

## STATE OF MINNESOTA

## NINETY-SECOND SESSION — 2021

---

 FORTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 19, 2021

The House of Representatives convened at 12:00 noon and was called to order by Andrew Carlson, Speaker pro tempore.

Prayer was offered by the Reverend Ingrid C. A. Rasmussen, Holy Trinity Lutheran Church, Minneapolis, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Davnie	Hamilton	Koznick	Murphy	Richardson
Agbaje	Demuth	Hansen, R.	Kresha	Nash	Robbins
Akland	Dettmer	Hanson, J.	Lee	Nelson, M.	Sandell
Albright	Drazkowski	Hassan	Liebling	Nelson, N.	Sandstede
Anderson	Ecklund	Hausman	Lillie	Neu Brindley	Schomacker
Backer	Edelson	Heinrich	Lippert	Noor	Schultz
Bahner	Elkins	Heintzeman	Lislegard	Novotny	Scott
Bahr	Erickson	Her	Long	O'Driscoll	Stephenson
Becker-Finn	Feist	Hertaus	Lucero	Olson, B.	Sundin
Bennett	Fischer	Hollins	Lueck	Olson, L.	Swedzinski
Berg	Franke	Hornstein	Mariani	O'Neill	Theis
Bernardy	Franson	Howard	Marquart	Pelowski	Thompson
Bierman	Frazier	Huot	Masin	Petersburg	Torkelson
Bliss	Frederick	Igo	McDonald	Pfarr	Urdahl
Boe	Freiberg	Johnson	Mekeland	Pierson	Vang
Boldon	Garofalo	Jordan	Miller	Pinto	Wazlawik
Burkel	Gomez	Jurgens	Moller	Poston	West
Carlson	Green	Keeler	Moran	Pryor	Winkler
Christensen	Greenman	Kiel	Morrison	Quam	Wolgamott
Daniels	Grossell	Klevorn	Mortensen	Raleigh	Xiong, J.
Daudt	Gruenhagen	Koegel	Mueller	Rasmusson	Xiong, T.
Davids	Haley	Kotyza-Witthuhn	Munson	Reyer	Youakim

A quorum was present.

Baker was excused.

Hortman was excused until 1:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

## REPORTS OF STANDING COMMITTEES AND DIVISIONS

Lee from the Committee on Capital Investment to which was referred:

H. F. No. 337, A bill for an act relating to capital investment; amending prior appropriations for capital improvement projects; refunding deposits to bond issuers on applications for bonding authority allocations from the 2020 housing pool; amending Laws 2020, Fifth Special Session chapter 3, article 1, sections 16, subdivisions 7, 36; 20, subdivision 5; 22, subdivisions 18, 19, 21, 23, 28, 33.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

### "ARTICLE 1 APPROPRIATIONS

#### Section 1. CAPITAL IMPROVEMENT APPROPRIATIONS.

The sums shown in the column under "Appropriations" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, clause (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, clauses (b) to (j), or article XIV. Unless otherwise specified, money appropriated in this act:

(1) may be used to pay state agency staff costs that are attributed directly to the capital program or project in accordance with accounting policies adopted by the commissioner of management and budget;

(2) is available until the project is completed or abandoned subject to Minnesota Statutes, section 16A.642;

(3) for activities under Minnesota Statutes, sections 16B.307, 84.946, and 135A.046, should not be used for projects that can be financed within a reasonable time frame under Minnesota Statutes, section 16B.322 or 16C.144; and

(4) is available for a grant to a political subdivision after the commissioner of management and budget determines that an amount sufficient to complete the project as described in this act has been committed to the project, as required by Minnesota Statutes, section 16A.502.

### APPROPRIATIONS

#### Sec. 2. UNIVERSITY OF MINNESOTA

\$32,000,000

To the Board of Regents of the University of Minnesota, to be spent in accordance with Minnesota Statutes, section 135A.046.

#### Sec. 3. MINNESOTA STATE COLLEGES AND UNIVERSITIES

\$32,000,000

To the Board of Trustees of the Minnesota State Colleges and Universities, to be spent in accordance with Minnesota Statutes, section 135A.046.

Sec. 4. **EDUCATION****\$3,150,000**

To the commissioner of education for library construction grants under Minnesota Statutes, section 134.45.

Sec. 5. **MINNESOTA STATE ACADEMIES****\$1,224,000**

To the commissioner of administration for capital asset preservation improvements and betterments on both campuses of the Minnesota State Academies, to be spent in accordance with Minnesota Statutes, section 16B.307.

Sec. 6. **PERPICH CENTER FOR ARTS EDUCATION****\$1,500,000**

To the commissioner of administration for capital asset preservation improvements and betterments at the Perpich Center for Arts Education, to be spent in accordance with Minnesota Statutes, section 16B.307.

Sec. 7. **NATURAL RESOURCES**Subdivision 1. **Total Appropriation****\$53,650,000**

(a) To the commissioner of natural resources for the purposes specified in this section.

(b) The appropriations in this section are subject to the requirements of the natural resources capital improvement program under Minnesota Statutes, section 86A.12, unless this section or the statutes referred to in this section provide more specific standards, criteria, or priorities for projects than Minnesota Statutes, section 86A.12.

(c) The unspent portion of an appropriation for a project in this section, upon written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 84.946. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Subd. 2. **Natural Resources Asset Preservation****27,000,000**

For the renovation of state-owned facilities and recreational assets operated by the commissioner of natural resources to be spent in accordance with Minnesota Statutes, section 84.946. Notwithstanding Minnesota Statutes, section 84.946, the commissioner may use this appropriation to replace buildings if, considering the embedded energy in the building, that is the most energy-efficient and carbon-reducing method of renovation.

**Subd. 3. Flood Hazard Mitigation**2,000,000

(a) For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161.

(b) To the extent practicable, levee projects shall meet the state standard of three feet above the 100-year flood elevation.

(c) The commissioner shall give priority to the city of Moorhead to continue flood mitigation and acquisition of flood-prone properties to address the North Moorhead Project (Oakport area) and gaps in city-wide protection consistent with and compatible to the Fargo-Moorhead Diversion.

(d) This appropriation may be used to alleviate high water on landlocked basins.

(e) To the extent practicable and consistent with the project, recipients of appropriations for flood control projects in this subdivision shall create wetlands that are eligible for wetland replacement credit to replace wetlands drained or filled as the result of repair, reconstruction, replacement, or rehabilitation of an existing public road under Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (l) and (m).

(f) To the extent that the cost of a project exceeds two percent of the median household income in a municipality or township multiplied by the number of households in the municipality or township, this appropriation is also for the local share of the project.

