that include best practices

27.7 and standards for the translation of written materials.

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

27.9 The language access service account is created in the special revenue fund for reimbursing

27.10 state agencies for expenses incurred in providing language translation services.

27.11 Sec. 26. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to

27.12 read:

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

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

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

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

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

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

27.19 applies to appropriations made for new grant programs enacted after the effective date of

27.20 this subdivision.

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

27.22 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and

27.23 chapter 16B is not required in emergencies. In emergencies, the commissioner may make

27.24 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and

27.25 improvement of a ~~state-owned~~ publicly owned structure or may make or authorize an agency

27.26 to do so and may purchase, or may authorize an agency to purchase, any goods, services,

27.27 or utility services directly for immediate use. This provision applies to projects conducted

27.28 by Minnesota State Colleges and Universities.

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

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

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

28.6 (2) "agency" means any state officer, employee, board, commission, authority,
28.7 department, or other agency of the executive branch of state government. Unless specifically
28.8 indicated otherwise, as used in sections 16C.32 to 16C.35, agency also includes the Minnesota
28.9 State Colleges and Universities;

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

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

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

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

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

28.23 (8) "construction manager at risk contract" means a contract for construction of a project
28.24 between a construction manager at risk and the commissioner, which contract shall include
28.25 a guaranteed maximum price, construction schedule, and workmanship of the construction
28.26 performed;

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

28.30 (10) "design and price-based proposal" means the proposal to be submitted by a
28.31 design-builder in the design and price-based selection process, as described in section

29.1 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph
29.2 (c), in such detail as required in the request for proposals;

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

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

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

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

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

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

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

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

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

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

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

30.4 (22) "request for proposals" means the document or publication soliciting proposals for
30.5 a design-build or construction manager at risk contract as provided in sections 16C.33 and
30.6 16C.34; and

30.7 (23) "trade contract work" means the furnishing of labor, materials, or equipment by
30.8 contractors or vendors that are incorporated into the completed project or are major
30.9 components of the means of construction. Work performed by trade contractors involves
30.10 specific portions of the project, but not the entire project.

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

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

30.16 **Subd. 2. Match requirement.** The political subdivision receiving a grant must provide
30.17 for the remainder of the costs of the project.

30.18 **Subd. 3. Criteria.** The department may set criteria for program priorities and standards
30.19 of review.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32.11 ~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent
32.12 otherwise required by chapters 43A and 179A;

32.13 ~~(6)~~ (7) report to the legislature on the performance of agency operations and the
32.14 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
32.15 subdivision 1; ~~and~~

32.16 ~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry out
32.17 the mission and improve the performance of the department; and

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

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

32.22 Subd. 4. **Administrative procedures.** The commissioner shall develop administrative
32.23 procedures, which are not subject to the rulemaking provisions of the Administrative
32.24 Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights
32.25 of or processes available to the general public. The commissioner may also adopt
32.26 administrative procedures, not subject to the Administrative Procedure Act, which concern
32.27 topics affecting the general public if those procedures concern only the internal management
32.28 of the department or other agencies and if those elements of the topics which affect the
32.29 general public are the subject of department rules.

32.30 Administrative procedures shall be reproduced and made available for comment in
32.31 accessible digital formats under section 16E.03 to agencies, employees, and appropriate

33.1 exclusive representatives certified pursuant to sections 179A.01 to 179A.25, for at least 15
33.2 days prior to implementation and shall include but are not limited to:

33.3 (1) maintenance and administration of a plan of classification for all positions in the
33.4 classified service and for comparisons of unclassified positions with positions in the classified
33.5 service;

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

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

33.13 (4) maintenance and administration of employee performance appraisal, training and
33.14 other programs; and

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

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

33.28 Subd. 7. **Reporting.** The commissioner shall issue a written report by February 1 and
33.29 August 1 of each year to the chair of the Legislative Coordinating Commission. The report
33.30 must list the number of appointments made under each of the categories in section 43A.15,
33.31 the number made to the classified service other than under section 43A.15, and the number
33.32 made under section 43A.08, subdivision 2a, during the six-month periods ending June 30
33.33 and December 31, respectively. The report must be posted online and must be accessible

34.1 under section 16E.03. The commissioner shall advertise these reports in multiple formats
34.2 to ensure broad dissemination.

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

34.4 **43A.09 RECRUITMENT.**

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

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

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

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

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

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

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

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

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

35.2 Subd. 7. **Selection process accommodations.** Upon request, the commissioner or
35.3 appointing authority shall provide ~~selection process~~ reasonable accommodations to ~~an~~
35.4 ~~applicant with a disability that does not prevent performance of the duties of the position.~~
35.5 ~~The accommodations must provide an opportunity to fairly assess the ability of the applicant~~
35.6 ~~to perform the duties of the position notwithstanding the disability but must preserve, to the~~
35.7 ~~extent feasible, the validity of the selection process and equitable comparison of results~~
35.8 ~~with the results of competitors without~~ qualified applicants with disabilities; to ensure full
35.9 participation in the selection process, including use of the accommodation fund under section
35.10 16B.4805 during the selection process. The commissioner must ensure that agencies are
35.11 made aware of the accommodation fund and its critical function of removing cost
35.12 considerations from interview selection decisions.

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

35.14 **43A.14 APPOINTMENTS.**

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

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

35.21 Subd. 14. ~~**700-hour on-the-job demonstration process and appointment**~~
35.22 ~~**experience.**~~ (a) The commissioner shall ~~establish~~ consult with the Department of Employment
35.23 and Economic Development's Vocational Rehabilitation Services and State Services for the
35.24 Blind and other disability experts in establishing, reviewing, and modifying the qualifying
35.25 procedures for applicants whose disabilities are of such a significant nature that the applicants
35.26 are unable to demonstrate their abilities in the selection process. The qualifying procedures
35.27 must consist of up to 700 hours on-the-job ~~trial work~~ demonstration experience. ~~Up to three~~
35.28 ~~persons with significant disabilities and their job coach may be allowed to demonstrate their~~
35.29 ~~job competence as a unit through the on-the-job trial work experience selection procedure.~~
35.30 ~~This~~ The 700-hour on-the-job demonstration process must be limited to applicants for whom
35.31 there is no reasonable accommodation in the selection process experience is an alternative,
35.32 noncompetitive hiring process for qualified applicants with disabilities. All permanent
35.33 executive branch classified positions are eligible for a 700-hour on-the-job demonstration

36.1 experience, and all permanent classified job postings must provide information regarding
36.2 the on-the-job demonstration overview and certification process.

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

36.11 (c) The commissioner and the ADA and disability employment director, described in
36.12 section 43A.19, subdivision 1, paragraph (e), are responsible for the administration and
36.13 oversight of the 700-hour on-the-job demonstration experience, including the establishment
36.14 of policies and procedures, data collection and reporting requirements, and compliance.

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

36.19 (e) The commissioner or the commissioner's designee shall develop, administer, and
36.20 make public a formal grievance process for individuals in the 700-hour on-the-job
36.21 demonstration experience under this subdivision and supported work program under section
36.22 43A.421, subdivision 2.

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

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

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

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

- 37.1 (2) the number of applicants interviewed, appointed, and converted to probationary
37.2 status;
- 37.3 (3) the number of employees retained after one year in state employment;
- 37.4 (4) the number of employees with terminated appointments and the reason for termination;
- 37.5 (5) the average length of time in an on-the-job demonstration appointment;
- 37.6 (6) the number and category of entity certifications; and
- 37.7 (7) by department or agency, the number of appointments and hires and the number of
37.8 managers and supervisors trained.

37.9 (b) The commissioner shall develop and administer an annual survey of participants in
37.10 the 700-hour on-the-job demonstration experience who are hired and those who are not
37.11 hired, as well as the managers of participants in the 700-hour on-the-job demonstration
37.12 experience.

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

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

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

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

37.25 This payment may be made only to a person for whom the amount in subdivision 2,
37.26 paragraph (b), clause (1), is greater than the amount in subdivision 2, paragraph (b), clause
37.27 (2). Payments must be made at the intervals at which the member received pay as a state
37.28 employee, except that any back pay due under this section may be paid as a lump sum.
37.29 Payment under this section must not extend beyond four years from the date the employee
37.30 reported for active service, plus any additional time the employee may be legally required
37.31 to serve. An eligible member may apply for the salary differential benefits authorized under
37.32 this section ~~prior to, during, or following the person's active service on or after May 29,~~

38.1 ~~2003~~ no later than two years after completion of active service. A copy of military orders
38.2 showing active service must be provided prior to payment.

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

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

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

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

38.7 (1) the person's monthly total gross earnings as an active state employee, ~~excluding any~~
38.8 ~~overtime pay received but including all other earnings~~, averaged over the last three full
38.9 calendar months of the person's active state employment prior to reporting to active service,
38.10 and including any additional salary or earnings adjustments that the person would have
38.11 received at any time during the person's authorized leave from state employment had the
38.12 person been serving as an active state employee during that time; and

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

38.14 (c) "Eligible member" means:

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

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

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

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

38.29 (1) basic training, advanced individual training, annual training, and periodic inactive
38.30 duty training;

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

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

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

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

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

39.8 Subdivision 1. **Statewide affirmative action program.** (a) To assure that positions in
39.9 the executive branch of the civil service are equally accessible to all qualified persons, and
39.10 to eliminate the ~~underutilization of qualified members of protected groups~~ effects of past
39.11 and present discrimination, intended or unintended, on the basis of protected group status,
39.12 the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative
39.13 action program. The statewide affirmative action program must consist of at least the
39.14 following:

39.15 (1) objectives, goals, and policies;

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

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

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

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

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

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

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

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

40.5 (1) the extent of unemployment of members of protected classes in the recruiting area
40.6 population;

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

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

40.10 (d) The commissioner shall designate a state director of diversity and equal employment
40.11 opportunity who may be delegated the preparation, revision, implementation, and
40.12 administration of the program. The commissioner of management and budget may place
40.13 the director's position in the unclassified service if the position meets the criteria established
40.14 in section 43A.08, subdivision 1a.

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

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

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

40.30 **43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.**

40.31 Subdivision 1. **Affirmative action officers.** (a) Each agency with 1,000 employees or
40.32 more shall have at least one full-time affirmative action officer, who shall have primary

41.1 responsibility for developing and maintaining the agency's affirmative action plan. The
41.2 officer shall devote full time to affirmative action activities. The affirmative action officer
41.3 shall report administratively and on policy issues directly to the agency head. Pursuant to
41.4 section 43A.08, subdivision 1a, clause (4), the affirmative action officer must not be an
41.5 unclassified employee.

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

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

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

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

41.17 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,
41.18 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United
41.19 States Code, title 29, section 794, as amended through December 31, 1984, which is section
41.20 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,
41.21 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501
41.22 to 514;

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

41.26 (3) provisions for funding reasonable accommodations; and

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

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

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

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

42.9 Subd. 2a. Disability recruitment, hiring, and advancement. (a) Each agency affirmative
42.10 action plan must include a section that provides sufficient assurances, procedures, and
42.11 commitments to provide adequate hiring, placement, and advancement opportunities for
42.12 individuals with disabilities at all levels of state employment. The criteria for this section
42.13 of the agency affirmative action plan must include a section on disability hiring and
42.14 advancement, including the provisions in this subdivision.

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

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

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

42.33 (c) The plan must ensure that the agency has designated sufficient staff to handle any
42.34 disability-related issues that arise during the application and selection process, and shall

43.1 require the agency to provide staff with sufficient training, support, and other resources to
43.2 carry out the responsibilities under this section. Responsibilities include, at a minimum:

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

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

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

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

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

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

43.25 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on
43.26 affirmative action progress of each agency and the state as a whole to the governor and to
43.27 the Finance Committee of the senate, the Ways and Means Committee of the house of
43.28 representatives, the Governmental Operations Committees of both houses of the legislature,
43.29 and the Legislative Coordinating Commission. The report must include noncompetitive
43.30 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,
43.31 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.
43.32 The report must be made available to the public on the department's website.

44.1 (c) An agency that does not meet its hiring goals must justify its nonaffirmative action
44.2 hires in competitive appointments and noncompetitive appointments made under section
44.3 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions
44.4 3, 10, 12, and 13, according to criteria issued by the department of ~~Management and Budget~~.
44.5 In addition, an agency shall:

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

44.8 (2) implement a coordinated retention plan; and

44.9 (3) have an established complaint resolution procedure.

44.10 (d) The commissioner shall develop reporting standards and procedures for measuring
44.11 compliance.

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

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

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

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

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

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

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

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

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

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

45.12 Subd. 2. **Responsibilities.** (a) The commissioner is responsible for developing and
45.13 coordinating consistent training policy which shall be binding on all state agencies in the
45.14 executive branch. The policies shall include conditions under which employees may receive
45.15 or be assigned to training; internships and work-training programs; minimum and maximum
45.16 training standards for employee participation and agency reporting requirements. At a
45.17 minimum, state employees must receive annual training on statutes or policies related to:

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

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

45.20 (3) equal opportunity employment; and

45.21 (4) digital accessibility standards.

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

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

45.27 Subd. 3. **Programs.** (a) The commissioner or the commissioner's designee shall design
45.28 and implement management training and development programs for the state service. The
45.29 programs shall include but not be limited to mandatory training and development
45.30 requirements for managers and supervisors. No person shall acquire permanent status in a

46.1 management or supervisory position in the classified service until training and development
46.2 requirements have been met.

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

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

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

46.9 Subd. 6. **Accessibility.** The commissioner is responsible for ensuring that all training
46.10 content and platforms meet the accessibility standards under section 16E.03, subdivisions
46.11 2, clause (3), and 9. Reasonable accommodations must be implemented in a timely and
46.12 appropriate manner to ensure that all state employees can participate in state-offered trainings.
46.13 All state employees, including ADA coordinators and human resources staff, must have the
46.14 training and resources to implement an accessible and inclusive workplace.

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

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

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

46.27 (c) The head of each agency in the executive branch shall designate an agency personnel
46.28 officer. The agency personnel officer shall be accountable to the agency head for all personnel
46.29 functions prescribed by laws, rules, collective bargaining agreements, the commissioner
46.30 and the agency head. Except when otherwise prescribed by the agency head in a specific
46.31 instance, the personnel officer shall be assumed to be the authority accountable to the agency
46.32 head over any other officer or employee in the agency for personnel functions.

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

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

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

47.10 **43A.421 SUPPORTED WORK PROGRAM.**

47.11 Subdivision 1. Program established. A total of 50 full-time Active positions within
47.12 agencies of state government may be selected for inclusion for a supported work program
47.13 for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to
47.14 three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not
47.15 a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision
47.16 14, unless the job coach holds another position within the scope of section 43A.02,
47.17 subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need
47.18 to link to the overview and application process for the supported work program.

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

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

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

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

47.29 (a) Each state agency shall designate at least one ADA coordinator who is responsible
47.30 for implementation of Title I of the ADA, to advance the prohibition on discrimination
47.31 against qualified individuals with disabilities in job application procedures, hiring, firing,

48.1 advancement, compensation, job training and other terms, conditions, and privileges of
48.2 employment. The ADA coordinator must have demonstrated knowledge and experience in:

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

48.4 (2) workforce data analysis;

48.5 (3) disability employment laws and regulations; and

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

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

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

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

48.16 Subd. 8. **Accrued interest.** (a) Each broker shall maintain a pooled interest-bearing trust
48.17 account for deposit of client funds. The interest accruing on the trust account, less reasonable
48.18 transaction costs, must be paid to the ~~commissioner of management and budget~~ Minnesota
48.19 Housing Finance Agency for deposit in the housing trust fund account created under section
48.20 462A.201 unless otherwise specified pursuant to an expressed written agreement between
48.21 the parties to a transaction.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

50.17 Subdivision 1. **Membership.** (a) The board consists of 15 members appointed by the
50.18 governor, including three members who are students who have attended an institution for
50.19 at least one year and are enrolled at the time of appointment at least half time in a degree,
50.20 diploma, or certificate program in an institution governed by the board. The student members
50.21 shall include one member from a community college, one member from a state university,
50.22 and one member from a technical college. One member representing labor must be appointed
50.23 after considering the recommendations made under section 136F.045. The governor is not
50.24 bound by the recommendations. Appointments to the board are with the advice and consent
50.25 of the senate. At least one member of the board must be a resident of each congressional
50.26 district. All other members must be appointed to represent the state at large. In selecting
50.27 appointees, the governor must consider the needs of the board and the balance of the board
50.28 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,
50.29 and ethnic composition; and occupation and experience. In selecting appointees, the governor
50.30 must consider the needs of the board for skills relevant to the governance of the Minnesota
50.31 State Colleges and Universities and the candidate's ability to discharge the responsibilities
50.32 of the board.

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

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

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

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

51.9 Subd. 2. **Mediation; consultation.** The state, state departments, agencies, and political
51.10 subdivisions, including the Board of Regents of the University of Minnesota, have a
51.11 responsibility to protect the physical features and historic character of properties designated
51.12 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created
51.13 by Public Law 89-665. Before carrying out any undertaking that will affect designated or
51.14 listed properties, or funding or licensing an undertaking by other parties, the state department
51.15 or agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~
51.16 State Historic Preservation Office's established procedures to determine appropriate
51.17 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
51.18 listed properties. If the state department or agency and the State Historic Preservation Office
51.19 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
51.20 agree, any one of the parties may request that the governor appoint and convene a mediation
51.21 task force consisting of five members, two appointed by the governor, the chair of the State
51.22 Review Board of the State Historic Preservation Office, the commissioner of administration
51.23 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
51.24 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
51.25 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
51.26 training or experience in one or more of the following disciplines: (1) history; (2)
51.27 archaeology; and (3) architectural history. The mediation task force is not subject to the
51.28 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
51.29 24, and section 138.664, subdivisions 8 and 111.

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

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

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

- 52.1 (2) one shall be appointed by the commissioner of natural resources;
- 52.2 (3) one shall be appointed by the director of Explore Minnesota Tourism;
- 52.3 (4) one shall be appointed by the commissioner of agriculture;
- 52.4 (5) one shall be appointed by the director of the Minnesota Historical Society;
- 52.5 (6) two shall be members of the senate to be appointed by the Committee on Committees;
- 52.6 (7) two shall be members of the house of representatives to be appointed by the speaker;
- 52.7 (8) one shall be the secretary appointed pursuant to subdivision 3; and
- 52.8 (9) five shall be citizen members appointed to staggered four-year terms by the
- 52.9 commission after receiving recommendations from five citizen committees established by
- 52.10 the members appointed under clauses (1) to (8), with each citizen committee established
- 52.11 within and representing each of the following geographic segments along the Mississippi
- 52.12 River:
- 52.13 (i) Lake Itasca to but not including the city of Grand Rapids;
- 52.14 (ii) Grand Rapids to but not including the city of Brainerd;
- 52.15 (iii) Brainerd to but not including the city of Elk River;
- 52.16 (iv) Elk River to but not including the city of Hastings; and
- 52.17 (v) Hastings to the Iowa border.
- 52.18 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the
- 52.19 ~~committee and~~ member represents.
- 52.20 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall
- 52.21 serve for a term expiring at the close of each regular session of the legislature and until their
- 52.22 successors are appointed.
- 52.23 (c) Successor members shall be appointed by the same appointing authorities. Members
- 52.24 may be reappointed. Any vacancy shall be filled by the appointing authority. The
- 52.25 commissioner of transportation, the commissioner of natural resources, and the director of
- 52.26 the Minnesota Historical Society shall be ex officio members, and shall be in addition to
- 52.27 the 15 members heretofore provided for. Immediately upon making the appointments to the
- 52.28 commission the appointing authorities shall so notify the Mississippi River Parkway
- 52.29 Commission, hereinafter called the National Commission, giving the names and addresses
- 52.30 of the members so appointed.

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

53.3 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**
53.4 **BURIALS; CEMETERIES; PENALTY; AUTHENTICATION.**

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

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

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

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

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

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

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

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

53.29 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the
53.30 landowner, an authenticated or recorded human burial ground may be posted for protective
53.31 purposes every 75 feet around its perimeter with signs listing the activities prohibited by
53.32 subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian
53.33 affairs council in the case of American Indian burials or at the discretion of the state

54.1 archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does
54.2 not require posting of a burial ground. The size, description, location, and information on
54.3 the signs used for protective posting must be approved by the appropriate authority and the
54.4 landowner.

54.5 Subd. 3a. **Authentication.** The state archaeologist shall authenticate all burial grounds
54.6 for purposes of this section. The state archaeologist may retain the services of a qualified
54.7 professional archaeologist, a qualified physical anthropologist, or other appropriate experts
54.8 for the purpose of gathering information that the state archaeologist can use to authenticate
54.9 or identify burial grounds. If probable American Indian burial grounds are to be ~~disturbed~~
54.10 ~~or probable Indian remains~~ analyzed, investigated, or disturbed, the Indian Affairs Council
54.11 must approve the professional archaeologist, qualified anthropologist, or other appropriate
54.12 expert. Authentication is at the discretion of the state archaeologist based on the needs
54.13 identified in this section or upon request by an agency, a landowner, or other appropriate
54.14 authority. The state archaeologist shall implement and maintain a system of records
54.15 identifying the location of known, recorded, or suspected cemeteries. The state archaeologist
54.16 shall provide access to the records as provided in subdivision 11.

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

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

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

55.1 (c) If such burials are American Indian, as determined by the state archaeologist and
55.2 Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs~~
55.3 ~~Council to ascertain their tribal identity~~ to follow procedures as defined in 25 United States
55.4 Code 3001 et seq. and its implementing regulations, 43 Code of Federal Regulations, part
55.5 10. If their probable tribal identity can be determined and the remains have been removed
55.6 from their original context, such remains shall be turned over to contemporary tribal leaders
55.7 for disposition. If tribal identity cannot be determined, the Indian remains must be dealt
55.8 with in accordance with provisions established by the state archaeologist and the Indian
55.9 Affairs Council if they are from public land. If removed Indian remains are from private
55.10 land they shall be dealt with in accordance with provisions established by the Indian Affairs
55.11 Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council,
55.12 removed remains shall be studied in a timely and respectful manner by a qualified
55.13 professional archaeologist or a qualified physical anthropologist before being delivered to
55.14 tribal leaders or before being reburied. Application by a landowner for permission to develop
55.15 or disturb nonburial areas within authenticated or recorded burial grounds shall be made to
55.16 the state archaeologist and other appropriate authority in the case of non-Indian burials and
55.17 to the Indian Affairs Council and other appropriate authority in the case of Indian burials.
55.18 Landowners with authenticated or suspected human burial grounds on their property are
55.19 obligated to inform prospective buyers of the burial ground.

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

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

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

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

55.29 Subd. 8. **Burial ground relocation.** No ~~non-Indian~~ non-American Indian burial ground
55.30 may be relocated without the consent of the appropriate authority. No American Indian
55.31 burial ground may be relocated unless the request to relocate is approved by the Indian
55.32 Affairs Council. When a burial ground is located on public lands or waters, any burial
55.33 relocations must be duly licensed under section 138.36 and the cost of removal is the
55.34 responsibility of and shall be paid by the state or political subdivision controlling the lands

56.1 or waters. If burial grounds are authenticated on private lands, efforts may be made by the
56.2 state to purchase and protect them instead of removing them to another location.

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

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

56.10 Subd. 10. **Construction and development plan review.** When human burials are known
56.11 or suspected to exist, on public lands or waters, the state or political subdivision controlling
56.12 the lands or waters or, in the case of private lands, the landowner or developer, shall submit
56.13 construction and development plans to the state archaeologist for review prior to the time
56.14 ~~bids are advertised~~ development is proposed and prior to any disturbance within the burial
56.15 area. If the known or suspected burials are thought to be American Indian, plans shall also
56.16 be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs
56.17 Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for
56.18 the preservation in place or removal of the human burials or remains, which may be
56.19 endangered by construction or development activities.

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

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

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

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

57.5 (b) "Appropriate authority" means:

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

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

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

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

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

57.14 (d) "Authenticate" means to establish the presence of or high potential of human burials
57.15 or human skeletal remains being located in a discrete area, delimit the boundaries of human
57.16 burial grounds or graves, and attempt to determine the ethnic, cultural, or religious affiliation
57.17 of individuals interred.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

58.18 Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.** (a)
58.19 If a manufactured home owner is required to move due to the conversion of all or a portion
58.20 of a manufactured home park to another use, the closure of a park, or cessation of use of
58.21 the land as a manufactured home park, the manufactured park owner shall, upon the change
58.22 in use, pay to the ~~commissioner of management and budget~~ Minnesota Housing Finance
58.23 Agency for deposit in the Minnesota manufactured home relocation trust fund under section
58.24 462A.35, the lesser amount of the actual costs of moving or purchasing the manufactured
58.25 home approved by the neutral third party and paid by the Minnesota Housing Finance
58.26 Agency under subdivision 13, paragraph (a) or (e), or \$3,250 for each single section
58.27 manufactured home, and \$6,000 for each multisection manufactured home, for which a
58.28 manufactured home owner has made application for payment of relocation costs under
58.29 subdivision 13, paragraph (c). The manufactured home park owner shall make payments
58.30 required under this section to the Minnesota manufactured home relocation trust fund within
58.31 60 days of receipt of invoice from the neutral third party.

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

59.4 (1) the manufactured home park owner relocates the manufactured home owner to
59.5 another space in the manufactured home park or to another manufactured home park at the
59.6 park owner's expense;

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

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

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

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

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

59.25 (c) If the unencumbered fund balance in the manufactured home relocation trust fund
59.26 is less than \$2,000,000 as of June 30 of each year, the ~~commissioner of management and~~
59.27 ~~budget~~ Minnesota Housing Finance Agency shall assess each manufactured home park
59.28 owner by mail the total amount of \$15 for each licensed lot in their park, payable on or
59.29 before December 15 of that year. Failure to notify and timely assess the manufactured home
59.30 park owner by July 31 of any year shall waive the assessment and payment obligations of
59.31 the manufactured home park owner for that year. Together with said assessment notice,
59.32 each year the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency
59.33 shall prepare and distribute to park owners a letter explaining whether funds are being
59.34 collected for that year, information about the collection, an invoice for all licensed lots, a

60.1 notice for distribution to the residents, and a sample form for the park owners to collect
 60.2 information on which park residents and lots have been accounted for. In a font no smaller
 60.3 than 14-point, the notice provided by ~~management and budget~~ the Minnesota Housing
 60.4 Finance Agency for distribution to residents by the park owner will include the payment
 60.5 deadline of October 31 and the following language: "THIS IS NOT AN OPTIONAL FEE.
 60.6 IF YOU OWN A MANUFACTURED HOME ON A LOT YOU RENT IN A
 60.7 MANUFACTURED HOME PARK, AND YOU RESIDE IN THAT HOME, YOU MUST
 60.8 PAY WHEN PROVIDED NOTICE." If assessed under this paragraph, the park owner may
 60.9 recoup the cost of the \$15 assessment as a lump sum or as a monthly fee of no more than
 60.10 \$1.25 collected from park residents together with monthly lot rent as provided in section
 60.11 327C.03, subdivision 6. If, by September 15, a park owner provides the notice to residents
 60.12 for the \$15 lump sum, a park owner may adjust payment for lots in their park that are vacant
 60.13 or otherwise not eligible for contribution to the trust fund under section 327C.095, subdivision
 60.14 12, paragraph (b), and for park residents who have not paid the \$15 assessment when due
 60.15 to the park owner by October 31, and deduct from the assessment accordingly. The
 60.16 ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall deposit
 60.17 any payments in the Minnesota manufactured home relocation trust fund and ~~provide to the~~
 60.18 ~~Minnesota Housing Finance Agency by December 31,~~ maintain an annual record for each
 60.19 manufactured home park of the amount received for that park and the number of deductions
 60.20 made for each of the following reasons: vacant lots, ineligible lots, and uncollected fees.

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

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

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

60.27 Subd. 13. **Change in use, relocation expenses; payments by park owner.** (a) If a
 60.28 manufactured home owner is required to relocate due to the conversion of all or a portion
 60.29 of a manufactured home park to another use, the closure of a manufactured home park, or
 60.30 cessation of use of the land as a manufactured home park under subdivision 1, and the
 60.31 manufactured home owner complies with the requirements of this section, the manufactured
 60.32 home owner is entitled to payment from the Minnesota manufactured home relocation trust
 60.33 fund equal to the manufactured home owner's actual relocation costs for relocating the
 60.34 manufactured home to a new location within a 50-mile radius of the park that is being closed,

61.1 up to a maximum of \$7,000 for a single-section and \$12,500 for a multisection manufactured
61.2 home. The actual relocation costs must include the reasonable cost of taking down, moving,
61.3 and setting up the manufactured home, including equipment rental, utility connection and
61.4 disconnection charges, minor repairs, modifications necessary for transportation of the
61.5 home, necessary moving permits and insurance, moving costs for any appurtenances, which
61.6 meet applicable local, state, and federal building and construction codes.

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

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

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

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

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

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

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

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

61.26 (d) The neutral third party shall promptly process all payments for completed applications
61.27 within 14 days. If the neutral third party has acted reasonably and does not approve or deny
61.28 payment within 45 days after receipt of the information set forth in paragraph (c), the
61.29 payment is deemed approved. Upon approval and request by the neutral third party, the
61.30 Minnesota Housing Finance Agency shall issue two checks in equal amount for 50 percent
61.31 of the contract price payable to the mover and towing contractor for relocating the
61.32 manufactured home in the amount of the actual relocation cost, plus a check to the home
61.33 owner for additional certified costs associated with third-party vendors, that were necessary

62.1 in relocating the manufactured home. The moving or towing contractor shall receive 50
62.2 percent upon execution of the contract and 50 percent upon completion of the relocation
62.3 and approval by the manufactured home owner. The moving or towing contractor may not
62.4 apply the funds to any other purpose other than relocation of the manufactured home as
62.5 provided in the contract. A copy of the approval must be forwarded by the neutral third
62.6 party to the park owner with an invoice for payment of the amount specified in subdivision
62.7 12, paragraph (a).

62.8 (e) In lieu of collecting a relocation payment from the Minnesota manufactured home
62.9 relocation trust fund under paragraph (a), the manufactured home owner may collect an
62.10 amount from the fund after reasonable efforts to relocate the manufactured home have failed
62.11 due to the age or condition of the manufactured home, or because there are no manufactured
62.12 home parks willing or able to accept the manufactured home within a 25-mile radius. A
62.13 manufactured home owner may tender title of the manufactured home in the manufactured
62.14 home park to the manufactured home park owner, and collect an amount to be determined
62.15 by an independent appraisal. The appraiser must be agreed to by both the manufactured
62.16 home park owner and the manufactured home owner. If the appraised market value cannot
62.17 be determined, the tax market value, averaged over a period of five years, can be used as a
62.18 substitute. The maximum amount that may be reimbursed under the fund is \$8,000 for a
62.19 single-section and \$14,500 for a multisection manufactured home. The minimum amount
62.20 that may be reimbursed under the fund is \$2,000 for a single section and \$4,000 for a
62.21 multisection manufactured home. The manufactured home owner shall deliver to the
62.22 manufactured home park owner the current certificate of title to the manufactured home
62.23 duly endorsed by the owner of record, and valid releases of all liens shown on the certificate
62.24 of title, and a statement from the county where the manufactured home is located evidencing
62.25 that the personal property taxes have been paid. The manufactured home owner's application
62.26 for funds under this paragraph must include a document certifying that the manufactured
62.27 home cannot be relocated, that the lot rental is current, that the annual \$15 payments to the
62.28 Minnesota manufactured home relocation trust fund have been paid when due, that the
62.29 manufactured home owner has chosen to tender title under this section, and that the park
62.30 owner agrees to make a payment to the ~~commissioner of management and budget~~ Minnesota
62.31 Housing Finance Agency in the amount established in subdivision 12, paragraph (a), less
62.32 any documented costs submitted to the neutral third party, required for demolition and
62.33 removal of the home, and any debris or refuse left on the lot, not to exceed \$1,500. The
62.34 manufactured home owner must also provide a copy of the certificate of title endorsed by
62.35 the owner of record, and certify to the neutral third party, with a copy to the park owner,
62.36 that none of the exceptions to receipt of compensation under subdivision 12, paragraph (b),

63.1 clauses (1) to (6), apply to the manufactured home owner, and that the home owner will
63.2 vacate the home within 60 days after receipt of payment or the date of park closure,
63.3 whichever is earlier, provided that the monthly lot rent is kept current.

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

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

63.13 (h)(1) By October 15, 2019, the Minnesota Housing Finance Agency shall post on its
63.14 website and report to the chairs of the senate Finance Committee and house of representatives
63.15 Ways and Means Committee on the Minnesota manufactured home relocation trust fund,
63.16 including the account balance, payments to claimants, the amount of any advances to the
63.17 fund, the amount of any insufficiencies encountered during the previous calendar year, and
63.18 any itemized administrative charges or expenses deducted from the trust fund balance. If
63.19 sufficient funds become available, the Minnesota Housing Finance Agency shall pay the
63.20 manufactured home owner whose unpaid claim is the earliest by time and date of approval.