**Subd. 4. State Forest Nursery Facilities**3,600,000

To predesign, design, renovate, and construct improvements to the state forest nursery facilities at Badoura. The project includes renovation and improvements to the seed extractor and cooler storage, construction of a new cooler storage facility, and energy efficient upgrades to all heating, ventilating, and cooling systems.

**Subd. 5. Reforestation**5,000,000

For reforestation and stand improvement on state forest lands to meet the reforestation requirements of Minnesota Statutes, section 89.002, subdivision 2, including purchasing native seeds and native seedlings, planting, seeding, site preparation, and protection on state lands administered by the commissioner.

**Subd. 6. Scientific and Natural Areas**4,000,000

To acquire land for scientific and natural areas and to make improvements of a capital nature to scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5.

**Subd. 7. State Trails**4,800,000

To renovate paved and unpaved state trails established under Minnesota Statutes, section 85.015, according to the commissioner's priorities and as provided in Minnesota Statutes, section 84.946.

**Subd. 8. Acquisition and Betterment of Buildings**7,000,000

For acquisition, design, and construction to improve existing facilities or to replace existing facilities that no longer meet the business needs of the department.

**Subd. 9. Upper Sioux Agency State Park Bond Defeasance**250,000

From the general fund in fiscal year 2022 to the commissioner of management and budget to prepay and defease any outstanding state general obligation bonds used for improvements and betterments at Upper Sioux Agency State Park, including Minnesota Historical Society property located within the park's boundaries, and other associated financing costs. This amount may be deposited, invested, and applied to accomplish the purposes of this section as provided in Minnesota Statutes, section 475.67, subdivisions 5 to 10 and 13. Upon the prepayment and defeasance of all associated debt on the real property and improvements, all conditions set forth in Minnesota Statutes, section 16A.695, subdivision 3, shall be deemed to have been satisfied and the real property and improvements shall no longer constitute state bond financed property under Minnesota Statutes, section 16A.695.

**Sec. 8. BOARD OF WATER AND SOIL RESOURCES****\$14,307,000**

To the Board of Water and Soil Resources to acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands and associated uplands of prairie and grasslands, and to restore and enhance rivers and streams, riparian lands, and associated uplands of prairie and grasslands, in order to protect soil and water quality, support fish and wildlife habitat, reduce flood damage, and provide other public benefits. The provisions of Minnesota Statutes, section 103F.515, apply to this program. The board shall give priority to leveraging federal money by enrolling targeted new lands or enrolling environmentally sensitive lands that have expiring federal conservation agreements. The board is authorized to enter into new agreements and amend past agreements with landowners as required by Minnesota Statutes, section 103F.515, subdivision 5, to allow for restoration. Up to five percent of this appropriation may be used for restoration and enhancement.

Sec. 9. **MINNESOTA ZOOLOGICAL GARDEN**

**Subdivision 1. Total Appropriation**

**\$12,500,000**

To the Minnesota Zoological Board for the purposes specified in this section.

**Subd. 2. Animal Hospital Renovation**

5,000,000

To design, renovate, construct, furnish, and equip the animal hospital at the Minnesota Zoological Garden.

**Subd. 3. Reopen the Nocturnal Trail**

4,000,000

To design, renovate, construct, furnish, and equip the closed portion of the Nocturnal Trail.

**Subd. 4. Asset Preservation**

3,500,000

For capital asset preservation improvements and betterments to infrastructure and exhibits at the Minnesota Zoological Garden, to be spent in accordance with Minnesota Statutes, section 16B.307. Notwithstanding the specified uses of money under Minnesota Statutes, section 16B.307, the board may use this appropriation to replace buildings that are in poor condition, outdated, and no longer support the work of the Minnesota Zoological Garden site.

Sec. 10. **ADMINISTRATION**

**Subdivision 1. Total Appropriation**

**\$51,133,000**

To the commissioner of administration for the purposes specified in this section.

**Subd. 2. Capital Asset Preservation and Replacement Account**

3,133,000

To be spent in accordance with Minnesota Statutes, section 16A.632.

**Subd. 3. Capitol Complex - Physical Security Upgrades Phase II**

43,000,000

For the continuation of the design, construction, and equipping required to upgrade the physical security elements and systems for the Capitol Mall and the buildings listed in this subdivision, their attached tunnel systems, their surrounding grounds, and parking facilities as identified in the 2017 Minnesota State Capitol Complex Physical Security Predesign completed by Miller Dunwiddie and an updated assessment to be completed in 2021. Work includes but is not limited to the installation of bollards,

blast protection, infrastructure security screen walls, door access controls, emergency call stations, surveillance systems, security kiosks, locking devices, and traffic and crowd control devices. This appropriation includes money for work associated with the following buildings: Administration, Ag/Health Lab, Bureau of Criminal Apprehension, Capitol, Centennial, Governor's Residence, Judicial Center, Minnesota History Center, Capitol Complex Power Plant and Shops, Stassen, State Office, and Veterans Service. \$12,000,000 of this appropriation is from the general fund in fiscal year 2022 to be used at the Andersen, Freeman, Minnesota Senate, Retirement Systems, and Transportation buildings for the purposes described in this subdivision.

**Subd. 4. State Buildings; Solar Energy Generation**

5,000,000

To provide funds to state agencies for solar energy generation improvements under article 4, section 2.

**Sec. 11. AMATEUR SPORTS COMMISSION**

**\$3,500,000**

To the Minnesota Amateur Sports Commission for grants to local governments under Minnesota Statutes, section 240A.09, paragraph (b), to improve indoor air quality or eliminate R-22. This appropriation shall not be used to acquire ice resurfacing or edging equipment. The commission may prioritize grants to projects in environmental justice areas of concern. For the purposes of this section, "environmental justice area of concern" means one or more census blocks in Minnesota in which, based on the most recent data published by the United States Census Bureau:

(1) 40 percent or more of the population is nonwhite;

(2) 35 percent or more of the households have an income at or below 200 percent of the federal poverty level; or

(3) 40 percent or more of the population over the age of five have limited English proficiency.

**Sec. 12. TRANSPORTATION**

**Subdivision 1. Total Appropriation**

**\$77,500,000**

To the commissioner of transportation for the purposes specified in this section.

**Subd. 2. Local Road Improvement Fund Grants**

10,000,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for eligible trunk highway corridor improvement projects under Minnesota Statutes,

section 174.52, subdivision 2, for construction and reconstruction of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4, or for grants to counties to assist in paying the costs of rural road safety capital improvement projects on county state-aid highways under Minnesota Statutes, section 174.52, subdivision 4a. Of this appropriation, at least \$1,000,000 is for projects on town roads.

**Subd. 3. Local Bridge Replacement and Rehabilitation**

30,000,000

(a) From the bond proceeds account in the state transportation fund to match federal money and to replace or rehabilitate local deficient bridges as provided in Minnesota Statutes, section 174.50.