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

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

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

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

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

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

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

64.15 (1) "managed natural landscape" means a planned, intentional, and maintained planting
64.16 of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not
64.17 limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural
64.18 landscapes does not include turf-grass lawns left unattended for the purpose of returning to
64.19 a natural state;

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

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

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

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

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

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

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

65.8 Subd. 5. **Holiday.** "Holiday" includes New Year's Day, January 1; Martin Luther King's
65.9 Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the third
65.10 Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19;
65.11 Independence Day, July 4; Labor Day, the first Monday in September; Christopher Columbus
65.12 Day, the second Monday in October; Veterans Day, November 11; Thanksgiving Day, the
65.13 fourth Thursday in November; and Christmas Day, December 25; provided, when New
65.14 Year's Day, January 1; or Juneteenth, June 19; or Independence Day, July 4; or Veterans
65.15 Day, November 11; or Christmas Day, December 25; falls on Sunday, the following day
65.16 shall be a holiday and, provided, when New Year's Day, January 1; or Juneteenth, June 19;
65.17 or Independence Day, July 4; or Veterans Day, November 11; or Christmas Day, December
65.18 25; falls on Saturday, the preceding day shall be a holiday. No public business shall be
65.19 transacted on any holiday, except in cases of necessity and except in cases of public business
65.20 transacted by the legislature, nor shall any civil process be served thereon. However, for
65.21 the executive branch of the state of Minnesota, "holiday" also includes the Friday after
65.22 Thanksgiving but does not include Christopher Columbus Day. Other branches of state
65.23 government and political subdivisions shall have the option of determining whether
65.24 Christopher Columbus Day and the Friday after Thanksgiving shall be holidays. Where it
65.25 is determined that Columbus Day or the Friday after Thanksgiving is not a holiday, public
65.26 business may be conducted thereon.

65.27 Any agreement between a public employer and an employee organization citing Veterans
65.28 Day as the fourth Monday in October shall be amended to cite Veterans Day as November
65.29 11.

66.1 Sec. 69. **CANCELLATION OF DEBT RELATED TO MILITARY SALARY**
66.2 **DIFFERENTIAL OVERPAYMENTS.**

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

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

66.7 Sec. 70. **DEPARTMENT OF IRON RANGE RESOURCES AND**
66.8 **REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM**
66.9 **AUTHORIZATION.**

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

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

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

66.18 Subdivision 1. Study; requirements. The commissioner of administration must review
66.19 the unique issues faced by small agencies other than the departments of the state government
66.20 as designated in Minnesota Statutes, section 15.01. Small agencies include boards,
66.21 commissions, councils, task forces, and authorities. The commissioner must assess whether
66.22 the current support model provides adequate support for the small agencies as well as the
66.23 volunteer board members. The study must examine how other states support their small
66.24 agencies and provide recommendations on how to most effectively support small agencies
66.25 in delivery of important functions of government.

66.26 Subd. 2. Report. By February 1, 2023, the commissioner of administration must submit
66.27 the findings and recommendations of the study to the governor and the chairs and ranking
66.28 minority members of the legislative committees with primary jurisdiction over state
66.29 government.

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

67.2 **Subdivision 1. Establishment.** The State Emblems Redesign Commission is established.
67.3 The purpose of the commission is to develop, design, and recommend to the legislature and
67.4 governor new designs for the official state flag and the official state seal no later than January
67.5 1, 2023.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

68.15 Sec. 73. **LEGISLATIVE ACTION; RETIREMENT OF CURRENT OFFICIAL**
68.16 **SEAL AND FLAG.**

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

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

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

68.27 (1) develop plans for the aging and workforce demographics;

68.28 (2) develop and guide restructuring of state and local policy, programs, and funding that
68.29 is aimed at healthy aging in the community;

68.30 (3) coordinate public, private, and independent sector endeavors for renovating
68.31 system-based solutions that cover all major areas of the aging life experience, such as health,

69.1 human services, housing, transportation, consumer affairs, employment and economic
69.2 security, and business development;

69.3 (4) focus state resources on aging visibility and developing priorities for an aging
69.4 demographic;

69.5 (5) develop measurable outcomes to address aging priorities while accounting for
69.6 infrastructure differences such as transportation, Internet, and cell phone service across
69.7 urban and rural localities;

69.8 (6) support an aging population through statewide and local endeavors for people to
69.9 remain in their communities; and

69.10 (7) ensure all aging-related policies are inclusive of race, ethnicity, culture, geography,
69.11 sexual orientation, abilities, and other characteristics that reflect the full population of the
69.12 state.

69.13 Subd. 2. **Duties.** The task force review shall include but is not limited to:

69.14 (1) all current aging-related governmental functions, programs, and services across all
69.15 state departments;

69.16 (2) the potential for public and private savings resulting from developing a state
69.17 department on aging that leads and implements aging policies across all state agencies and
69.18 departments;

69.19 (3) current public strategies to plan and execute policies and funding statewide including:

69.20 (i) redefining work and retirement;

69.21 (ii) supporting caregivers of all ages;

69.22 (iii) sustaining neighborhoods and communities;

69.23 (iv) improving delivery systems for health care and long-term care services; and

69.24 (v) integrating the Minnesota Age Friendly Council;

69.25 (4) the necessity for planning and economic development for aging in the state to address:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

71.3 Subd. 5. Expenses; per diem. Members serving on the task force shall receive the
71.4 following per diem:

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

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

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

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

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

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

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

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

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

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

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

71.27 (1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December
71.28 31, 2025;

71.29 (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December
71.30 31, 2025;

72.1 (3) Brainerd, to but not including the city of Elk River, for a term ending December 31,
72.2 2025;

72.3 (4) Elk River, to but not including the city of Hastings, for a term ending December 31,
72.4 2025; and

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

72.6 **Sec. 77. REVISOR INSTRUCTION.**

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

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

72.15 **Sec. 78. REPEALER.**

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

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

72.20 Subd. 3. **Trustee Candidate Advisory Council.** Minnesota Statutes 2020, section
72.21 136F.03, is repealed.

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

72.24 **ARTICLE 3**

72.25 **CAMPAIGN FINANCE AND ELECTIONS**

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

72.27 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

72.28 A program participant who is otherwise eligible to vote may register with the secretary
72.29 of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5,
72.30 the secretary of state is not required to send an absentee ballot application prior to each

73.1 election to a program participant registered as a permanent absentee voter under this section.
73.2 As soon as practicable before each election, the secretary of state shall determine the precinct
73.3 in which the residential address of ~~the~~ a program participant is located and. Upon making
73.4 a precinct determination, the secretary of state shall either (1) request from and receive from
73.5 the county auditor or other election official the ballot for that precinct and ~~shall forward~~
73.6 mail the absentee ballot to the program participant ~~with the other,~~ or (2) using the Minnesota
73.7 statewide voter registration system, prepare the program participant's ballot for that precinct
73.8 and mail the absentee ballot to the program participant. The secretary of state shall include
73.9 with each mailed absentee ballot all corresponding materials for absentee balloting as
73.10 required by Minnesota law. The program participant shall complete the ballot and return it
73.11 to the secretary of state, who shall review the ballot in the manner provided by section
73.12 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of
73.13 that section, the ballot must be certified by the secretary of state as the ballot of a program
73.14 participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation
73.15 along with all other ballots. The name and address of a program participant must not be
73.16 listed in the statewide voter registration system.

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

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

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

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

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

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

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

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

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

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

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

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

74.25 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register
 74.26 on election day by appearing in person at the polling place for the precinct in which the
 74.27 individual maintains residence, by completing a registration application, making an oath in
 74.28 the form prescribed by the secretary of state and providing proof of residence. An individual
 74.29 may prove residence for purposes of registering by:

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

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

74.33 (3) presenting one of the following:

75.1 (i) a current valid student identification card from a postsecondary educational institution
75.2 in Minnesota, if a list of students from that institution has been prepared under section
75.3 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
75.4 of state; or

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

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

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

75.25 (b) The operator of a residential facility shall prepare a list of the names of its employees
75.26 currently working in the residential facility and the address of the residential facility. The
75.27 operator shall certify the list and provide it to the appropriate county auditor no less than
75.28 20 days before each election for use in election day registration.

75.29 (c) "Residential facility" means transitional housing as defined in section 256E.33,
75.30 subdivision 1; a supervised living facility licensed by the commissioner of health under
75.31 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
75.32 5; ~~a residence registered with the commissioner of health as a housing with services~~
75.33 ~~establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed
75.34 by the commissioner of health under chapter 144G; a veterans home operated by the board

76.1 of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by
76.2 the commissioner of human services to provide a residential program as defined in section
76.3 245A.02, subdivision 14; a residential facility for persons with a developmental disability
76.4 licensed by the commissioner of human services under section 252.28; a setting authorized
76.5 to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered
76.6 women as defined in section 611A.37, subdivision 4; ~~or~~ a supervised publicly or privately
76.7 operated shelter or dwelling designed to provide temporary living accommodations for the
76.8 homeless; a facility where a provider operates a residential treatment program as defined
76.9 in section 245.462, subdivision 23; or a facility where a provider operates an adult foster
76.10 care program as defined in section 245A.02, subdivision 6c.

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

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

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

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

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

76.23 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
76.24 contain the same information unless otherwise provided by law. A voter registration
76.25 application must contain spaces for the following required information: voter's first name,
76.26 middle name, and last name; voter's previous name, if any; voter's current address; voter's
76.27 previous address, if any; voter's date of birth; voter's municipality and county of residence;
76.28 voter's telephone number, if provided by the voter; date of registration; current and valid
76.29 Minnesota driver's license number or Minnesota state identification number, or if the voter
76.30 has no current and valid Minnesota driver's license or Minnesota state identification, the
76.31 last four digits of the voter's Social Security number; and voter's signature. The paper
76.32 registration application may include the voter's e-mail address, if provided by the voter. The
76.33 electronic voter registration application must include the voter's e-mail address. The
76.34 registration application may include the voter's interest in serving as an election judge, if

77.1 indicated by the voter. The application must also contain the following certification of voter
77.2 eligibility:

77.3 "I certify that I:

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

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

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

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

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

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

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

77.14 (8) have read and understand the following statement: that giving false information is a
77.15 felony punishable by not more than five years imprisonment or a fine of not more than
77.16 \$10,000, or both."

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

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

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

77.20 And the instruction:

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

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

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

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

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

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

78.5 (2) current and valid Minnesota driver's license number or, Minnesota state identification
78.6 number, or if the voter has no current and valid Minnesota driver's license or Minnesota
78.7 state identification number, the last four digits of the voter's Social Security number, if the
78.8 voter has been issued a Social Security number;

78.9 (3) prior registration, if any; and

78.10 (4) signature.

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

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

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

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

78.22 (c) A voter registration application:

78.23 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county
78.24 or municipality may attempt to obtain the date of birth for a voter registration application
78.25 accepted prior to August 1, 1983, by a request to the voter at any time except at the polling
78.26 place. Failure by the voter to comply with this request does not make the registration
78.27 deficient.; and

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

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

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

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

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

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

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

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

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

79.20 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official
79.21 is returned as undeliverable but with a permanent forwarding address in this state, the county
79.22 auditor may change the voter's status to "inactive" in the statewide registration system and
79.23 shall transmit a copy of the mailing to the auditor of the county in which the new address
79.24 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~
79.25 maintains residence in the next 47 days, the county auditor shall promptly update the voter's
79.26 address in the statewide voter registration system. If there is not an election scheduled, the
79.27 auditor may wait to update the voter's address until after the next list of address changes is
79.28 received from the secretary of state. Once updated, the county auditor shall mail to the voter
79.29 a notice stating the voter's name, address, precinct, and polling place, except that if the
79.30 voter's record is challenged due to a felony conviction, noncitizenship, name change,
79.31 incompetence, or a court's revocation of voting rights of individuals under guardianship,
79.32 the auditor must not mail the notice. The notice must advise the voter that the voter's voting

80.1 address has been changed and that the voter must notify the county auditor within 21 days
80.2 if the new address is not the voter's address of residence. The notice must state that it must
80.3 be returned if it is not deliverable to the voter at the named address.

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

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

80.16 (b) If the address is changed to another address in this state, the secretary of state shall
80.17 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary
80.18 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the
80.19 secretary must transmit the information about the changed address by electronic means to
80.20 the county auditor of the county in which the new address is located. For addresses for
80.21 which the secretary of state is unable to determine the precinct, the secretary may forward
80.22 information to the appropriate county auditors for individual review. If the voter has not
80.23 voted or submitted a voter registration application since the address change, upon receipt
80.24 of the information, the county auditor shall update the voter's address in the statewide voter
80.25 registration system. The county auditor shall mail to the voter a notice stating the voter's
80.26 name, address, precinct, and polling place, unless the voter's record is challenged due to a
80.27 felony conviction, noncitizenship, name change, incompetence, or a court's revocation of
80.28 voting rights of individuals under guardianship, in which case the auditor must not mail the
80.29 notice. The notice must advise the voter that the voter's voting address has been changed
80.30 and that the voter must notify the county auditor within 21 days if the new address is not
80.31 the voter's address of residence. The notice must state that it must be returned if it is not
80.32 deliverable to the voter at the named address.

80.33 (c) If the change of permanent address is to an address outside this state, the secretary
80.34 of state shall notify by electronic means the auditor of the county where the voter formerly

81.1 ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not
81.2 voted or submitted a voter registration application since the address change, the county
81.3 auditor shall promptly mail to the voter at the voter's new address a notice advising the voter
81.4 that the voter's status in the statewide voter registration system will be changed to "inactive"
81.5 unless the voter notifies the county auditor within 21 days that the voter is retaining the
81.6 former address as the voter's address of residence, except that if the voter's record is
81.7 challenged due to a felony conviction, noncitizenship, name change, incompetence, or a
81.8 court's revocation of voting rights of individuals under guardianship, the auditor must not
81.9 mail the notice. If the notice is not received by the deadline, the county auditor shall change
81.10 the voter's status to "inactive" in the statewide voter registration system.

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

81.17 (1) name;

81.18 (2) date of birth;

81.19 (3) address;

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

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

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

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

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

81.29 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state
81.30 or federal financial aid shall provide voter registration forms to each student as early as
81.31 possible in the fall quarter. All school districts shall make available voter registration
81.32 applications each May and September to all students registered as students of the school

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

83.17 Electronic rosters used only for election day registration do not need to comply with clauses
83.18 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
83.19 to comply with clauses (4) and (5).

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

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

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

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

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

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

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

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

84.19 When a voter registration application is sent to the applicant as provided in section
84.20 203B.06, subdivision 4, the directions or registration application shall include instructions
84.21 for registering to vote.

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

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

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

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

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

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

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

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

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

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

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

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

85.23 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
85.24 office of the county auditor and at any other polling place designated by the county auditor
85.25 during the 46 days before the election, except as provided in this section. The county auditor
85.26 shall make such polling place designations at least 14 weeks before the election. Voters
85.27 casting absentee ballots in person for a town election held in March may do so during the
85.28 30 days before the election.

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

85.30 Subd. 2. ~~Town elections~~ Voting booth; electronic ballot marker. ~~Voters casting~~
85.31 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~
85.32 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~

86.1 ~~the election.~~ For purposes of this section, the county auditor must make available in each
86.2 polling place (1) at least one voting booth in each polling place must be made available by
86.3 ~~the county auditor for this purpose. The county auditor must also make available, and (2)~~
86.4 at least one electronic ballot marker in each polling place that has implemented a voting
86.5 system that is accessible for individuals with disabilities pursuant to section 206.57,
86.6 subdivision 5.

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

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

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

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

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

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

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

86.30 Subd. 2. **Minimum security and integrity standards.** The county auditor or municipal
86.31 clerk may provide locations at which a voter may deposit a completed absentee ballot

87.1 enclosed in the completed signature envelope in a secure drop box, consistent with the
87.2 following security and integrity standards:

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

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

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

87.11 ~~(4)~~ (4) each drop box must be continually recorded during the absentee voting period;

87.12 ~~(2)~~ (5) each drop box must be designed to prevent an unauthorized person from moving,
87.13 removing, or tampering with the drop box;

87.14 ~~(3)~~ (6) each drop box placed in an outdoor location must be fastened to a building, bolted
87.15 to a concrete pad, or otherwise attached to a similarly secure structure;

87.16 ~~(4)~~ (7) ballots deposited in a drop box must be secured against access by any unauthorized
87.17 person, and in the case of a drop box located in an outdoor location, the drop box must be
87.18 secured against damage due to weather or other natural conditions;

87.19 (8) each drop box must be assigned an identification number that is unique to that drop
87.20 box;

87.21 ~~(5)~~ (9) each drop box must contain signage or markings that:

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

87.23 (ii) include the statement: "You can only return your own ballot in this drop box.";

87.24 ~~(ii)~~ (iii) include the location and hours where an agent may return an absentee ballot;
87.25 and

87.26 (iv) include the identification number assigned to the drop box;

87.27 ~~(6)~~ (10) deposited ballots must be collected at least once per business day during the
87.28 absentee voting period by the county auditor, municipal clerk, or an elections official trained
87.29 by the county auditor or municipal clerk in the proper maintenance and handling of absentee
87.30 ballots and absentee ballot drop boxes, and in the security measures used to protect absentee
87.31 ballots; and

88.1 ~~(7)~~ (11) ballots collected from each drop box must be properly date-stamped and stored
88.2 in a locked ballot container or other secured and locked space consistent with any applicable
88.3 laws governing the collection and storage of absentee ballots.

88.4 Sec. 23. Minnesota Statutes 2021 Supplement, section 203B.082, is amended by adding
88.5 a subdivision to read:

88.6 Subd. 5. **Ballot collection log and report.** The county auditor or municipal clerk must
88.7 maintain a log for each drop box. The log must include the unique identification number
88.8 assigned to the drop box. The log must include the following information for each day
88.9 during the absentee voting period:

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

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

88.12 (3) the number of ballots collected.

88.13 Sec. 24. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

88.14 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk
88.15 who has authority under section 203B.05 to administer absentee voting laws shall designate
88.16 election judges to deliver absentee ballots in accordance with this section. The county auditor
88.17 must also designate election judges to perform the duties in this section. A ballot may be
88.18 delivered only to an eligible voter who is a temporary or permanent resident or patient in a
88.19 health care facility or hospital located in the municipality in which the voter maintains
88.20 residence. The ballots shall be delivered by two election judges, each of whom is affiliated
88.21 with a different major political party. When the election judges deliver or return ballots as
88.22 provided in this section, they shall travel together in the same vehicle. Both election judges
88.23 shall be present when an applicant completes the certificate of eligibility and marks the
88.24 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
88.25 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
88.26 container and return them to the clerk on the same day that they are delivered and marked.

88.27 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,
88.28 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a
88.29 veterans home operated by the board of directors of the Minnesota veterans homes under
88.30 chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

89.1 Sec. 25. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 2, is amended
89.2 to read:

89.3 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
89.4 shall take possession of all signature envelopes delivered to them in accordance with section
89.5 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
89.6 two or more members of the ballot board shall examine each signature envelope and shall
89.7 mark it accepted or rejected in the manner provided in this subdivision. Election judges
89.8 performing the duties in this section must be of different major political parties, unless they
89.9 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
89.10 subdivision 2.

89.11 (b) The members of the ballot board shall mark the signature envelope "Accepted" and
89.12 initial or sign the signature envelope below the word "Accepted" if a majority of the members
89.13 of the ballot board examining the envelope are satisfied that:

89.14 (1) the voter's name and address on the signature envelope are the same as the information
89.15 provided on the absentee ballot application;

89.16 (2) the voter signed the certification on the envelope;

89.17 (3) the voter's Minnesota driver's license, state identification number, or the last four
89.18 digits of the voter's Social Security number are the same as a number on the voter's absentee
89.19 ballot application or voter record. If the number does not match, the election judges must
89.20 compare the signature provided by the applicant to determine whether the ballots were
89.21 returned by the same person to whom they were transmitted;

89.22 (4) the voter is registered and eligible to vote in the precinct or has included a properly
89.23 completed voter registration application in the signature envelope;

89.24 (5) the certificate has been completed as prescribed in the directions for casting an
89.25 absentee ballot; and

89.26 (6) the voter has not already voted at that election, either in person or, if it is after the
89.27 close of business on the ~~seventh~~ 14th day before the election, by absentee ballot.

89.28 The signature envelope from accepted ballots must be preserved and returned to the
89.29 county auditor.

89.30 (c)(1) If a majority of the members of the ballot board examining a signature envelope
89.31 find that an absentee voter has failed to meet one of the requirements provided in paragraph
89.32 (b), they shall mark the signature envelope "Rejected," initial or sign it below the word
89.33 "Rejected," list the reason for the rejection on the envelope, and return it to the county

90.1 auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by
90.2 this section. Failure to place the ballot within the secrecy envelope before placing it in the
90.3 outer white envelope is not a reason to reject an absentee ballot.

90.4 (2) If an envelope has been rejected at least five days before the election, the envelope
90.5 must remain sealed and the official in charge of the ballot board shall provide the voter with
90.6 a replacement absentee ballot and signature envelope in place of the rejected ballot.

90.7 (3) If an envelope is rejected within five days of the election, the envelope must remain
90.8 sealed and the official in charge of the ballot board must attempt to contact the voter by
90.9 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
90.10 must document the attempts made to contact the voter.

90.11 (d) The official in charge of the absentee ballot board must mail the voter a written notice
90.12 of absentee ballot rejection between six and ten weeks following the election. If the official
90.13 determines that the voter has otherwise cast a ballot in the election, no notice is required.
90.14 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
90.15 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
90.16 absentee ballot rejection must contain the following information:

90.17 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
90.18 the required deadline for submission, the date on which the ballot was received;

90.19 (2) the reason for rejection; and

90.20 (3) the name of the appropriate election official to whom the voter may direct further
90.21 questions, along with appropriate contact information.

90.22 (e) An absentee ballot signature envelope marked "Rejected" may not be opened or
90.23 subject to further review except in an election contest filed pursuant to chapter 209.

90.24 Sec. 26. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

90.25 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
90.26 must immediately record that a voter's absentee ballot has been accepted. After the close
90.27 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that
90.28 an absentee ballot has been accepted must not be permitted to cast another ballot at that
90.29 election. In a state primary, general, or state special election for federal or state office, the
90.30 auditor or clerk must also record this information in the statewide voter registration system.

90.31 (b) The roster must be marked, and a supplemental report of absentee voters who
90.32 submitted a voter registration application with their ballot must be created, no later than the

91.1 start of voting on election day to indicate the voters that have already cast a ballot at the
91.2 election. The roster may be marked either:

91.3 (1) by the county auditor or municipal clerk before election day;

91.4 (2) by the ballot board before election day; or

91.5 (3) by the election judges at the polling place on election day.

91.6 The record of a voter whose absentee ballot was received after the close of business on
91.7 the ~~seventh~~ 14th day before the election is not required to be marked on the roster or
91.8 contained in a supplemental report as required by this paragraph.

91.9 Sec. 27. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 4, is amended
91.10 to read:

91.11 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 14th day
91.12 before the election, the ballots from secrecy envelopes within the signature envelopes marked
91.13 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
91.14 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
91.15 ballot box. If more than one voted ballot is enclosed in the ~~ballot~~ secrecy envelope, the
91.16 ballots must be returned in the manner provided by section 204C.25 for return of spoiled
91.17 ballots, and may not be counted.

91.18 Sec. 28. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

91.19 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27
91.20 provide the exclusive voting procedure for United States citizens who are living indefinitely
91.21 outside the territorial limits of the United States who meet all the qualifications of an eligible
91.22 voter except residence in Minnesota, but who are authorized by federal law to vote in
91.23 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United
91.24 States, a parent maintained residence in Minnesota for at least 20 days immediately prior
91.25 to their departure from the United States. Individuals described in this subdivision shall be
91.26 permitted to vote only for the offices of president, vice-president, senator in Congress, and
91.27 representative in Congress.

91.28 Sec. 29. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

91.29 Subdivision 1. **Form.** Absentee ballots under sections 203B.16 to 203B.27 shall conform
91.30 to the requirements of the Minnesota Election Law, except that modifications in the size or
91.31 form of ballots or envelopes may be made if necessary to satisfy the requirements of the

92.1 United States postal service. The return envelope must be designed in one of the following
92.2 ways:

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

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

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

92.11 Sec. 30. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

92.30 I am a member of the uniformed services or merchant marine on active duty or an eligible
92.31 spouse or dependent of such a member; a United States citizen temporarily residing outside

93.1 the United States; or other United States citizen residing outside the United States; and I
93.2 am a United States citizen, at least 18 years of age (or will be by the date of the election),
93.3 and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony,
93.4 or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting
93.5 rights have been reinstated; and I am not registering, requesting a ballot, or voting in any
93.6 other jurisdiction in the United States except the jurisdiction cited in this voting form. In
93.7 voting, I have marked and sealed my ballot in private and have not allowed any person to
93.8 observe the marking of the ballot, except for those authorized to assist voters under state or
93.9 federal law. I have not been influenced.

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

93.13 Sec. 31. Minnesota Statutes 2020, section 203B.23, subdivision 2, is amended to read:

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

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

93.26 (c) If a county has delegated the responsibility for administering absentee balloting to
93.27 a municipality under section 203B.05, accepted absentee ballots must be delivered to the
93.28 appropriate municipality's absentee ballot board. The absentee ballot board with the authority
93.29 to open and count the ballots must do so in accordance with section 203B.121, subdivisions
93.30 4 and 5.

94.1 Sec. 32. Minnesota Statutes 2021 Supplement, section 203B.24, subdivision 1, is amended
94.2 to read:

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

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

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

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

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

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

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

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

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

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

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

95.3 Sec. 33. Minnesota Statutes 2020, section 203B.28, is amended to read:

95.4 **203B.28 POSTELECTION REPORT TO LEGISLATURE.**

95.5 By January 15 of every odd-numbered year, the secretary of state shall provide to the
95.6 chair and ranking minority members of the legislative committees with jurisdiction over
95.7 elections a statistical report related to absentee voting in the most recent general election
95.8 cycle. The statistics must be organized by county, and include:

95.9 (1) the number of absentee ballots transmitted to voters;

95.10 (2) the number of absentee ballots returned by voters;

95.11 (3) the number of absentee ballots that were rejected, categorized by the reason for
95.12 rejection;

95.13 (4) the number of absentee ballots submitted pursuant to sections 203B.16 to 203B.27,
95.14 along with the number of returned ballots that were accepted, rejected, and the reason for
95.15 any rejections; ~~and~~

95.16 (5) the number of absentee ballots that were not counted because the ballot return
95.17 envelope was received after the deadlines provided in this chapter; and

95.18 (6) the number of absentee ballots by method of return, including drop box, mail,
95.19 in-person, and direct balloting.

95.20 Sec. 34. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

95.21 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following
95.22 offices shall state the following additional information on the affidavit:

95.23 (1) for governor or lieutenant governor, that on the first Monday of the next January the
95.24 candidate will be 25 years of age or older and, on the day of the state general election, a
95.25 resident of Minnesota for not less than one year;

95.26 (2) for supreme court justice, court of appeals judge, or district court judge, that the
95.27 candidate is learned in the law;

95.28 (3) for county, municipal, school district, or special district office, that the candidate
95.29 meets any other qualifications for that office prescribed by law;

96.1 (4) for senator or representative in the legislature, that on the day of the general or special
96.2 election to fill the office the candidate will have ~~resided~~ maintained residence not less than
96.3 one year in the state and not less than six months in the legislative district from which the
96.4 candidate seeks election.

96.5 Sec. 35. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

96.6 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
96.7 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
96.8 for county, state, and federal offices filled at the state general election shall be filed not
96.9 more than 84 days nor less than 70 days before the state primary. The affidavit may be
96.10 prepared and signed at any time between 60 days before the filing period opens and the last
96.11 day of the filing period.

96.12 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed
96.13 in the presence of a notarial officer or an individual authorized to administer oaths under
96.14 section 358.10.

96.15 (c) This provision does not apply to candidates for presidential elector nominated by
96.16 major political parties. Major party candidates for presidential elector are certified under
96.17 section 208.03. Other candidates for presidential electors may file petitions at least 77 days
96.18 before the general election day pursuant to section 204B.07. Nominating petitions to fill
96.19 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
96.20 petition shall be accepted later than 5:00 p.m. on the last day for filing.

96.21 (d) Affidavits and petitions for county offices must be filed with the county auditor of
96.22 that county. Affidavits and petitions for federal offices must be filed with the secretary of
96.23 state. Affidavits and petitions for state offices must be filed with the secretary of state or
96.24 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

96.25 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by
96.26 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must
96.27 be received by 5:00 p.m. on the last day for filing.

96.28 Sec. 36. Minnesota Statutes 2021 Supplement, section 204B.09, subdivision 3, is amended
96.29 to read:

96.30 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
96.31 wants write-in votes for the candidate to be counted must file a written request with the
96.32 filing office for the office sought not more than 84 days before the primary and no later

97.1 than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies
 97.2 of the form to make the request. The filing officer shall not accept a written request later
 97.3 than 5:00 p.m. on the last day for filing a written request.

97.4 (b) A candidate for president of the United States who files a request under this
 97.5 subdivision must file jointly with another individual seeking nomination as a candidate for
 97.6 vice president of the United States. A candidate for vice president of the United States who
 97.7 files a request under this subdivision must file jointly with another individual seeking
 97.8 nomination as a candidate for president of the United States. The request must also include
 97.9 the name of at least one candidate for presidential elector. The total number of names of
 97.10 candidates for presidential elector on the request may not exceed the total number of electoral
 97.11 votes to be cast by Minnesota in the presidential election.

97.12 (c) A candidate for governor who files a request under this subdivision must file jointly
 97.13 with another individual seeking nomination as a candidate for lieutenant governor. A
 97.14 candidate for lieutenant governor who files a request under this subdivision must file jointly
 97.15 with another individual seeking nomination as a candidate for governor.

97.16 Sec. 37. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
 97.17 to read:

97.18 Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in
 97.19 nomination for a federal office.

97.20 Sec. 38. Minnesota Statutes 2021 Supplement, section 204B.16, subdivision 1, is amended
 97.21 to read:

97.22 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing
 97.23 body of each municipality and of each county with precincts in unorganized territory must
 97.24 designate by ordinance or resolution a ~~polling place for each election precinct. The polling~~
 97.25 ~~places designated in the ordinance or resolution are the polling places for the following~~
 97.26 ~~calendar year, unless a change is made:~~ any changes to a polling place location. A polling
 97.27 place must be maintained for the following calendar year unless changed:

97.28 (1) by ordinance or resolution by December 31 of the previous year;

97.29 ~~(1)~~ (2) pursuant to section 204B.175;

97.30 ~~(2)~~ (3) because a polling place has become unavailable;

97.31 ~~(3)~~ (4) because a township designates one location for all state, county, and federal
 97.32 elections and one location for all township only elections; and

98.1 ~~(4)~~ (5) pursuant to section 204B.14, subdivision 3.

98.2 (b) Polling places must be designated and ballots must be distributed so that no one is
98.3 required to go to more than one polling place to vote in a school district and municipal
98.4 election held on the same day. The polling place for a precinct in a city or in a school district
98.5 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
98.6 24, shall be located within the boundaries of the precinct or within one mile of one of those
98.7 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
98.8 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
98.9 precinct in unorganized territory may be located outside the precinct at a place which is
98.10 convenient to the voters of the precinct. If no suitable place is available within a town or
98.11 within a school district located outside the metropolitan area defined by section 200.02,
98.12 subdivision 24, then the polling place for a town or school district may be located outside
98.13 the town or school district within five miles of one of the boundaries of the town or school
98.14 district.

98.15 Sec. 39. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

98.16 Subd. 6. **High school students.** Notwithstanding any other requirements of this section,
98.17 a student enrolled in a high school in Minnesota or who is in a home school in compliance
98.18 with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed
98.19 as a without party affiliation trainee election judge in the county in which the student ~~resides~~
98.20 maintains residence, or a county adjacent to the county in which the student ~~resides~~ maintains
98.21 residence. The student must meet qualifications for trainee election judges specified in rules
98.22 of the secretary of state. A student appointed as a trainee election judge may be excused
98.23 from school attendance during the hours that the student is serving as a trainee election
98.24 judge if the student submits a written request signed and approved by the student's parent
98.25 or guardian to be absent from school and a certificate from the appointing authority stating
98.26 the hours during which the student will serve as a trainee election judge to the principal of
98.27 the school at least ten days prior to the election. Students shall not serve as trainee election
98.28 judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election
98.29 judges may be paid not less than two-thirds of the minimum wage for a large employer.
98.30 The principal of the school may approve a request to be absent from school conditioned on
98.31 acceptable academic performance at the time of service as a trainee election judge.