(b) \$3,500,000 of this appropriation is for a grant to Washington County to predesign, design, engineer, construct, and equip the reconstruction of the 4th Street Bridge over marked Interstate Highway 694 in the city of Oakdale.

**Subd. 4. Safe Routes to School**

8,000,000

For grants under Minnesota Statutes, section 174.40.

**Subd. 5. Port Development Assistance**

4,000,000

For grants under Minnesota Statutes, chapter 457A. Any improvements made with the proceeds of these grants must be publicly owned. This appropriation shall be evenly distributed to ports in the following cities:

(1) Duluth;

(2) Red Wing;

(3) St. Paul; and

(4) Winona.

**Subd. 6. Passenger Rail**

25,500,000

(a) For intercity passenger rail projects on phase I corridors as identified in the 2015 update to the state rail plan under Minnesota Statutes, section 174.03, subdivision 1b. This appropriation may only be used for projects that have received environmental approval.

(b) This appropriation is for expenditure by the commissioner and is available for: program delivery, design, preliminary, and final engineering; environmental analysis and mitigation; acquisition of land and right-of-way; and construction.

Sec. 13. **METROPOLITAN COUNCIL**

Subdivision 1. **Total Appropriation**

**\$68,700,000**

To the Metropolitan Council for the purposes specified in this section.

Subd. 2. **Metropolitan Cities Inflow and Infiltration Grants**

15,000,000

(a) For grants to cities within the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, for capital improvements in municipal wastewater collection systems to reduce the amount of inflow and infiltration to the Metropolitan Council's metropolitan sanitary sewer disposal system. Grants from this appropriation are for up to 50 percent of the cost to mitigate inflow and infiltration in the publicly owned municipal wastewater collection systems. To be eligible for a grant, a city must be identified by the council as a contributor of excessive inflow and infiltration in the metropolitan disposal system or have a measured flow rate within 20 percent of its allowable council-determined inflow and infiltration limits. The council must award grants based on applications from cities that identify eligible capital costs and include a timeline for inflow and infiltration mitigation construction, pursuant to guidelines established by the council.

(b) The council may prioritize grants to projects in environmental justice areas of concern. For the purposes of this subdivision, "environmental justice area of concern" means one or more census blocks in Minnesota in which, based on the most recent data published by the United States Census Bureau:

(1) 40 percent or more of the population is nonwhite;

(2) 35 percent or more of the households have an income at or below 200 percent of the federal poverty level; or

(3) 40 percent or more of the population over the age of five have limited English proficiency.

Subd. 3. **Metropolitan Regional Parks and Trails**

11,500,000

(a) For the cost of improvements and betterments of a capital nature and acquisition by the council and local government units of regional recreational open-space lands in accordance with the council's policy plan as provided in Minnesota Statutes, section 473.147. This appropriation must not be used to purchase easements.

(b) \$4,000,000 of this appropriation is for right-of-way acquisition and for predesign, design, engineering, and construction of pedestrian safety related improvements including grade-separated crossings of railroads and multilane highways, for the purpose of completing a segment of a regional greenway that:

(1) is within the Mississippi National River and Recreation Area;

(2) is located in an industrial area;

(3) is crossed by a skewed rail line at greater than a 30 degree angle; and

(4) is 2-1/2 miles in length.

**Subd. 4. Bus Rapid Transit Lines**

40,000,000

For environmental analysis, design, engineering, right-of-way acquisition, and construction of the E line bus rapid transit project from Minneapolis to Southdale Transit Center.

**Subd. 5. Electric Transit Vehicle Charging Infrastructure**

1,000,000

From the general fund for the purpose of financing the cost of acquiring and installing electric transit vehicle charging infrastructure on council-owned property. For the purposes of this subdivision, "electric transit vehicle charging infrastructure" means on-route charging stations and charging stations in garage facilities for buses, coaches, and paratransit vehicles owned by the Metropolitan Council.

**Subd. 6. St. Paul; Como Zoo**

1,200,000

For a grant to the city of St. Paul for asset preservation improvements and betterments of a capital nature to infrastructure and exhibits at Como Zoo.

**Sec. 14. HUMAN SERVICES**

**Subdivision 1. Total Appropriation**

**\$21,063,000**

To the commissioner of administration or other named entity for the purposes of this section.

**Subd. 2. Asset Preservation**

2,213,000

For asset preservation improvements and betterments of a capital nature at Department of Human Services facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. St. Peter Regional Treatment Center Campus - Phase 2** **8,850,000**

To design, renovate, construct, furnish, and equip the second phase of a multiphase project to develop additional residential, program, activity, and ancillary facilities for the Minnesota sex offender program on the lower campus of the St. Peter Regional Treatment Center. This appropriation includes money to design, renovate, construct, furnish, and equip the west, south, and north wings of the Sunrise Building. This appropriation also includes money to: replace or renovate HVAC, plumbing, electrical, security, and life safety systems; address fire and life safety, and other building code deficiencies; replace windows and doors; tuck-point exterior building envelopes; reconfigure and remodel space; design and abate asbestos and other hazardous materials; remove or demolish nonfunctioning building components; and complete site work necessary to support the programmed use of the building.

**Subd. 4. Early Childhood Learning Facilities** **10,000,000**

To the commissioner of human services for grants under Minnesota Statutes, section 256E.37, to construct and rehabilitate early childhood learning facilities. Notwithstanding the limitations and requirements for geographic distribution in Minnesota Statutes, section 256E.37, the commissioner of human services may distribute grants to facilities located in any county.

**Sec. 15. VETERANS AFFAIRS**

**Subdivision 1. Total Appropriation** **\$8,500,000**

To the commissioner of administration for the purposes specified in this section.

**Subd. 2. Asset Preservation** **4,000,000**

For asset preservation improvements and betterments of a capital nature at the veterans homes in Minneapolis, Hastings, Fergus Falls, Silver Bay, and Luverne, and the Little Falls Cemetery, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. New State Veterans Cemetery** **4,500,000**

To design, construct, furnish, and equip a new State Veterans Cemetery in Redwood County.

**Sec. 16. CORRECTIONS**

**Subdivision 1. Total Appropriation** **\$9,120,000**

For the purposes specified in this section.

**Subd. 2. Asset Preservation****8,445,000**

To the commissioner of administration for asset preservation improvements and betterments of a capital nature at Minnesota correctional facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Regional and County Jails Study and Report****675,000**

From the general fund to the commissioner of corrections for the costs of completing the study and report required in article 4. This appropriation is onetime and is available until December 31, 2022.