99.1 Sec. 40. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

99.2 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a
99.3 municipality shall be appointed by the governing body of the municipality. Election judges
99.4 for precincts in unorganized territory and for performing election-related duties assigned
99.5 by the county auditor shall be appointed by the county board. Election judges for a precinct
99.6 composed of two or more municipalities must be appointed by the governing body of the
99.7 municipality or municipalities responsible for appointing election judges as provided in the
99.8 agreement to combine for election purposes. Except as otherwise provided in this section,
99.9 appointments shall be made from the list of voters who ~~reside~~ maintain residence in each
99.10 precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and
99.11 other qualifications established or authorized under section 204B.19. At least two election
99.12 judges in each precinct must be affiliated with different major political parties. If no lists
99.13 have been furnished or if additional election judges are required after all listed names in
99.14 that municipality have been exhausted, the appointing authority may appoint other individuals
99.15 who meet the qualifications to serve as an election judge, including persons on the list
99.16 furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality,
99.17 and persons who are not affiliated with a major political party. An individual who is appointed
99.18 from a source other than the list furnished pursuant to subdivision 1 must provide to the
99.19 appointing authority the individual's major political party affiliation or a statement that the
99.20 individual does not affiliate with any major political party. An individual who refuses to
99.21 provide the individual's major political party affiliation or a statement that the individual
99.22 does not affiliate with a major political party must not be appointed as an election judge.
99.23 The appointments shall be made at least 25 days before the election at which the election
99.24 judges will serve, except that the appointing authority may pass a resolution authorizing
99.25 the appointment of additional election judges within the 25 days before the election if the
99.26 appointing authority determines that additional election judges will be required.

99.27 Sec. 41. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

99.28 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~
99.29 ~~as defined by section 473.121~~, or a city having fewer than 400 registered voters on June 1
99.30 of an election year ~~and not located in a metropolitan county as defined by section 473.121~~,
99.31 may provide balloting by mail at any municipal, county, or state election with no polling
99.32 place other than the office of the auditor or clerk or other locations designated by the auditor
99.33 or clerk. The governing body may apply to the county auditor for permission to conduct
99.34 balloting by mail. The county board may provide for balloting by mail in unorganized
99.35 territory. The governing body of any municipality may designate for mail balloting any

100.1 precinct having fewer than 100 registered voters, subject to the approval of the county
100.2 auditor.

100.3 Voted ballots may be returned in person to any location designated by the county auditor
100.4 or municipal clerk.

100.5 Sec. 42. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

100.6 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given
100.7 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before
100.8 a regularly scheduled election and not more than 30 days nor later than 14 days before any
100.9 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered
100.10 in the city, town, or unorganized territory. No later than 14 days before the election, the
100.11 auditor must make a subsequent mailing of ballots to those voters who register to vote after
100.12 the initial mailing but before the 20th day before the election. Eligible voters not registered
100.13 at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot
100.14 return envelopes, with return postage provided, must be preaddressed to the auditor or clerk
100.15 and the voter may return the ballot by mail or in person to the office of the auditor or clerk.
100.16 The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot
100.17 return envelopes and mark them "accepted" or "rejected" within three days of receipt if
100.18 there are 14 or fewer days before election day, or within five days of receipt if there are
100.19 more than 14 days before election day. The board may consist of deputy county auditors or
100.20 deputy municipal clerks who have received training in the processing and counting of mail
100.21 ballots, who need not be affiliated with a major political party. Election judges performing
100.22 the duties in this section must be of different major political parties, unless they are exempt
100.23 from that requirement under section 205.075, subdivision 4, or section 205A.10. If an
100.24 envelope has been rejected at least five days before the election, the ballots in the envelope
100.25 must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot
100.26 and return envelope in place of the spoiled ballot. If the ballot is rejected within five days
100.27 of the election, the envelope must remain sealed and the official in charge of the ballot board
100.28 must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's
100.29 ballot has been rejected. The official must document the attempts made to contact the voter.

100.30 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
100.31 indicate that the voter has already cast a ballot in that election. After the close of business
100.32 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
100.33 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
100.34 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

101.1 In all other respects, the provisions of the Minnesota Election Law governing deposit
101.2 and counting of ballots apply.

101.3 The mail and absentee ballots for a precinct must be counted together and reported as
101.4 one vote total. No vote totals from mail or absentee ballots may be made public before the
101.5 close of voting on election day.

101.6 The costs of the mailing shall be paid by the election jurisdiction in which the voter
101.7 ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election
101.8 must be counted.

101.9 Sec. 43. Minnesota Statutes 2020, section 204B.46, is amended to read:

101.10 **204B.46 MAIL ELECTIONS; QUESTIONS.**

101.11 A county, municipality, or school district submitting questions to the voters at a special
101.12 election may conduct an election by mail with no polling place other than the office of the
101.13 auditor or clerk. No offices may be voted on at a mail election-, except in overlapping school
101.14 and municipality jurisdictions, where a mail election may include an office when one of the
101.15 jurisdictions also has a question on the ballot. Notice of the election must be given to the
101.16 county auditor at least 74 days prior to the election. This notice shall also fulfill the
101.17 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
101.18 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
101.19 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
101.20 voters registered in the county, municipality, or school district. No later than 14 days before
101.21 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
101.22 who register to vote after the initial mailing but before the 20th day before the election.
101.23 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
101.24 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and
101.25 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
101.26 of receipt if there are 14 or fewer days before election day, or within five days of receipt if
101.27 there are more than 14 days before election day. The board may consist of deputy county
101.28 auditors, deputy municipal clerks, or deputy school district clerks who have received training
101.29 in the processing and counting of mail ballots, who need not be affiliated with a major
101.30 political party. Election judges performing the duties in this section must be of different
101.31 major political parties, unless they are exempt from that requirement under section 205.075,
101.32 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
101.33 the election, the ballots in the envelope must remain sealed and the auditor or clerk must
101.34 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.

102.1 If the ballot is rejected within five days of the election, the envelope must remain sealed
102.2 and the official in charge of the ballot board must attempt to contact the voter by telephone
102.3 or e-mail to notify the voter that the voter's ballot has been rejected. The official must
102.4 document the attempts made to contact the voter.

102.5 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
102.6 indicate that the voter has already cast a ballot in that election. After the close of business
102.7 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
102.8 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
102.9 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

102.10 In all other respects, the provisions of the Minnesota Election Law governing deposit
102.11 and counting of ballots apply.

102.12 The mail and absentee ballots for a precinct must be counted together and reported as
102.13 one vote total. No vote totals from ballots may be made public before the close of voting
102.14 on election day.

102.15 Sec. 44. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

102.16 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
102.17 assistance because of inability to read English or physical inability to mark a ballot may
102.18 obtain the aid of two election judges who are members of different major political parties.
102.19 The election judges shall mark the ballots as directed by the voter and in as secret a manner
102.20 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
102.21 of any individual the voter chooses. Only the following persons may not provide assistance
102.22 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
102.23 voter's union, or a candidate for election. The person who assists the voter shall,
102.24 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
102.25 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
102.26 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
102.27 are deposited, the voter may show them privately to an election judge to ascertain that they
102.28 are marked as the voter directed. An election judge or other individual assisting a voter shall
102.29 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
102.30 vote for any particular political party or candidate. The election judges or other individuals
102.31 who assist the voter shall not reveal to anyone the name of any candidate for whom the
102.32 voter has voted or anything that took place while assisting the voter.

103.1 Sec. 45. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

103.2 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting
103.3 space located in the Capitol complex area on the third Tuesday following the state general
103.4 election to canvass the certified copies of the county canvassing board reports received from
103.5 the county auditors and shall prepare a report that states:

103.6 (1) the number of individuals voting in the state and in each county;

103.7 (2) the number of votes received by each of the candidates, specifying the counties in
103.8 which they were cast; and

103.9 (3) the number of votes counted for and against each constitutional amendment, specifying
103.10 the counties in which they were cast.

103.11 Upon completion of the canvass, the State Canvassing Board shall declare the candidates
103.12 duly elected who received the highest number of votes for each federal and state office. All
103.13 members of the State Canvassing Board shall sign the report and certify its correctness. The
103.14 State Canvassing Board shall declare the result within three days after completing the
103.15 canvass.

103.16 Sec. 46. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

103.17 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
103.18 the legislature which occur at any time between the last day of session in an odd-numbered
103.19 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
103.20 even-numbered year, when a vacancy occurs and the legislature will be in session so that
103.21 the individual elected as provided by this section could take office and exercise the duties
103.22 of the office immediately upon election, the governor shall issue within five days after the
103.23 vacancy occurs a writ calling for a special election. The special election shall be held as
103.24 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
103.25 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
103.26 ~~must not be held during the four days before or the four days after a holiday as defined in~~
103.27 ~~section 645.44, subdivision 5.~~

103.28 Sec. 47. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

103.29 Subd. 3. **Notice of special election.** The county auditor of a county in which a special
103.30 election is to be held shall direct the clerk of each municipality in which the election is to
103.31 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days
103.32 before the special primary and at least ~~14~~ 21 days before the special election in the manner

104.1 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days
104.2 before the special election, a single notice of both elections may be posted seven days before
104.3 the primary.

104.4 When the special primary or special election is to be held on the same day as any other
104.5 election, notice of the special primary or special election may be included in the notice of
104.6 the other election, if practicable.

104.7 Sec. 48. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

104.8 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions
104.9 shall be filed no later than ~~14~~ 21 days before the special primary.

104.10 Sec. 49. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

104.11 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on
104.12 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
104.13 voters who ~~reside~~ maintain residence in the election district from which the candidate is to
104.14 be elected. The number of signers shall be at least 500, or two percent of the total number
104.15 of individuals who voted in the municipality, ward, or other election district at the last
104.16 preceding municipal general election, whichever is greater.

104.17 Sec. 50. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

104.18 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special
104.19 election conducted under section 126C.17, subdivision 9, or 475.59, the school district
104.20 canvassing board shall consist of one member of the school board other than the clerk,
104.21 selected by the board, the clerk of the school board, the county auditor of the county in
104.22 which the greatest number of school district residents ~~reside~~ maintain residence, the court
104.23 administrator of the district court of the judicial district in which the greatest number of
104.24 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board
104.25 of the school district's most populous municipality. Any member of the canvassing board
104.26 may appoint a designee to appear at the meeting of the board, except that no designee may
104.27 be a candidate for public office. If one of the individuals fails to appear at the meeting of
104.28 the canvassing board, the county auditor shall appoint an eligible voter of the school district,
104.29 who must not be a member of the school board, to fill the vacancy. Not more than two
104.30 school board members shall serve on the canvassing board at one time. Four members
104.31 constitute a quorum.

105.1 The school board shall serve as the school district canvassing board for the election of
105.2 school board members.

105.3 Sec. 51. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

105.4 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is
105.5 approved by the voters, the board shall specify the election districts from which vacancies
105.6 shall be filled as they occur until such time as each board member represents an election
105.7 district. A candidate for school board in a subsequent election must file an affidavit of
105.8 candidacy to be elected as a school board member for the election district in which the
105.9 candidate ~~resides~~ maintains residence. If there are as many election districts as there are
105.10 members of the board, one and only one member of the board shall be elected from each
105.11 election district. In school districts where one or more board members are elected by election
105.12 districts, candidates must indicate on the affidavit of candidacy the number of the district
105.13 from which they seek election or, if appropriate, that they seek election from one of the
105.14 offices elected at large. If the election districts have two or three members each, the terms
105.15 of the members must be staggered. Each board member must be a resident of the election
105.16 district for which elected but the creation of an election district or a change in election
105.17 district boundaries shall not disqualify a board member from serving for the remainder of
105.18 a term.

105.19 Sec. 52. Minnesota Statutes 2020, section 207A.12, is amended to read:

105.20 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

105.21 (a) Except as otherwise provided by law, the presidential nomination primary must be
105.22 conducted, and the results canvassed and returned, in the manner provided by law for the
105.23 state primary.

105.24 (b) An individual seeking to vote at the presidential nomination primary must be
105.25 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
105.26 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
105.27 204C.18, subdivision 1, the election judge must record in the polling place roster the name
105.28 of the political party whose ballot the voter requested. When posting voter history pursuant
105.29 to section 201.171, the county auditor must include the name of the political party whose
105.30 ballot the voter requested. The political party ballot selected by a voter is private data on
105.31 individuals as defined under section 13.02, subdivision 12, except as provided in section
105.32 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must

106.1 be permitted to cast a ballot at the presidential nomination primary consistent with the
106.2 requirements of that section.

106.3 (c) Immediately after the state canvassing board declares the results of the presidential
106.4 nomination primary, the secretary of state must notify the chair of each party of the results.

106.5 (d) The results of the presidential nomination primary must bind the election of delegates
106.6 in each party.

106.7 Sec. 53. Minnesota Statutes 2021 Supplement, section 207A.13, subdivision 2, is amended
106.8 to read:

106.9 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential
106.10 nomination primary must determine which candidates are to be placed on the presidential
106.11 nomination primary ballot for that party. The chair of each participating party must submit
106.12 to the secretary of state the names of the candidates to appear on the ballot for that party no
106.13 later than 63 days before the presidential nomination primary. Once submitted, changes
106.14 must not be made to the candidates that will appear on the ballot.

106.15 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the
106.16 chair of each participating party must submit to the secretary of state the names of write-in
106.17 candidates, if any, to be counted for that party.

106.18 Sec. 54. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

106.19 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for
106.20 statewide office, the contestant shall file the notice of contest with the court administrator
106.21 of District Court in Ramsey County. For contests relating to any other office, the contestant
106.22 shall file the notice of contest with the court administrator of district court in the county
106.23 where the contestee ~~resides~~ maintains residence.

106.24 If the contest relates to a constitutional amendment, the contestant shall file the notice
106.25 of contest with the court administrator of District Court in Ramsey County. If the contest
106.26 relates to any other question, the contestant shall file the notice of contest with the court
106.27 administrator of district court for the county or any one of the counties where the question
106.28 appeared on the ballot.

106.29 Sec. 55. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

106.30 Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written
106.31 independent expenditure is: "This is an independent expenditure prepared and paid for by

107.1 (name of entity participating in the expenditure), (address). It is not coordinated
107.2 with or approved by any candidate nor is any candidate responsible for it. The top three
107.3 contributors funding this expenditure are (1)....., (2)....., and (3)....." The address must
107.4 be either the entity's mailing address or the entity's website, if the website includes the
107.5 entity's mailing address. When a written independent expenditure is produced and
107.6 disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

107.7 (b) The required form of the disclaimer on a broadcast independent expenditure is: "This
107.8 independent expenditure is paid for by (name of entity participating in the expenditure).
107.9 It is not coordinated with or approved by any candidate nor is any candidate responsible
107.10 for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)....."
107.11 When a broadcast independent expenditure is produced and disseminated without cost, the
107.12 following disclaimer may be used: "..... (name of entity participating in the expenditure)
107.13 is responsible for the contents of this independent expenditure. It is not coordinated with
107.14 or approved by any candidate nor is any candidate responsible for it."

107.15 (c) The listing of the top three contributors required to be included in a disclaimer under
107.16 this subdivision must identify by name the three individuals or entities making the largest
107.17 aggregate contribution or contributions required to be reported under chapter 10A to the
107.18 expending entity during the 12-month period preceding the first date at which the expenditure
107.19 was published or presented to the public. Contributions to the expending entity that are
107.20 segregated, tracked, and used for purposes other than expenditures requiring the disclaimer
107.21 should not be included in calculating the top three contributors required to be identified
107.22 under this subdivision.

107.23 Sec. 56. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

107.24 Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to
107.25 fund-raising tickets, business cards, personal letters, or similar items that are clearly being
107.26 distributed by the candidate.

107.27 (b) This section does not apply to an individual or association that is not required to
107.28 register or report under chapter 10A or 211A.

107.29 (c) This section does not apply to the following:

107.30 (1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer
107.31 cannot be conveniently printed; and

107.32 (2) skywriting, wearing apparel, or other means of displaying an advertisement of such
107.33 a nature that the inclusion of a disclaimer would be impracticable; and.

108.1 ~~(3) online banner ads and similar electronic communications that link directly to an~~
108.2 ~~online page that includes the disclaimer.~~

108.3 (d) This section does not modify or repeal section 211B.06.

108.4 Sec. 57. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision
108.5 to read:

108.6 Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding
108.7 subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules
108.8 using the expedited process in section 14.389 to specify the form and content of the disclaimer
108.9 required by those subdivisions for small electronic communications for which it is
108.10 technologically impossible to clearly and conspicuously print the full disclaimer, including
108.11 but not limited to online banner ads, text messages, social media communications, and small
108.12 advertisements appearing on a mobile telephone or other handheld electronic device.

108.13 Sec. 58. **[211B.075] ABSENTEE BALLOT APPLICATIONS DISTRIBUTED BY**
108.14 **COMMITTEES AND PRIVATE ORGANIZATIONS.**

108.15 (a) Any mailing sent by or on behalf of a committee or other private organization that
108.16 includes an absentee ballot application or a sample ballot designed to encourage voting at
108.17 an election must include the applicable set of statements, printed in capital letters on the
108.18 outside of the mailing so that the statements are clearly visible at the time of opening, as
108.19 follows:

108.20 (1) if an absentee ballot application is enclosed:

108.21 (i) "THIS IS AN ABSENTEE BALLOT APPLICATION, NOT AN OFFICIAL
108.22 BALLOT"; and

108.23 (ii) "THIS IS NOT AN OFFICIAL COMMUNICATION FROM A UNIT OF
108.24 GOVERNMENT"; and

108.25 (2) if a sample ballot is enclosed:

108.26 (i) "THIS IS A SAMPLE BALLOT, NOT AN OFFICIAL BALLOT"; and

108.27 (ii) "THIS IS NOT AN OFFICIAL COMMUNICATION FROM A UNIT OF
108.28 GOVERNMENT."

108.29 (b) As used in this subdivision, "sample ballot" means a document enclosed in the mailing
108.30 that is formatted and printed in a manner that would lead a reasonable person to believe the
108.31 document is an official ballot. A document that contains the names of particular candidates

109.1 or ballot questions alongside illustrations of a generic ballot or common ballot markings is
109.2 not a sample ballot for purposes of this subdivision, so long as the format and style of the
109.3 document would not lead a reasonable person to mistake it for an official ballot.

109.4 **Sec. 59. [211B.076] INTIMIDATION AND INTERFERENCE RELATED TO THE**
109.5 **PERFORMANCE OF DUTIES BY AN ELECTION OFFICIAL; PENALTIES.**

109.6 **Subdivision 1. Definition.** For the purposes of this section, "election official" means a
109.7 member of a canvassing board, the county auditor or municipal clerk charged with duties
109.8 relating to elections, a member of an absentee ballot board, an election judge, an election
109.9 judge trainee, or any other individual assigned by a state entity or municipal government
109.10 to perform official duties related to elections.

109.11 **Subd. 2. Intimidation.** (a) A person may not directly or indirectly use or threaten force,
109.12 coercion, violence, restraint, damage, harm, or loss, including loss of employment or
109.13 economic reprisal, against another with the intent to influence an election official in the
109.14 performance of a duty of election administration.

109.15 (b) In a civil action brought to prevent and restrain violations of this subdivision or to
109.16 require the payment of civil penalties, the moving party may show that the action or attempted
109.17 action would cause a reasonable person to feel intimidated. The moving party does not need
109.18 to show that the actor intended to cause the victim to feel intimidated.

109.19 **Subd. 3. Interfering with or hindering the administration of an election.** A person
109.20 may not intentionally hinder, interfere with, or prevent an election official's performance
109.21 of a duty related to election administration.

109.22 **Subd. 4. Dissemination of personal information about an election official.** (a) A
109.23 person may not knowingly and without consent, make publicly available, including but not
109.24 limited to through the Internet, personal information about an election official or an election
109.25 official's family or household member if:

109.26 (1) the dissemination poses an imminent and serious threat to the official's safety or the
109.27 safety of an official's family or household member; and

109.28 (2) the person making the information publicly available knows or reasonably should
109.29 know of any imminent and serious threat.

109.30 (b) As used in this subdivision, "personal information" means the home address of the
109.31 election official or a member of an election official's family, directions to that home, or
109.32 photographs of that home.

110.1 Subd. 5. **Obstructing access.** A person may not intentionally and physically obstruct
110.2 an election official's access to or egress from a polling place, meeting of a canvassing board,
110.3 place where ballots and elections equipment are located or stored, or any other place where
110.4 the election official performs a duty related to election administration.

110.5 Subd. 6. **Vicarious liability; conspiracy.** A person may be held vicariously liable for
110.6 any damages resulting from the violation of this section and may be identified in an order
110.7 restraining violations of this section if that person:

110.8 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
110.9 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
110.10 compel, or coerce a person to violate any provision of this section; or

110.11 (2) conspires, combines, agrees, or arranges with another to either commit a violation
110.12 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
110.13 violate any provision of this section.

110.14 Subd. 7. **Criminal penalty.** A person who violates this section is guilty of a gross
110.15 misdemeanor.

110.16 Subd. 8. **Attorney general; civil enforcement.** When the attorney general has
110.17 information providing a reasonable ground to believe that any person has violated or is
110.18 about to violate this section, the attorney general shall have the power to investigate those
110.19 violations, or suspected violations, in the same manner as provided for by section 8.31,
110.20 subdivisions 2 and 2a. The attorney general shall be entitled, on behalf of the state, to sue
110.21 for and recover the same relief and remedies for violations of this section, or violations that
110.22 are about to occur, as provided in section 8.31, subdivisions 3 and 3a.

110.23 Subd. 9. **Election official; civil remedies.** In addition to any remedies otherwise provided
110.24 by law, an election official injured or threatened to be injured by a violation of this section
110.25 may bring a civil action and obtain the following remedies:

110.26 (1) injunctive relief in any court of competent jurisdiction against any such violation or
110.27 threatened violation without abridging the penalties provided by law; and

110.28 (2) damages, together with costs and disbursements, including costs of investigation and
110.29 reasonable attorney fees, and other equitable relief as determined by the court.

110.30 Subd. 10. **Cumulative remedies.** Civil remedies allowable under this section are
110.31 cumulative and do not restrict any other right or remedy otherwise available. Any civil
110.32 action brought under this section must be commenced within two years after the cause of
110.33 action accrues. Sections 211B.31 to 211B.37 do not apply to violations of this section.

111.1 **EFFECTIVE DATE.** This section is effective July 1, 2022, and applies to violations
111.2 committed on or after that date.

111.3 Sec. 60. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

111.4 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
111.5 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
111.6 a polling place or within 100 feet of the building in which a polling place is situated, or
111.7 anywhere on the public property on which a polling place is situated, on primary or election
111.8 day to vote for or refrain from voting for a candidate or ballot question. A person may not
111.9 provide political badges, political buttons, or other political insignia to be worn at or about
111.10 the polling place on the day of a primary or election. A political badge, political button, or
111.11 other political insignia may not be worn at or about the polling place on primary or election
111.12 day. This section applies only during voting hours and to areas established by the county
111.13 auditor or municipal clerk for absentee voting as provided in chapter 203B.

111.14 Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided
111.15 in section 204B.49.

111.16 Sec. 61. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

111.17 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
111.18 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
111.19 filed with the office. The complaint must be finally disposed of by the office before the
111.20 alleged violation may be prosecuted by a county attorney.

111.21 (b) Complaints arising under those sections and related to those individuals and
111.22 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
111.23 Finance and Public Disclosure Board.

111.24 (c) Violations of section 211B.076 may be enforced as provided in section 211B.076.

111.25 Sec. 62. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

111.26 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall
111.27 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
111.28 shall hold office until the next annual town election, when a successor shall be elected for
111.29 the unexpired term.

111.30 (b) When a vacancy occurs in a town office:

111.31 (1) with more than one year remaining in the term; and

112.1 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the
112.2 town election;

112.3 the vacancy must be filled by appointment. The person appointed serves until the next annual
112.4 town election following the election for which affidavits of candidacy are to be filed, when
112.5 a successor shall be elected for the unexpired term.

112.6 (c) A vacancy in the office of supervisor must be filled by an appointment committee
112.7 comprised of the remaining supervisors and the town clerk.

112.8 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon
112.9 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained
112.10 residence in the town for at least 30 days.

112.11 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same
112.12 election, candidates for the offices of supervisor shall file for one of the specific terms being
112.13 filled.

112.14 (f) When, for any reason, the town board or the appointment committee fails to fill a
112.15 vacancy in the position of an elected town officer by appointment, a special election may
112.16 be called. To call a special election, the supervisors and town clerk, or any two of them
112.17 together with at least 12 other town freeholders, must file a statement in the town clerk's
112.18 office. The statement must tell why the election is called and that the interests of the town
112.19 require the election. When the town board or the appointment committee fails to fill a
112.20 vacancy by appointment, a special town election may also be called on petition of 20 percent
112.21 of the electors of the town. The percentage is of the number of voters at the last general
112.22 election. A special town election must be conducted in the manner required for the annual
112.23 town election.

112.24 (g) Law enforcement vacancies must be filled by appointment by the town board.

112.25 Sec. 63. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

112.26 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate
112.27 for the hospital board shall file an affidavit of candidacy for the election either as member
112.28 at large or as a member representing the city or town where the candidate ~~resides~~ maintains
112.29 residence. The affidavit of candidacy must be filed with the city or town clerk not more
112.30 than 98 days nor less than 84 days before the first Tuesday after the first Monday in
112.31 November of the year in which the general election is held. The city or town clerk must
112.32 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
112.33 the clerk of the most populous city or town immediately after the last day of the filing period.

113.1 A candidate may withdraw from the election by filing an affidavit of withdrawal with the
 113.2 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
 113.3 candidacy.

113.4 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
 113.5 necessary ballots for the election of officers. Ballots must be prepared as provided in the
 113.6 rules of the secretary of state. The ballots must be marked and initialed by at least two judges
 113.7 as official ballots and used exclusively at the election. Any proposition to be voted on may
 113.8 be printed on the ballot provided for the election of officers. The hospital board may also
 113.9 authorize the use of voting systems subject to chapter 206. Enough election judges may be
 113.10 appointed to receive the votes at each polling place. The election judges shall act as clerks
 113.11 of election, count the ballots cast, and submit them to the board for canvass.

113.12 After canvassing the election, the board shall issue a certificate of election to the candidate
 113.13 who received the largest number of votes cast for each office. The clerk shall deliver the
 113.14 certificate to the person entitled to it in person or by certified mail. Each person certified
 113.15 shall file an acceptance and oath of office in writing with the clerk within 30 days after the
 113.16 date of delivery or mailing of the certificate. The board may fill any office as provided in
 113.17 subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
 113.18 if made before the board acts to fill the vacancy.

113.19 ARTICLE 4

113.20 BARBERING AND COSMETOLOGY

113.21 Section 1. Minnesota Statutes 2020, section 154.001, subdivision 2, is amended to read:

113.22 Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established
 113.23 to consist of four barber members and one public member, as defined in section 214.02,
 113.24 appointed by the governor.

113.25 (b) The barber members shall be persons who have practiced as registered barbers in
 113.26 this state for at least five years immediately prior to their appointment; shall be graduates
 113.27 from the 12th grade of a high school or have equivalent education, and shall have knowledge
 113.28 of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One~~
 113.29 ~~of the barber members shall be a member of, or recommended by, a union of journeymen~~
 113.30 ~~barbers that has existed at least two years, and one barber member shall be a member of,~~
 113.31 ~~or recommended by, a professional organization of barbers.~~

114.1 Sec. 2. Minnesota Statutes 2020, section 154.003, is amended to read:

114.2 **154.003 FEES.**

114.3 (a) The fees collected, as required in this chapter, chapter 214, and the rules of the board,
114.4 shall be paid to the board. The board shall deposit the fees in the general fund in the state
114.5 treasury.

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

114.7 (1) examination and certificate, registered barber, \$85;

114.8 (2) retake of written examination, \$10;

114.9 (3) examination and certificate, instructor, \$180;

114.10 (4) certificate, instructor, \$65;

114.11 (5) temporary teacher permit, \$80;

114.12 (6) temporary registered barber, military, \$85;

114.13 (7) temporary barber instructor, military, \$180;

114.14 (8) renewal of registration, registered barber, \$80;

114.15 (9) renewal of registration, instructor, \$80;

114.16 (10) renewal of temporary teacher permit, \$65;

114.17 (11) student permit, \$45;

114.18 (12) renewal of student permit, \$25;

114.19 (13) initial shop registration, \$85;

114.20 (14) initial mobile barber shop registration, \$150;

114.21 ~~(14)~~ (15) initial school registration, \$1,030;

114.22 ~~(15)~~ (16) renewal shop registration, \$85;

114.23 ~~(16)~~ (17) renewal school registration, \$280;

114.24 (18) renewal mobile barber shop registration, \$100;

114.25 ~~(17)~~ (19) restoration of registered barber registration, \$95;

114.26 ~~(18)~~ (20) restoration of shop registration, \$105;

114.27 ~~(19)~~ (21) change of ownership or location, \$55;

114.28 (22) restoration of mobile barber shop registration, \$120;

- 115.1 ~~(20)~~ (23) duplicate registration, \$40;
- 115.2 ~~(21)~~ (24) home study course, \$75;
- 115.3 ~~(22)~~ (25) letter of registration verification, \$25; and
- 115.4 ~~(23)~~ (26) reinspection, \$100.

115.5 (c) If the board uses a board-approved examination provider for the entire comprehensive
115.6 examination or for a portion of the comprehensive examination, any fees required by that
115.7 approved examination provider must be paid directly to the approved examination provider
115.8 by the examinee and is not included and is separate from any required fees paid by the
115.9 examinee to the board.

115.10 Sec. 3. Minnesota Statutes 2020, section 154.01, is amended to read:

115.11 **154.01 REGISTRATION MANDATORY.**

115.12 (a) The registration of the practice of barbering serves the public health and safety of
115.13 the people of the state of Minnesota by ensuring that individuals seeking to practice the
115.14 profession of barbering are appropriately trained in the use of the chemicals, tools, and
115.15 implements of barbering and demonstrate the skills necessary to conduct barber services in
115.16 a safe, sanitary, and appropriate environment required for infection control.

115.17 (b) No person shall practice, offer to practice, or attempt to practice barbering without
115.18 a current certificate of registration as a registered barber, issued pursuant to provisions of
115.19 ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to~~
115.20 ~~154.28~~ this chapter by the Board of Barber Examiners.

115.21 (c) A registered barber must only provide barbering services in a registered barber shop
115.22 ~~or~~, barber school, or mobile barber shop unless prior authorization is given by the board.

115.23 (d) No person shall operate a barber shop unless it is at all times under the direct
115.24 supervision and management of a registered barber and the owner or operator of the barber
115.25 shop possesses a current shop registration card, issued to the barber shop establishment
115.26 ~~address, under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21,~~
115.27 ~~and 154.24 to 154.28~~ by the Board of Barber Examiners.

115.28 (e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering
115.29 without a current certificate of registration as a registered instructor of barbering or a
115.30 temporary permit as an instructor of barbering, as provided for the board by rule, issued
115.31 ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24~~

116.1 ~~to 154.28~~ by the Board of Barber Examiners. Barber instruction must be provided in
116.2 registered barber schools only.

116.3 (f) No person shall operate a barber school unless the owner or operator possesses a
116.4 current certificate of registration as a barber school, issued ~~under sections 154.001, 154.002,~~
116.5 ~~154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber
116.6 Examiners.

116.7 Sec. 4. Minnesota Statutes 2020, section 154.02, subdivision 1, is amended to read:

116.8 Subdivision 1. **What constitutes barbering.** Any one or any combination of the
116.9 following practices when done upon the head, face, and neck for cosmetic purposes and not
116.10 for the treatment of disease or physical or mental ailments and when done for payment
116.11 directly or indirectly or without payment for the public generally constitutes the practice of
116.12 barbering within the meaning of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~
116.13 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter: to shave the face or neck using a straight
116.14 razor or other tool, trim the beard, clean, condition, cut, color, shape, or straighten the hair
116.15 of any person of either sex for compensation or other reward received by the person
116.16 performing such service or any other person; to give facial and scalp massage with oils,
116.17 creams, lotions, or other preparations either by hand or mechanical appliances; to singe,
116.18 shampoo the hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics,
116.19 powders, oils, clays, or lotions to hair, scalp, face, or neck. The removal of hair through the
116.20 process of waxing is not barbering.

116.21 Sec. 5. Minnesota Statutes 2020, section 154.02, subdivision 4, is amended to read:

116.22 Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate
116.23 issued to an individual, barber shop, ~~or~~ barber school, or mobile barber shop that is in
116.24 compliance with ~~the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~
116.25 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter.

116.26 Sec. 6. Minnesota Statutes 2020, section 154.02, subdivision 5, is amended to read:

116.27 Subd. 5. **Designated registered barber.** The "designated registered barber" is a registered
116.28 barber designated as the manager of a barber shop or a mobile barber shop.

117.1 Sec. 7. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
117.2 read:

117.3 Subd. 7. **Mobile barber shop.** A "mobile barber shop" means a barber shop that is
117.4 operated in a mobile vehicle or a mobile structure for the exclusive use of practicing barbering
117.5 services performed by a registered barber in compliance with this chapter.

117.6 Sec. 8. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
117.7 read:

117.8 Subd. 8. **Straight razor.** A razor with a rigid steel cutting blade or a replaceable blade
117.9 that is hinged to a case that forms a handle when the razor is open for use.