**Sec. 17. EMPLOYMENT AND ECONOMIC DEVELOPMENT****Subdivision 1. Total Appropriation****\$6,200,000**

To the commissioner of employment and economic development for the purposes of this section.

**Subd. 2. Greater Minnesota Child Care Facility Program****5,000,000**

For the greater Minnesota child care facility capital grant program under Minnesota Statutes, section 116J.417.

**Subd. 3. Lake Superior Zoo****1,200,000**

For a grant to the city of Duluth for asset preservation at the Lake Superior Zoo.

**Sec. 18. PUBLIC FACILITIES AUTHORITY****Subdivision 1. Total Appropriation****\$15,000,000**

To the Public Facilities Authority for the purposes specified in this section.

**Subd. 2. Water Infrastructure Funding Program****15,000,000**

(a) For grants to eligible municipalities under the water infrastructure funding program under Minnesota Statutes, section 446A.072.

(b) \$7,500,000 is for wastewater projects listed on the Pollution Control Agency's project priority list in the fundable range under the clean water revolving fund program.

(c) \$7,500,000 is for drinking water projects listed on the commissioner of health's project priority list in the fundable range under the drinking water revolving fund program.

(d) After all eligible projects under paragraph (b) or (c) have been funded in a fiscal year, the Public Facilities Authority may transfer any remaining, uncommitted money to eligible projects under a program defined in paragraph (b) or (c) based on that program's project priority list.

Sec. 19. **MINNESOTA HOUSING FINANCE AGENCY**

**\$100,000,000**

To the commissioner of the Minnesota Housing Finance Agency for transfer to the housing development fund to finance the costs of rehabilitation to preserve public housing under Minnesota Statutes, section 462A.202, subdivision 3a. For purposes of this section, "public housing" means housing for low-income persons and households financed by the federal government and owned and operated by the public housing authorities and agencies formed by cities and counties. Priority must be given to proposals that maximize federal or local resources to finance the capital costs. The priority in Minnesota Statutes, section 462A.202, subdivision 3a, for projects to increase the supply of affordable housing and the restrictions of Minnesota Statutes, section 462A.202, subdivision 7, do not apply to this appropriation.

Sec. 20. **MINNESOTA HISTORICAL SOCIETY**

**\$2,375,000**

To the Minnesota Historical Society for capital improvements and betterments at state historic sites, buildings, landscaping at historic buildings, exhibits, markers, and monuments, to be spent in accordance with Minnesota Statutes, section 16B.307. The society shall determine project priorities as appropriate based on need.

Sec. 21. **BOND SALE EXPENSES**

**\$503,000**

To the commissioner of management and budget from the bond proceeds fund for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

Sec. 22. **BOND SALE AUTHORIZATION.**

Subdivision 1. **Bond proceeds fund.** To provide the money appropriated in this act from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$460,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. **Transportation fund.** To provide the money appropriated in this act from the bond proceeds account in the state transportation fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$40,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Sec. 23. **BOND SALE SCHEDULE.**

The commissioner of management and budget shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2023, no more than \$1,286,432,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of management and budget shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 24. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

ARTICLE 2  
APPROPRIATION AND HOUSING  
INFRASTRUCTURE BONDS

Section 1. **PURPOSE.**

The financing provided by Minnesota Statutes, section 16A.962, is for the public purpose of redeveloping the areas in Minneapolis and St. Paul damaged in May and June of 2020, by civil unrest which led to severe damage or destruction to small businesses, private property, and public property in Minneapolis and St. Paul. The public purpose of the redevelopment is to create or retain jobs, preserve the tax base and support enterprise development and wealth creation for persons adversely affected by long-standing structural racial discrimination and poverty and prevent displacement of small businesses owned by people of color and indigenous people.

Sec. 2. **[16A.962] REDEVELOPMENT APPROPRIATION BONDS.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Appropriation bond" or "bond" means a bond, note, or other similar instrument of the state payable during a biennium from one or more of the following sources:

(1) money appropriated by law from the general fund in any biennium for debt service due with respect to obligations described in subdivision 2, paragraph (a);

(2) proceeds of the sale of obligations described in subdivision 2, paragraph (a);

(3) payments received for that purpose under agreements and ancillary arrangements described in subdivision 2, paragraph (d); and

(4) investment earnings on amounts in clauses (1) to (3).

(c) "City" means Minneapolis or St. Paul, or an agency of Minneapolis or St. Paul.

(d) "Debt service" means the amount payable in any biennium of principal, premium, if any, and interest on appropriation bonds, and the fees, charges, and expenses related to the bonds.

(e) "Eligible area" means an area in Minneapolis or St. Paul adversely affected by civil unrest during the events leading up to and surrounding the peacetime emergency declared in Emergency Executive Order 20-64.

(f) "Redevelopment" may include the acquisition of real property; site preparation; predesign, design, engineering, repair, or renovation of facilities damaged during the civil unrest and construction of buildings, infrastructure, and related site amenities, including energy conservation improvements as defined in section 216B.241, subdivision 1, paragraph (e); landscaping; street-scaping; land-banking for future development or redevelopment; or financing any of these activities taken on by a private party pursuant to an agreement with the city. Redevelopment does not include project costs eligible for compensation or assistance available through insurance policies or from other organizations or government agencies.

**Subd. 2. Authorization to issue appropriation bonds.** (a) Subject to the limitations of this subdivision, the commissioner may sell and issue appropriation bonds of the state under this section for public purposes as provided by law, including for the purposes of capitalizing an account in the city of Minneapolis' commercial property development fund and an account in the St. Paul housing and redevelopment authority's funds to pay for redevelopment in the eligible areas. Appropriation bonds may be sold and issued in amounts that, in the opinion of the commissioner, are necessary to provide sufficient money to the commissioner of employment and economic development under subdivision 7, not to exceed \$300,000,000 net of costs of issuance, for the purposes as provided under this subdivision; to pay debt service including capitalized interest, costs of issuance, and costs of credit enhancement; or to make payments under other agreements entered into under paragraph (d).

(b) Proceeds of the appropriation bonds must be credited to a special appropriation redevelopment bond proceeds fund in the state treasury. All income from investment of the bond proceeds is appropriated to the commissioner for the payment of principal and interest on the appropriation bonds.

(c) Appropriation bonds may be issued in one or more issues or series on the terms and conditions the commissioner determines to be in the best interests of the state, but the term on any series of appropriation bonds may not exceed 21 years. The appropriation bonds of each issue and series thereof shall be dated and bear interest from the date of issuance, and may be includable in or excludable from the gross income of the owners for federal income tax purposes.