117.10 Sec. 9. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
117.11 read:

117.12 Subd. 9. **Waxing.** The process of removing hair from a part of the body by applying
117.13 wax and peeling off the wax.

117.14 Sec. 10. Minnesota Statutes 2020, section 154.05, is amended to read:

117.15 **154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A**
117.16 **REGISTERED BARBER.**

117.17 ~~(a)~~ A person is qualified to receive a certificate of registration as a registered barber if
117.18 the person:

117.19 (1) ~~has successfully completed ten grades of education~~ is at least 17 years of age;

117.20 (2) has successfully completed 1,500 hours of study in a board-approved barber school;
117.21 and

117.22 (3) has passed ~~an~~ a comprehensive examination conducted by the board in accordance
117.23 with section 154.09 to determine the person's fitness to practice barbering.

117.24 ~~(b) A first-time applicant for a certificate of registration to practice as a registered barber~~
117.25 ~~who fails to pass the comprehensive examination conducted by the board and who fails to~~
117.26 ~~pass a onetime retake of the written examination, shall complete an additional 500 hours~~
117.27 ~~of barber education before being eligible to retake the comprehensive examination as many~~
117.28 ~~times as necessary to pass.~~

118.1 Sec. 11. **[154.052] MOBILE BARBER SHOPS.**

118.2 **Subdivision 1. Registration.** (a) No person shall operate a mobile barber shop unless:

118.3 (1) at all times, the mobile barber shop is under the direct supervision and management
118.4 of a registered barber; and

118.5 (2) the owner or operator of the mobile barber shop possesses a current mobile barber
118.6 shop registration that was issued by the Board of Barber Examiners.

118.7 **Subd. 2. Services and location reporting requirements.** (a) A mobile barber shop is
118.8 limited to providing only hair cutting and straight razor shave services.

118.9 (b) A mobile barber shop is subject to the barber shop requirements in this chapter and
118.10 Minnesota Rules, except when this chapter or the rule conflicts with specific mobile barber
118.11 shop requirements. Any reference to a barber shop in this chapter and in Minnesota Rules
118.12 includes mobile barber shops, except when this chapter or the rule conflicts with specific
118.13 mobile barber shop requirements.

118.14 (c) A mobile barber shop registration holder must:

118.15 (1) maintain a permanent address for receiving correspondence and service of process
118.16 and provide an address where the mobile barber shop is kept when the mobile barber shop
118.17 is not in service;

118.18 (2) visibly display the name of the mobile barber shop and the mobile barber shop's
118.19 registration number as shown on the registration certificate on at least one exterior side of
118.20 the mobile barber shop;

118.21 (3) supply to the board the make, model, and vehicle identification and license plate
118.22 number of any vehicle or mobile structure used as a mobile barber shop. Each mobile barber
118.23 shop registration is valid for only one specific mobile vehicle or mobile structure;

118.24 (4) have a functioning phone available at all times;

118.25 (5) submit to the board, on or before the first day of each month, the mobile barber shop's
118.26 schedule of locations and times of operation during the month. The mobile barber shop
118.27 registration holder must report any proposed changes to the schedule to the board via e-mail
118.28 at the beginning of the week during which the changes will occur; and

118.29 (6) comply with the requirements of all federal, state, and local laws, rules, and
118.30 ordinances.

118.31 **Subd. 3. Water and wastewater requirements.** (a) A mobile barber shop must have
118.32 self-contained water holding tanks with gauges that indicate the levels in the tanks and

119.1 reserve capabilities. The water supply tanks must be integrated and plumbed into the
119.2 wastewater tanks or gray water tanks.

119.3 (b) A mobile barber shop must have a potable water capacity of not less than 20 gallons
119.4 and a designated hose that the mobile barber shop only uses to fill the potable water tank.

119.5 (c) A mobile barber shop must have available hot water in a capacity of not less than
119.6 five gallons or hot water on demand.

119.7 (d) A mobile barber shop must have a wastewater tank or gray water tank capacity that
119.8 is 15 percent larger than the water supply holding tank.

119.9 (e) A mobile barber shop must not operate when:

119.10 (1) the available potable water supply is insufficient to comply with the infection control
119.11 requirements in this chapter and Minnesota Rules; or

119.12 (2) a tank for wastewater, black water, or gray water is at 90 percent or greater capacity.

119.13 (f) A mobile barber shop must have a restroom in operating condition inside of the
119.14 mobile barber shop that includes:

119.15 (1) an installed hand sink with potable water;

119.16 (2) soap;

119.17 (3) single-use towels; and

119.18 (4) a self-contained recirculating flush toilet with a holding tank or a properly maintained
119.19 composting toilet.

119.20 (g) A mobile barber shop must discharge wastewater into a sanitary sewage system or
119.21 a sanitary dumping station. When disposing of sewage and wastewater, a mobile barber
119.22 shop must comply with all federal, state, and local environmental and sanitary regulations.

119.23 (h) In addition to the sink required in the restroom, the mobile barber shop must have
119.24 at least one sink with hot and cold running water accessible to persons in the area where
119.25 the mobile barber shop provides services. Sinks must be permanently installed and connected
119.26 to the vehicle's or mobile structure's potable water supply and wastewater tanks.

119.27 **Subd. 4. Electrical and power requirements.** (a) If power for heating, air conditioning,
119.28 and other equipment is supplied by a generator, the generator must be properly vented
119.29 outside and all doors and windows must be closed when the generator is operating to avoid
119.30 exhaust entering the mobile barber shop. The generator must comply with all applicable
119.31 municipal noise ordinances.

120.1 (b) Liquefied petroleum gas systems installed in the mobile barber shop must comply
120.2 with the current edition of the National Fire Protection Association Standard No. 58 LP-Gas
120.3 Code as adopted under the State Fire Code. Use of portable heating units is prohibited.

120.4 (c) All heating and cooling systems must be factory installed and meet all state and
120.5 federal regulations for mobile vehicle or mobile structure heating and cooling.

120.6 (d) The mobile barber shop must have working alarms for carbon monoxide, smoke,
120.7 and combustible gas, either as single alarms or a combined alarm.

120.8 (e) All electrical wiring must comply with the State Electrical Code. Electrical equipment
120.9 plugged into outlets must be UL-listed and must comply with state and local fire codes.

120.10 Subd. 5. **Safety, inspection, and infection control requirements.** (a) In addition to the
120.11 safety and infection control requirements for barber shops in this chapter and Minnesota
120.12 Rules, mobile barber shops must comply with the following requirements:

120.13 (1) the mobile barber shop must not provide services unless the mobile barber shop is
120.14 parked with the engine off, stable, and leveled. The mobile barber shop must use stabilizing
120.15 jacks when it is recommended by the manufacturer's instructions for the vehicle or mobile
120.16 structure. The mobile barber shop must use at least two wheel chocks when the mobile
120.17 barber shop is operating;

120.18 (2) the mobile barber shop must provide all services inside of the vehicle or mobile
120.19 structure;

120.20 (3) all hazardous substances in the mobile barber shop must be stored upright in secured
120.21 cabinets when the mobile barber shop is moving;

120.22 (4) the mobile barber shop must have a ventilation system that is sufficient to provide
120.23 fresh air in the mobile barber shop; and

120.24 (5) all moving parts, including slide outs, disability ramps, and steps must be in good
120.25 working order.

120.26 (b) Any duly authorized employee of the Board of Barber Examiners shall have authority
120.27 to enter and inspect a mobile barber shop during normal business hours.

120.28 Subd. 6. **Compliance with local government law.** The mobile barber shop must comply
120.29 with all city, township, and county ordinances regarding wastewater disposal, commercial
120.30 motor vehicles, vehicle insurance, noise, signage, parking, commerce, business, and other
120.31 local government requirements. The mobile barber shop owner must be informed about the
120.32 requirements that apply to the mobile barber shop in each jurisdiction where the mobile

121.1 barber shop operates, and must ensure that the mobile barber shop complies with those
121.2 requirements.

121.3 Sec. 12. Minnesota Statutes 2020, section 154.07, subdivision 1, is amended to read:

121.4 Subdivision 1. **Admission requirements; course of instruction.** No barber school shall
121.5 be approved by the board unless it the barber school requires, ~~as a prerequisite to admission,~~
121.6 ~~ten grades of an approved school or its equivalent, as determined by educational transcript,~~
121.7 ~~high school diploma, high school equivalency certificate, or an examination conducted by~~
121.8 ~~the commissioner of education, which shall issue a certificate that the student has passed~~
121.9 ~~the required examination, and unless it requires,~~ as a prerequisite to graduation, a course of
121.10 instruction of at least 1,500 hours of not more than ten hours of schooling in any one working
121.11 day. The course of instruction must include the following subjects: scientific fundamentals
121.12 for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of
121.13 the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization
121.14 and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the
121.15 muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting
121.16 and dyeing the hair; and the chemical waving and straightening of hair.

121.17 Sec. 13. Minnesota Statutes 2020, section 154.08, is amended to read:

121.18 **154.08 APPLICATION; FEE.**

121.19 Subdivision 1. Application and fee requirements. Each applicant for an examination
121.20 shall:

121.21 (1) make an application to the Board of Barber Examiners or a board-approved
121.22 examination provider on blank forms prepared and furnished by it, the application to the
121.23 board or the provider. The application must contain proof under the applicant's oath of the
121.24 particular qualifications and identity of the applicant;

121.25 (2) provide all documentation required in support of the application;

121.26 (3) pay to the board the required fee; ~~and~~

121.27 (4) upon acceptance of the notarized application, present a corresponding
121.28 government-issued photo identification when the applicant appears for the examination;
121.29 and

121.30 (5) file an application with the board no later than the twentieth day of the month
121.31 preceding the month when the practical portion of the exam is administered.

122.1 Sec. 14. Minnesota Statutes 2020, section 154.09, is amended to read:

122.2 **154.09 EXAMINATIONS, CONDUCT AND SCOPE.**

122.3 Subdivision 1. Examination dates. The board or a board-approved examination provider
 122.4 shall conduct practical examinations of applicants for certificates of registration to practice
 122.5 as registered barbers not ~~more than six~~ less than four times each year, at such time and place
 122.6 as the board may determine. ~~Additional~~ Written examinations may be scheduled ~~by the~~
 122.7 ~~board~~ and conducted by board staff or a board-approved provider as designated by the board.

122.8 Subd. 2. Documentation required. The ~~proprietor~~ owner or operator of a barber school
 122.9 must file an affidavit with the board of hours completed by students applying to take the
 122.10 ~~registered barber~~ comprehensive examination. Students must complete the full 1,500-hour
 122.11 curriculum in a barber school approved by the board ~~within the past four years~~ to be eligible
 122.12 for examination. ~~Barber students who have completed barber school more than four years~~
 122.13 ~~prior to application, that have not obtained a barber registration, license, or certificate in~~
 122.14 ~~any jurisdiction must complete an additional 500 hours of barber school education to be~~
 122.15 ~~eligible for the registered barber examination.~~

122.16 Subd. 3. Examinations for registration restoration. ~~Registered barbers that fail~~ An
 122.17 individual who fails to renew ~~their~~ the individual's barber registration for four or more years
 122.18 ~~are~~ is required to purchase and complete the "Home Study Course for Barbers" program
 122.19 that was prepared and approved by the board before the individual is eligible to take the
 122.20 ~~registered barber~~ comprehensive examination to reinstate the individual's registration.

122.21 Subd. 4. Examinations for individuals seeking reciprocity. An individual who must
 122.22 pass the comprehensive examination under section 154.11 must purchase and complete the
 122.23 "Home Study Course for Barbers" program that was prepared and approved by the board
 122.24 before the individual is eligible to take the comprehensive examination.

122.25 Subd. 5. Contents of examination. The comprehensive examination ~~of applicants for~~
 122.26 ~~certificates of registration as barbers~~ shall include:

122.27 (1) a practical demonstration portion that consists of: a haircut, and three of the following
 122.28 practical services that the board shall determine: shave, beard trim, shampoo, perm wrap,
 122.29 facial, or color application; and

122.30 (2) a written test. The examination must cover portion that covers the subjects taught in
 122.31 barber schools registered with the board, including as required by this chapter, applicable
 122.32 state statute statutes, and rule rules.

123.1 Subd. 6. Examination grading. The comprehensive examination must be graded as
123.2 follows:

123.3 (1) the grading for the practical portion of the examination must be on a scale of one to
123.4 100, with 100 representing a perfect score. A score of 75 must be the minimum passing
123.5 grade for the haircut portion and 75 must be the minimum passing score for the average of
123.6 the remaining parts of the practical examination; and

123.7 (2) the grading criteria for the written portion of the examination and the passing grade
123.8 must be established by the board or a board-approved examination provider for each written
123.9 examination at the time of the examination's preparation. The lowest passing grade
123.10 established must not be less than 55.

123.11 Subd. 7. Failure of examination. (a) An individual who does not pass one portion of
123.12 the comprehensive examination within a year of passing the other portion of the
123.13 comprehensive examination must retake the entire comprehensive examination.

123.14 (b) An individual who has failed a portion of the comprehensive examination may retake
123.15 that portion of the examination within a year of passing the other portion after meeting the
123.16 requirements of this chapter, paying any required fees and making an application to the
123.17 board as required by section 154.08.

123.18 Sec. 15. Minnesota Statutes 2020, section 154.11, subdivision 1, is amended to read:

123.19 Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the
123.20 requirements for barber registration in ~~sections 154.001, 154.002, 154.003, 154.01 to~~
123.21 ~~154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter and either has a currently
123.22 active license, certificate of registration, or equivalent as a practicing barber or instructor
123.23 of barbering as verified from another state or, if presenting foreign country credentials as
123.24 verified by a board-approved professional credential evaluation provider, which in the
123.25 discretion of the board has substantially the same requirements for registering barbers and
123.26 instructors of barbering as required by ~~sections 154.001, 154.002, 154.003, 154.01 to~~
123.27 ~~154.162, 154.19 to 154.21, and 154.24 to 154.28~~ in this chapter shall, upon payment of the
123.28 required fee, be issued a certificate of registration without examination.

123.29 (b) Individuals without a current documented license, certificate of registration, or
123.30 equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber
123.31 education as verified by the barber school attended in the other state or if presenting foreign
123.32 country education as verified by a board-approved professional credential evaluation provider,
123.33 completed within the previous four years, which, in the discretion of the board, has

124.1 substantially the same requirements as required in ~~sections 154.001, 154.002, 154.003,~~
124.2 ~~154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter will be eligible for
124.3 examination.

124.4 (c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject
124.5 to all the requirements of section 154.05.

124.6 Sec. 16. Minnesota Statutes 2020, section 154.11, is amended by adding a subdivision to
124.7 read:

124.8 Subd. 4. Examination of cosmetologists. a) A person may be credited with up to 1,000
124.9 hours of study, which in the discretion of the board has curriculum requirements that are
124.10 equivalent to the requirements in section 154.07 toward the 1,500 hours of study required
124.11 under section 154.05 if the person:

124.12 (1) has a currently active license as a practicing cosmetologist and the license is verified
124.13 by the issuing state;

124.14 (2) has a certificate of registration or equivalent as a practicing cosmetologist and the
124.15 certificate is verified by the issuing state; or

124.16 (3) has credentials as a practicing cosmetologist from a foreign country that are verified
124.17 by a board-approved professional credential evaluation provider and the board has determined
124.18 that the foreign country's curriculum requirements are substantially similar to the
124.19 requirements in section 154.07.

124.20 (b) After a person with credited hours under paragraph (a) completes the remaining
124.21 required hours in a board-approved barber school and meets the requirement of section
124.22 154.05, clause (1), the person is eligible for examination.

124.23 Sec. 17. Minnesota Statutes 2020, section 155A.20, is amended to read:

124.24 **155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.**

124.25 (a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ nine members,
124.26 appointed by the governor as follows:

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

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

124.31 (3) one esthetician;

125.1 (4) one advanced practice esthetician;

125.2 ~~(4)~~ (5) one nail technician; and

125.3 (6) one hair technician; and

125.4 ~~(5)~~ (7) one public member, as defined in section 214.02.

125.5 (b) All cosmetologist, esthetician, and nail technician members must be currently licensed
 125.6 in the field of cosmetology, nail technology, or ~~esthetology~~, esthiology in Minnesota, have
 125.7 practiced in the licensed occupation for at least five years immediately prior to their
 125.8 appointment, be graduates from grade 12 of high school or have equivalent education, and
 125.9 have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and
 125.10 2110.