(d) At the time of, or in anticipation of, issuing the appropriation bonds, and at any time thereafter so long as the appropriation bonds are outstanding, the commissioner may enter into agreements and ancillary arrangements relating to the appropriation bonds, including but not limited to trust indentures, grant agreements, lease or use agreements, operating agreements, management agreements, liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payments made or received according to the agreement or ancillary arrangement shall be made from or deposited as provided in the agreement or ancillary arrangement. The determination of the commissioner, included in an interest exchange agreement, that the agreement relates to an appropriation bond, shall be conclusive.

(e) The commissioner may enter into written agreements or contracts relating to the continuing disclosure of information necessary to comply with or facilitate the issuance of appropriation bonds in accordance with federal securities laws, rules, and regulations, including Securities and Exchange Commission rules and regulations in Code of Federal Regulations, title 17, section 240.15c 2-12. An agreement may be in the form of covenants with purchasers and holders of appropriation bonds set forth in the order or resolution authorizing the issuance of the appropriation bonds, or a separate document authorized by the order or resolution.

(f) The appropriation bonds are not subject to chapter 16C.

Subd. 3. **Form; procedure.** (a) Appropriation bonds may be issued in the form of bonds, notes, or other similar instruments in the manner provided in section 16A.672. In the event that any provision of section 16A.672 conflicts with this section, this section shall control.

(b) Every appropriation bond shall include a conspicuous statement of the limitation established in subdivision 6.

(c) Appropriation bonds may be sold at either public or private sale upon such terms as the commissioner shall determine are not inconsistent with this section and may be sold at any price or percentage of par value. Any bid received may be rejected.

(d) Appropriation bonds must bear interest at a fixed or variable rate.

(e) Notwithstanding any other law, appropriation bonds issued under this section shall be fully negotiable.

Subd. 4. **Refunding bonds.** The commissioner may issue appropriation bonds for the purpose of refunding any appropriation bonds issued under subdivision 2 then outstanding, including the payment of any redemption premiums on the bonds, any interest accrued or to accrue to the redemption date, and costs related to the issuance and sale of the refunding bonds. The proceeds of any refunding bonds may, at the discretion of the commissioner, be applied to the purchase or payment at maturity of the appropriation bonds to be refunded, to the redemption of the outstanding appropriation bonds on any redemption date, or to pay interest on the refunding bonds and may, pending application, be placed in escrow to be applied to the purchase, payment, retirement, or redemption. Any escrowed proceeds, pending such use, may be invested and reinvested in obligations that are authorized investments under section 11A.24. The income earned or realized on the investment may also be applied to the payment of the appropriation bonds to be refunded or interest or premiums on the refunded appropriation bonds, or to pay interest on the refunding bonds. After the terms of the escrow have been fully satisfied, any balance of the proceeds and any investment income may be returned to the general fund or, if applicable, the special appropriation redevelopment bond proceeds fund for use in any lawful manner. All refunding bonds issued under this subdivision must be prepared, executed, delivered, and secured by appropriations in the same manner as the appropriation bonds to be refunded.

Subd. 5. **Appropriation bonds as legal investments.** Any of the following entities may legally invest any sinking funds, money, or other funds belonging to them or under their control in any appropriation bonds issued under this section:

(1) the state, the investment board, public officers, municipal corporations, political subdivisions, and public bodies;

(2) banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business; and

(3) personal representatives, guardians, trustees, and other fiduciaries.

Subd. 6. **No full faith and credit; state not required to make appropriations.** The appropriation bonds are not public debt of the state, and the full faith, credit, and taxing powers of the state are not pledged to the payment of the appropriation bonds or to any payment that the state agrees to make under this section. Appropriation bonds shall not be obligations paid directly, in whole or in part, from a tax of statewide application on any class of property, income, transaction, or privilege. Appropriation bonds shall be payable in each fiscal year only from amounts that the legislature may appropriate for debt service for any fiscal year, provided that nothing in this section shall be construed to require the state to appropriate money sufficient to make debt service payments with respect to the appropriation bonds in any fiscal year. Appropriation bonds shall be canceled and shall no longer be outstanding on the earlier of (1) the first day of a fiscal year for which the legislature shall not have appropriated amounts sufficient for debt service, or (2) the date of final payment of the principal of and interest on the appropriation bonds.

Subd. 7. **Appropriation of proceeds.** The proceeds of appropriation bonds issued under subdivision 2, paragraph (a), and interest credited to the special appropriation redevelopment bond proceeds fund are appropriated as follows:

(1) to the commissioner of employment and economic development for a grant of \$200,000,000 to the city of Minneapolis and a grant of \$100,000,000 to the Saint Paul Housing and Redevelopment Authority, and as further specified in subdivision 2, paragraph (a); and

(2) to the commissioner of management and budget for debt service on the bonds including capitalized interest, nonsalary costs of issuance of the bonds, costs of credit enhancement of the bonds, and payments under any agreements entered into under subdivision 2, paragraph (d), as permitted by state and federal law.

Subd. 8. **Appropriation for debt service and other purposes.** An amount needed to pay principal and interest on appropriation bonds issued under subdivision 2, paragraph (a), is appropriated each fiscal year from the general fund to the commissioner, subject to repeal, unallotment under section 16A.152, or cancellation, otherwise pursuant to subdivision 6, for deposit into the bond payments account established for such purpose in the special appropriation redevelopment bond proceeds fund. The appropriation is available beginning in fiscal year 2022 and remains available through fiscal year 2043.

Subd. 9. **Waiver of immunity.** The waiver of immunity by the state provided for by section 3.751, subdivision 1, shall be applicable to the appropriation bonds and any ancillary contracts to which the commissioner is a party.

Subd. 10. **Grant requirements.** In addition to any other terms in a grant agreement with the commissioner of employment and economic development, a grant of special appropriation redevelopment bonds proceeds must:

(1) require the city to segregate the grant money in a separate account;

(2) require the payment to the state, for deposit into the bond payments account established for such purpose in the special appropriation redevelopment bond proceeds fund, the proceeds of the sale of any property financed with a grant under this section in an amount up to the amount of the grant, if the sale of the property occurs during the term of the grant agreement, except that a sale of a property to a qualified person as determined by the grant recipient's program or project funding criteria is exempt from the requirements of this clause;

(3) require each grant recipient in subdivision 7, to enhance economic opportunities for long-term residents, to prioritize businesses owned or operated by a minority person as defined in section 116M.14, and to prioritize the retention and rebuilding of impacted businesses and infrastructure in the eligible area;

(4) require that all new and substantially reconstructed buildings receiving grant funds, which includes projects encompassing at least 10,000 square feet or no less than the replacement of the mechanical, ventilation, or cooling system of a building or a building section, meet the building performance standards described in section 216B.241, subdivision 9; and

(5) beginning on December 1, 2022, and each year thereafter until all grant funds have been expended, require an annual report to the commissioner of employment and economic development from each grant recipient on the expenditures made from the accounts funded with a grant made under this section in the form that the commissioner prescribes and include any documentation of and supporting information regarding the expenditures that the commissioner requires. This report must include any measures of success toward achieving the goals and standards outlined in clauses (3) and (4).

Subd. 11. **Audit.** The commissioner of employment and economic development must review the report of expenditures made by the cities.

Subd. 12. **Prevailing wage requirement.** During the construction, installation, remodeling, and repair of any project funded by bonds sold under this section, laborers and mechanics at the site must be paid the prevailing wage rate as defined in section 177.42, subdivision 6, and the project is subject to the requirements of sections 177.30 and 177.41 to 177.44.

Subd. 13. **Zoning exemption.** (a) A property financed with a grant under this section is exempt from minimum height and minimum floor area ratio standards through June 30, 2025, provided that a proposed redevelopment on a property that conformed to such standards on May 1, 2020, is subject to all other applicable zoning standards.

(b) Notwithstanding section 462.357, subdivision 1e, or municipal ordinance, a property financed with a grant under this section may apply through June 30, 2025, for a building permit to reconstruct a nonconforming use or nonconforming structure that is comparable to a use or structure that existed on the property on May 1, 2020.

(c) A property subject to the zoning and building permit exemptions in this subdivision is exempt from public hearing processes to obtain approval unless the request expands a nonconforming use. The city may impose reasonable conditions upon a zoning or building permit to mitigate any newly created impact on adjacent property.

Subd. 14. **Report to the legislature.** By December 31, 2023, and every December 31 thereafter, the commissioner of employment and economic development must submit a report as required under section 3.195 that details the use of money under this section, including any measures of success toward achieving the goals under subdivision 10, clause (3). A copy of this report must also be sent to the chairs and ranking minority members of the committees of the house of representatives and the senate having jurisdiction over economic development and capital investment.

Sec. 3. Minnesota Statutes 2020, section 462A.37, subdivision 1, is amended to read:

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

(b) "Abandoned property" has the meaning given in section 117.025, subdivision 5.

(c) "Community land trust" means an entity that meets the requirements of section 462A.31, subdivisions 1 and 2.

(d) "Debt service" means the amount payable in any fiscal year of principal, premium, if any, and interest on housing infrastructure bonds and the fees, charges, and expenses related to the bonds.

(e) "Foreclosed property" means residential property where foreclosure proceedings have been initiated or have been completed and title transferred or where title is transferred in lieu of foreclosure.

(f) "Housing infrastructure bonds" means bonds issued by the agency under this chapter that:

(1) are qualified 501(c)(3) bonds, within the meaning of section 145(a) of the Internal Revenue Code;

(2) finance qualified residential rental projects within the meaning of section 142(d) of the Internal Revenue Code;

(3) finance the construction or rehabilitation of single-family houses that qualify for mortgage financing within the meaning of section 143 of the Internal Revenue Code; or

(4) are tax-exempt bonds that are not private activity bonds, within the meaning of section 141(a) of the Internal Revenue Code, for the purpose of financing or refinancing affordable housing authorized under this chapter.

(g) "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended.

(h) "Naturally occurring affordable housing" or "NOAH" means multiunit rental housing where the majority of the units are affordable to individuals and families with incomes at or below 60 percent of the area median income, that otherwise does not receive place-based state or federal governmental subsidies.

(i) "Senior" means a person 55 years of age or older with an annual income not greater than 50 percent of:

- (1) the metropolitan area median income for persons in the metropolitan area; or
- (2) the statewide median income for persons outside the metropolitan area.

(j) "Senior housing" means housing intended and operated for occupancy by at least one senior per unit with at least 80 percent of the units occupied by at least one senior per unit, and for which there is publication of, and adherence to, policies and procedures that demonstrate an intent by the owner or manager to provide housing for seniors. Senior housing may be developed in conjunction with and as a distinct portion of mixed-income senior housing developments that use a variety of public or private financing sources.

(k) "Supportive housing" means housing that is not time-limited and provides or coordinates with linkages to services necessary for residents to maintain housing stability and maximize opportunities for education and employment.

Sec. 4. Minnesota Statutes 2020, section 462A.37, subdivision 2, is amended to read:

Subd. 2. **Authorization.** (a) The agency may issue up to \$30,000,000 in aggregate principal amount of housing infrastructure bonds in one or more series to which the payment made under this section may be pledged. The housing infrastructure bonds authorized in this subdivision may be issued to fund loans, or grants for the purposes of clause (4), on terms and conditions the agency deems appropriate, made for one or more of the following purposes:

(1) to finance the costs of the construction, acquisition, and rehabilitation of supportive housing for individuals and families who are without a permanent residence;

(2) to finance the costs of the acquisition and rehabilitation of foreclosed or abandoned housing to be used for affordable rental housing and the costs of new construction of rental housing on abandoned or foreclosed property where the existing structures will be demolished or removed;

(3) to finance that portion of the costs of acquisition of property that is attributable to the land to be leased by community land trusts to low- and moderate-income home buyers;

(4) to finance the acquisition, improvement, and infrastructure of manufactured home parks under section 462A.2035, subdivision 1b;

(5) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of senior housing;

(6) to finance the costs of acquisition and rehabilitation of federally assisted rental housing and for the refinancing of costs of the construction, acquisition, and rehabilitation of federally assisted rental housing, including providing funds to refund, in whole or in part, outstanding bonds previously issued by the agency or another government unit to finance or refinance such costs; ~~and~~

(7) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of single-family housing;

(8) to finance the costs of acquisition, rehabilitation, adaptive reuse, or new construction of multifamily rental housing for households with incomes at or below 50 percent of the area median income. Among comparable proposals, the agency shall give priority to requests for projects that serve households at the lowest incomes; and

(9) to finance the costs of acquisition and rehabilitation of naturally occurring affordable housing in order to preserve a long-term source of affordable housing.

(b) Among comparable proposals for permanent supportive housing, preference shall be given to permanent supportive housing for veterans and other individuals or families who:

(1) either have been without a permanent residence for at least 12 months or at least four times in the last three years; or

(2) are at significant risk of lacking a permanent residence for 12 months or at least four times in the last three years.

(c) Among comparable proposals for senior housing, the agency must give priority to requests for projects that:

(1) demonstrate a commitment to maintaining the housing financed as affordable to seniors;

(2) leverage other sources of funding to finance the project, including the use of low-income housing tax credits;

(3) provide access to services to residents and demonstrate the ability to increase physical supports and support services as residents age and experience increasing levels of disability;

(4) provide a service plan containing the elements of clause (3) reviewed by the housing authority, economic development authority, public housing authority, or community development agency that has an area of operation for the jurisdiction in which the project is located; and

(5) include households with incomes that do not exceed 30 percent of the median household income for the metropolitan area.