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

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

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

125.19 Sec. 18. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

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

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

125.25 Sec. 19. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

125.26 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare
 125.27 and present the theoretical and practical education of cosmetology to persons who seek to
 125.28 practice cosmetology. ~~An instructor must maintain an active operator or manager's license~~
 125.29 ~~in the area in which the instructor holds an instructor's license.~~ As long as an instructor
 125.30 holds an active instructor license, the board must ensure that the instructor's license as an
 125.31 operator or a salon manager in the same field automatically continues to be active. The

126.1 board must not assess an instructor any fees for an operator or a salon manager license while
126.2 an instructor holds an active instructor license.

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

126.4 Sec. 20. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

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

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

126.9 Sec. 21. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
126.10 to read:

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

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

126.17 Sec. 22. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

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

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

126.21 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

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

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

126.24 (2) \$115 renewal of practitioner license, divided as follows:

126.25 (i) \$100 for each renewal license; and

126.26 (ii) \$15 for each renewal application fee;

126.27 (3) \$145 renewal of manager or instructor license, divided as follows:

126.28 (i) \$130 for each renewal license; and

- 127.1 (ii) \$15 for each renewal application fee;
- 127.2 (4) \$350 initial salon license, divided as follows:
- 127.3 (i) \$250 for each initial license; and
- 127.4 (ii) \$100 for each initial license application fee;
- 127.5 (5) \$225 renewal of salon license, divided as follows:
- 127.6 (i) \$175 for each renewal; and
- 127.7 (ii) \$50 for each renewal application fee;
- 127.8 (6) \$4,000 initial school license, divided as follows:
- 127.9 (i) \$3,000 for each initial license; and
- 127.10 (ii) \$1,000 for each initial license application fee; and
- 127.11 (7) \$2,500 renewal of school license, divided as follows:
- 127.12 (i) \$2,000 for each renewal; and
- 127.13 (ii) \$500 for each renewal application fee.
- 127.14 (c) Penalties may be assessed in amounts up to the following:
- 127.15 (1) reinspection fee, \$150;
- 127.16 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 127.17 (3) expired practitioner or instructor found on inspection, \$200;
- 127.18 (4) expired salon found on inspection, \$500;
- 127.19 (5) expired school found on inspection, \$1,000;
- 127.20 (6) failure to display current license, \$100;
- 127.21 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 127.22 under section 155A.355, subdivision 1, \$500;
- 127.23 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 127.24 subdivision 2, \$500;
- 127.25 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 127.26 or cosmetology services in a nail salon, \$500;
- 127.27 (10) owner and manager allowing an operator to work as an independent contractor,
- 127.28 \$200;

- 128.1 (11) operator working as an independent contractor, \$100;
- 128.2 (12) refusal or failure to cooperate with an inspection, \$500;
- 128.3 (13) practitioner late renewal fee, \$45; and
- 128.4 (14) salon or school late renewal fee, \$50.
- 128.5 (d) Administrative fees are as follows:
- 128.6 (1) homebound service permit, \$50 three-year fee;
- 128.7 (2) name change, \$20;
- 128.8 (3) certification of licensure, \$30 each;
- 128.9 (4) duplicate license, \$20;
- 128.10 (5) special event permit, \$75 per year;
- 128.11 ~~(6) \$100 for each temporary military license for a cosmetologist, nail technician,~~
- 128.12 ~~esthetician, or advanced practice esthetician one-year fee;~~
- 128.13 ~~(7)~~ (6) expedited initial individual license, \$150;
- 128.14 ~~(8)~~ (7) expedited initial salon license, \$300;
- 128.15 ~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and
- 128.16 ~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.

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

128.18 Sec. 23. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:

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

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

128.23 Sec. 24. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:

128.24 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses
 128.25 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with
 128.26 section 197.4552. A temporary license is valid for a three-year license cycle. An applicant
 128.27 may only apply once for a temporary license.

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

129.1 Sec. 25. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

129.2 Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of
129.3 three years. The board may extend a licensee's operator or salon manager license when
129.4 issuing a new instructor license to the licensee to match expiration dates.

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

129.6 Sec. 26. Minnesota Statutes 2020, section 155A.27, subdivision 10, is amended to read:

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

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

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

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

129.28 Sec. 27. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
129.29 to read:

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

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

130.2 Sec. 28. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

130.3 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal
130.4 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,
130.5 advanced practice esthetician, eyelash technician, or salon manager, the applicant must
130.6 complete four hours of continuing education credits from a board-approved continuing
130.7 education provider during the three years prior to the applicant's renewal date. One credit
130.8 hour of the requirement must include instruction pertaining to state laws and rules governing
130.9 the practice of cosmetology. Three credit hours must include instruction pertaining to health,
130.10 safety, and infection control matters consistent with the United States Department of Labor's
130.11 Occupational Safety and Health Administration standards applicable to the practice of
130.12 cosmetology, or other applicable federal health, infection control, and safety standards, and
130.13 must be regularly updated so as to incorporate newly developed standards and accepted
130.14 professional best practices. Credit hours earned are valid for three years and may be applied
130.15 simultaneously to all individual licenses held by a licensee under this chapter.

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

130.22 (1) product chemistry and chemical interaction;

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

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

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

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

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

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

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

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

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

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

131.13 Sec. 31. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

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

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

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

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

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

131.22 (5) the maximum enrollment to be accommodated;

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

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

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

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

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

132.8 Sec. 32. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

132.9 Subd. 4. **Verification of application.** Each application shall be signed and certified to
 132.10 under oath by the proprietor if the applicant is a proprietorship, by the managing partner if
 132.11 the applicant is a partnership, or by the authorized officers of the applicant if the applicant
 132.12 is a corporation, association, company, firm, society or trust-, except that schools in the
 132.13 Minnesota State Colleges and Universities system and secondary schools must provide a
 132.14 signature from the dean, principal, or other authorized signatory.

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

132.16 Sec. 33. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

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

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

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

132.25 Sec. 34. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING**
 132.26 **GROUP.**

132.27 The board shall establish a working group to study and report to the legislative committees
 132.28 with jurisdiction over the Board of Cosmetologist Examiners by January 1, 2024, on:

132.29 (1) evaluating the salon manager license and school manager license;

132.30 (2) evaluating the scope and requirements for special event services and homebound
 132.31 services permits and considering merging both permits; and

133.1 (3) evaluating an endorsement-based licensing structure.

133.2 Sec. 35. **REVISOR INSTRUCTION.**

133.3 The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board of
133.4 Cosmetology" wherever it appears in Minnesota Statutes.

133.5 Sec. 36. **REPEALER.**

133.6 Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; and 2100.3200,
133.7 are repealed.

1.135 STATE SEAL.

Subdivision 1. **Purpose.** This section prescribes the design and states the historical symbolism of the Great Seal of the State of Minnesota.

Subd. 2. **Official seal.** The seal described in subdivision 3 is the "Great Seal of the State of Minnesota." When the seal, the impression of the seal, the scene within the seal, or its likeness is reproduced at state expense, it must conform to subdivision 3 and section 4.04. A seal, impression, scene, or likeness which does not conform to these provisions is not official.

Subd. 3. **Design.** The design of the seal is as described in this subdivision.

(a) The seal is composed of two concentric borders. The outside forms the border of the seal and the inside forms the border for the illustrations within the seal. The area between the two borders contains lettering.

(b) The seal is two inches in diameter. The outside border has a radius of one inch and resembles the serrated edge of a coin. The width of the border is 1/16 of an inch.

(c) The inside border has a radius of three-fourths of an inch and is composed of a series of closely spaced dots measuring 1/32 of an inch in diameter.

(d) Within the area between the borders "The Great Seal of the State of Minnesota" is printed in capital letters. Under that is the date "1858" with two dagger symbols separating the date and the letters. The lettering is 14-point century bold.

(e) In the area within the inside border is the portrayal of an 1858 Minnesota scene made up of various illustrations that serve to depict a settler plowing the ground near the Falls of St. Anthony while he watches an Indian on horseback riding in the distance.

(f) For the purposes of description, when the area within the inside border is divided into quadrants, the following illustrations should be clearly visible in the area described.

(1) In the upper parts of quadrants one and two, the inscription "L'Etoile du Nord" is found on the likeness of a scroll whose length is equal to twice the length of the inscription, but whose ends are twice folded underneath and serve to enhance the inscription. The lettering is 7-point century bold.

(2) In quadrant two is found a likeness of a sun whose ambient rays form a background for a male Indian in loincloth and plume riding on horseback at a gallop. The Indian is sitting erect and is holding a spear in his left hand at an upward 60-degree angle to himself and is looking toward the settler in quadrant four.

(3) In quadrant one, three pine trees form a background for a picturesque resemblance of St. Anthony Falls in 1858.

(4) In quadrants three and four, cultivated ground is found across the lower half of the seal, which provides a background for the scenes in quadrants three and four.

(5) In quadrant three, a tree stump is found with an ax embedded in the stump and a period muzzleloader resting on it. A powder flask is hanging towards the end of the barrel.

(6) In quadrant four, a white barefoot male pioneer wearing clothing and a hat of that period is plowing the earth, using an animal-drawn implement from that period. The animal is not visible. The torso of the man continues into quadrant two, and he has his legs spread apart to simulate movement. He is looking at the Indian.

Subd. 4. **Additional effects; size.** Every effort shall be made to reproduce the seal with justification to the 12 o'clock position and with attention to the authenticity of the illustrations used to create the scene within the seal. The description of the scene in this section does not preclude the graphic inclusion of the effects of movement, sunlight, or falling water when the seal is reproduced. Nor does this section prohibit the enlargement, proportioned reduction, or embossment of the seal for its use in unofficial acts.

Subd. 5. **Historical symbolism of seal.** The sun, visible on the western horizon, signifies summer in the northern hemisphere. The horizon's visibility signifies the flat plains covering much of Minnesota. The Indian on horseback is riding due south and represents the great Indian heritage of Minnesota. The Indian's horse and spear and the Pioneer's ax, rifle, and plow represent tools that were used for hunting and labor. The stump symbolizes the importance of the lumber industry in Minnesota's history. The Mississippi River and St. Anthony Falls are depicted to note the importance

of these resources in transportation and industry. The cultivated ground and the plow symbolize the importance of agriculture in Minnesota. Beyond the falls three pine trees represent the state tree and the three great pine regions of Minnesota; the St. Croix, Mississippi, and Lake Superior.

Subd. 6. **State's duties.** State agencies and departments using the seal, its impression, the scene within the seal or its likeness shall make every effort to bring any seal, impression, scene, or likeness currently fixed to a permanent object into accordance with this section and section 4.04. Expendable material to which the seal or any impression, scene, or likeness is currently affixed may be used until the supply is exhausted. All unused dies and engravings of the Great Seal shall be given to the Minnesota Historical Society, along with all historical information available about the seal, to be retained in the society's permanent collection.

1.141 STATE FLAG.

Subdivision 1. **Adoption.** The design of the state flag proposed by the Legislative Interim Commission acting under Laws 1955, chapter 632, is adopted as the official state flag.

Subd. 2. **Photograph.** The secretary of state shall file a photograph of the state flag. The secretary shall also retain custodial control over the sample design flag of the commission for use by the public for copies.

Subd. 3. **Description.** The design of the flag shall conform substantially to the following description: The staff is surmounted by a bronze eagle with outspread wings; the flag is rectangular in shape and is on a medium blue background with a narrow gold border and a golden fringe. A circular emblem is contained in the center of the blue field. The circular emblem is on a general white background with a yellow border. The word MINNESOTA is inscribed in red lettering on the lower part of the white field. The white emblem background surrounding a center design contains 19 five pointed stars arranged symmetrically in four groups of four stars each and one group of three stars. The latter group is in the upper part of the center circular white emblem. The group of stars at the top in the white emblem consists of three stars of which the uppermost star is the largest and represents the North Star. A center design is contained on the white emblem and is made up of the scenes from the Great Seal of the State of Minnesota, surrounded by a border of intertwining *Cypripedium reginae*, the state flower, on a blue field of the same color as the general flag background. The flower border design contains the figures 1819, 1858, 1893.

The coloring is the same on both sides of the flag, but the lettering and the figures appear reversed on one side.

Subd. 4. **Official flag.** The flag described above is the official flag of the state of Minnesota.

Subd. 5. **Hours of flying.** The official state flag shall be flown on the State Capitol grounds at all times between sunrise and sunset.

Subd. 6. **Folding of state flag for presentation or display.** The following procedures constitute the proper way to fold the Minnesota State Flag for presentation or display. Fold the flag four times lengthwise so that one section displays the three stars of the state crest and the text "L'Etoile du Nord." Fold each side behind the displayed section at a 90-degree angle so that the display section forms a triangle. Take the section ending with the hoist and fold it at a 90-degree angle across the bottom of the display section and then fold the hoist back over so it is aligned with the middle of the display section. Fold the other protruding section directly upwards so that its edge is flush with the display section and then fold it upwards along a 45-degree angle so that a mirror of the display section triangle is formed. Fold the mirror section in half from the point upwards, then fold the remaining portion upwards, tucking it between the display section and the remainder of the flag.

Subd. 7. **Folding of state flag for storage.** When folding the Minnesota State Flag for storage, the proper procedure is to fold and store the flag in the same manner as the national colors.

12.03 DEFINITIONS.

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

136F.03 CANDIDATE ADVISORY COUNCIL.

Subdivision 1. **Purpose.** A Candidate Advisory Council for the board shall assist the governor in determining criteria for, and identifying and recruiting qualified candidates for, nonstudent membership on the board.

APPENDIX
Repealed Minnesota Statutes: H4293-1

Subd. 2. **Membership.** The advisory council consists of 24 members. Twelve members are appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members are appointed by the speaker of the house. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of a member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 governs the advisory council, except that the members must be appointed to six-year terms.

Subd. 3. **Duties.** (a) The advisory council shall:

(1) develop a statement of the selection criteria to be applied and a description of the responsibilities and duties of a member of the board and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the board, based on the background and experience of the candidates, and their potential for discharging the responsibilities of a member of the board.

(b) Selection criteria developed under this section must include the requirement that trustees represent diversity in geography, gender, race, occupation, and experience.

(c) Selection criteria developed under this section must also include the identification of the membership needs of the board for individual skills relevant to the governance of the Minnesota State Colleges and Universities and the needs for certain individual characteristics that include geographic location, gender, race, occupation, and experience.

Subd. 4. **Recommendations.** Except for seats filled under sections 136F.04 and 136F.045, the advisory council shall recommend at least two and not more than four candidates for each seat. By April 15 of each even-numbered year in which the governor makes appointments to the board, the advisory council shall submit its recommendations to the governor and to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education policy and finance. The governor is not bound by these recommendations.

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

(1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;

(2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;

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

(4) educate the public and governmental entities on dispute resolution options; and

(5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:

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

(ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;

(iii) forming multidisciplinary conflict resolution teams; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

APPENDIX
Repealed Minnesota Statutes: H4293-1

179.91 GRANTS.

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

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

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

2100.2500 EXAMINATION DATES.

Examinations for a certificate as a registered barber shall be held in the second week of February, May, August, and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held. Two additional examinations may be held when the board determines it is cost efficient.

2100.2600 APPLICATION FOR EXAMINATION.

An applicant for examination as a registered barber shall file an application for examination on forms furnished by the board. This application must be filed with the board no later than the 20th day of the month preceding the month in which the examination is to be given; provided, however, that the board shall, upon the showing of a hardship, accept applications at a later date.

Applicants for registered barber status must complete the program entitled "Home Study Course for Barbers" prepared or approved by the Board of Barber Examiners before the examination may be taken.

2100.2900 CONTENTS OF EXAMINATION.

An examination consists of five parts: a written examination and four practical services. The type of haircut, shave or beard trim, and two of the following practical services: shampoo, perm wrap, facial, or color application, will be determined at the discretion of the board.

2100.3000 GRADING OF EXAMINATION.

The registered barber examinations given pursuant to Minnesota Statutes, section 154.09, shall be graded as follows: The grading criteria for the written part of the examination and the passing grade will be established for each written examination at the time of its preparation; however, the lowest passing grade established shall never be less than 55. The grading for the practical performances part of the examination will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 75 will be the minimum passing grade for the haircut portion, and 75 will also be the minimum passing score for the average of the remaining parts of the practical performances. If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 75 on the haircut portion of the examination, or score an average of at least 75 on the remaining parts of the practical examination, the applicant will have failed the examination, and may only retake the examination after paying the necessary fee and meeting the requirements of Minnesota Statutes, section 154.05.

2100.3200 FAILURE OF EXAMINATION.

An individual who has not held a Minnesota barber registration prior to examination and who fails the examination and onetime written retake, if applicable, shall complete an additional 500 hours of barber school to be eligible to retake the examination as many times as necessary to pass.

An individual who has previously held a Minnesota barber registration as an apprentice or registered barber may take the examination as many times as necessary to reinstate the registration without additional barber school hours.