(d) To the extent practicable, the agency shall balance the loans made between projects in the metropolitan area and projects outside the metropolitan area. Of the loans made to projects outside the metropolitan area, the agency shall, to the extent practicable, balance the loans made between projects in counties or cities with a population of 20,000 or less, as established by the most recent decennial census, and projects in counties or cities with populations in excess of 20,000.

Sec. 5. Minnesota Statutes 2020, section 462A.37, is amended by adding a subdivision to read:

Subd. 2h. **Additional authorization.** In addition to the amount authorized in subdivisions 2 to 2g, the agency may issue up to \$150,000,000 in housing infrastructure bonds in one or more series to which the payments under this section may be pledged.

Sec. 6. Minnesota Statutes 2020, section 462A.37, subdivision 5, is amended to read:

Subd. 5. **Additional appropriation.** (a) The agency must certify annually to the commissioner of management and budget the actual amount of annual debt service on each series of bonds issued under this section.

(b) Each July 15, beginning in 2015 and through 2037, if any housing infrastructure bonds issued under subdivision 2a remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$6,400,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(c) Each July 15, beginning in 2017 and through 2038, if any housing infrastructure bonds issued under subdivision 2b remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$800,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(d) Each July 15, beginning in 2019 and through 2040, if any housing infrastructure bonds issued under subdivision 2c remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$2,800,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(e) Each July 15, beginning in 2020 and through 2041, if any housing infrastructure bonds issued under subdivision 2d remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(f) Each July 15, beginning in 2020 and through 2041, if any housing infrastructure bonds issued under subdivision 2e remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(g) Each July 15, beginning in 2022 and through 2043, if any housing infrastructure bonds issued under subdivision 2f remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(h) Each July 15, beginning in 2022 and through 2043, if any housing infrastructure bonds issued under subdivision 2g remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(i) Each July 15, beginning in 2023 and through 2044, if any housing infrastructure bonds issued under subdivision 2h remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(+) (j) The agency may pledge to the payment of the housing infrastructure bonds the payments to be made by the state under this section.

## Sec. 7. HOUSING INFRASTRUCTURE BONDS; SHELTER FACILITIES.

Subdivision 1. Definition. For the purposes of this section, "shelter facility" means a facility having a primary purpose to provide a temporary shelter for the homeless in general, or for a specific homeless population, and does not require occupants to sign leases or occupancy agreements.

Subd. 2. **Authorized use.** In fiscal year 2022 only, housing infrastructure bonds under Minnesota Statutes, section 462A.37, may be issued to finance the costs of acquisition, rehabilitation, adaptive reuse, and new construction of shelter facilities in accordance with this section.

Subd. 3. **Additional authorization.** In addition to the amount authorized in Minnesota Statutes, section 462A.37, subdivisions 2 to 2h, the Minnesota Housing Finance Agency may issue up to \$50,000,000 in housing infrastructure bonds in one or more series to which the payments under this section must be pledged for shelter facilities. \$10,000,000 of this authorization must fund one or more grants to Simpson Housing Services, a not-for-profit corporation under section 501(c)(3) of the Internal Revenue Code, to construct and renovate shelter facilities in the city of Minneapolis.

Subd. 4. **Debt service.** Each July 15, beginning in 2023 and through 2044, if any housing infrastructure bonds issued under this section remain outstanding, the commissioner of management and budget must transfer to the housing infrastructure bond account established under Minnesota Statutes, section 462A.21, subdivision 33, the amount certified under Minnesota Statutes, section 462A.37, subdivision 5, paragraph (a). The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

Sec. 8. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

ARTICLE 3  
EQUITY APPROPRIATIONS

Section 1. **CAPITAL IMPROVEMENT APPROPRIATIONS.**

The sums shown in the column under "Appropriations" are appropriated from the general fund in fiscal year 2022 to the state agencies or entities indicated, to be spent for public purposes. The appropriations in this article are onetime and are available until the project is completed or abandoned subject to Minnesota Statutes, section 16A.642.

**APPROPRIATIONS**

Sec. 2. **METROPOLITAN COUNCIL**

**\$1,200,000**

To the Metropolitan Council for a grant to the city of St. Paul for the Wakan Tipi Center project. This appropriation is in addition to the appropriation for the Nature Sanctuary Visitor Center in Laws 2018, chapter 214, article 1, section 17, subdivision 6, and the appropriation for the Wakan Tipi Center project in Laws 2020, Fifth Special Session chapter 3, article 1, section 17, subdivision 11, and is for the same purposes.

Sec. 3. **EMPLOYMENT AND ECONOMIC DEVELOPMENT**

Subdivision 1. **Total Appropriation**

**\$13,789,000**

To the commissioner of employment and economic development for the purposes of this section.

**Subd. 2. African Economic Development Solutions** 1,000,000

For a grant to African Economic Development Solutions to rehabilitate property that supports business incubation and workforce development and technical assistance to support new and existing African immigrant entrepreneurs aimed at addressing pervasive economic inequities.

**Subd. 3. 30,000 Feet; Black Arts Center** 1,500,000

For a grant to 30,000 Feet, a nonprofit organization, to acquire property, design, construct, renovate, furnish, and equip a Black Arts Center to increase the number of African American youth and families served through culturally responsive arts and technology education, social-emotional learning, and African American history and culture.

**Subd. 4. Latino Economic Development Center** 950,000

For a grant to the Latino Economic Development Center for replacement of mechanical systems, construction or renovation of interior spaces, and other improvements of a capital nature to the building that will operate as a small business incubator on Payne Avenue and serve other community uses.

**Subd. 5. East Side Freedom Library** 300,000

For a grant to the city of St. Paul for asset preservation at the Carnegie Library, formerly known as the Arlington Hills Public Library.

**Subd. 6. Food Relief Organizations** 1,200,000

For grants to Minnesota food relief organizations for infrastructure needs and improvements of a capital nature. Of this amount:

(1) \$300,000 is for Keystone Community Services capital improvements at a new community food site in Ramsey County;

(2) \$300,000 is for Southern Anoka Community Assistance for capital improvements at a new food shelf;

(3) \$300,000 is for 360 Communities for capital improvements at a new resource center and food shelf in Dakota County; and

(4) \$300,000 is for Community Pathways of Steele County for capital improvements at the current food shelf location.

**Subd. 7. Funny Asian Women Kollektive Arts Center** 1,000,000

For a grant to Funny Asian Women Kollektive for the acquisition of property, predesign, design, site preparation, preconstruction services, and renovation of an arts center in the city of St. Paul.

**Subd. 8. Leech Lake Band of Ojibwe Veterans Building**2,000,000

For a grant to the Tribal council of the Leech Lake Band of Ojibwe for demolition of an existing structure and predesign, design, site preparation, and preconstruction services for a new veterans building.

**Subd. 9. Mercado Central**850,000

For a grant to Mercado Central, LLC, to design and construct a parking lot, roof replacement, and interior repairs of a capital nature to the marketplace facility in the city of Minneapolis.

**Subd. 10. Native American Community Clinic**1,000,000

For a grant to the Native American Community Clinic in the city of Minneapolis for predesign, design, renovation, and construction of the building in which the clinic is located.

**Subd. 11. Minneapolis Regional Apprenticeship Training Center**789,000

For a grant to Northgate Development, LLC, to renovate, equip, and furnish a former state workforce center building for a regional apprenticeship training center in the city of Minneapolis to provide skills training to students and young adults in emerging energy-related and utility careers. This appropriation includes money for financing of energy efficient upgrades and renewable energy investments in the property.

**Subd. 12. Meat Processing Businesses in a Redevelopment Area**1,000,000

For a grant to the South St. Paul Economic Development Authority to design one or more USDA-grade food processing facilities in a new or expanded industrial park to replace existing food processing facilities currently located within the Hardman Triangle Redevelopment Area aimed at creating new, value-added economic opportunities for Minnesotans of Southeast Asian descent. This appropriation includes, but is not limited to, architectural and structural design of new food processing facilities; civil engineering of storm water, wastewater, and other utility infrastructure systems to service new food processing facilities; engineering, design, and development of specifications for machinery and equipment customarily used in the food processing industry; and site design for the new food processing facilities.

**Subd. 13. Youth Mental Health and Wellness Community Center**

1,200,000

(a) The following appropriations are for one or more grants to 846s.org, a 501(c)(3) nonprofit organization, for a youth mental health and wellness community center to address community youth mental health concerns and offer academic, career, and entrepreneurial programming for local youth and their families. If any of these appropriations for a specified phase is not needed to complete that phase, the unexpended and unencumbered amount may be applied to another phase of the project for which an appropriation is made in this subdivision. Each appropriation for a phase is available when the commissioner of management and budget determines that an amount sufficient to complete that phase is committed to the project.

(b) \$500,000 is appropriated for Phase 1, for property acquisition for the youth mental health and wellness community center.

(c) \$700,000 is appropriated for Phase 2, for site preparation for the youth mental health and wellness community center.

(d) Minority business enterprises, as defined under Minnesota Statutes, section 116M.14, subdivision 5, may be prioritized for awards of contracts for the purpose of this project.

**Subd. 14. New American Center for Health Workforce Development**

1,000,000

For a grant to the New American Center for Health Workforce Development to renovate the existing building located at 2220 Riverside Avenue in Minneapolis to provide programming and increase immigrant access to information, services, and resources, and establish, expand, and sustain a public health workforce.

**Sec. 4. EFFECTIVE DATE.**

This article is effective the day following final enactment.

ARTICLE 4  
MISCELLANEOUS

Section 1. Minnesota Statutes 2020, section 16A.86, subdivision 2, is amended to read:

Subd. 2. **Budget request.** (a) Except as provided in paragraph (b), a political subdivision that requests an appropriation of state money for a local capital improvement project is encouraged to submit the request to the commissioner of management and budget by July 15 of an odd-numbered year to ensure its full consideration. The requests must be submitted in the form and with the supporting documentation required by the commissioner of management and budget. All requests timely received by the commissioner must be submitted to the legislature, along with the governor's recommendations, whether or not the governor recommends that a request be funded, by the deadline established in section 16A.11, subdivision 1.

(b) The commissioner, in consultation with the commissioner of corrections, must evaluate the need of any capital improvement project that requests an appropriation of state money to construct a jail facility or for capital improvements to expand the number of incarcerated offenders at an existing jail facility. The commissioner shall use the regional and county jails report submitted to the legislature on or before December 1, 2022, by the commissioner of corrections to inform the evaluation. The commissioner must submit all evaluations under this paragraph as part of the submission to the legislature under paragraph (a).

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

Sec. 2. **[16B.324] STATE BUILDINGS; SOLAR ENERGY GENERATION FUND.**

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

(b) "Solar energy generation improvement" means the predesign, design, acquisition, construction, or installation of a solar energy system for a state building that:

(1) is incorporated into the building or is a permanent fixture;

(2) has a useful life of more than ten years; and

(3) is designed to result in a demand-side net reduction in energy use by the state building's electrical, heating, ventilating, air-conditioning, or hot water systems, which extends the life or enhances the value of the state building.

(c) "State agency" means an agency in the executive branch of state government, but does not include constitutional officers.

(d) "State building" means a building owned by the state of Minnesota.

Subd. 2. **Establishment.** A state building solar energy generation fund is established to provide funds to state agencies for the purpose of implementing solar energy generation improvements at state buildings.

Subd. 3. **Fund management.** The commissioner shall manage and administer the state building solar energy generation fund through an office established to manage environmental sustainability measures for state property.

Subd. 4. **Applications.** A state agency applying for solar energy generation improvement funds must submit an application to the commissioner on a form, in the manner, and at the time prescribed by the commissioner. An applicant must supply the following information:

(1) the total estimated cost of the solar energy generation improvements and the amount sought;

(2) a description of the solar energy generation improvements;

(3) a detailed budget for the project, including all sources and uses of money;

(4) calculations sufficient to demonstrate the expected energy and monetary savings that will result from construction and installation of the solar energy generation improvements;

(5) information demonstrating that extended life or increased value of the state building will result from construction and installation of the solar energy generation improvements; and

(6) any additional information requested by the commissioner.

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

Sec. 3. Minnesota Statutes 2020, section 16B.325, subdivision 2, is amended to read:

Subd. 2. **Lowest possible cost; energy conservation.** The guidelines must:

(1) focus on achieving the lowest possible lifetime cost, considering both construction and operating costs, for new buildings and major renovations, ~~and~~;

(2) allow for ~~changes in the guidelines~~ revisions that encourage continual energy conservation improvements in new buildings and major renovations. ~~The guidelines shall~~;

(3) define "major renovations" for purposes of this section. ~~The definition may not allow "major renovations" to encompass not less than 10,000 square feet or to encompass not less than the replacement of the mechanical, ventilation, or cooling system of the a building or a building section of the building. The design guidelines must~~;

(4) establish sustainability guidelines that include air quality and lighting standards and that create and maintain a healthy environment and facilitate productivity improvements;

(5) establish resiliency guidelines to encourage design that allows buildings to adapt to and accommodate projected climate-related changes reflected in both acute events and chronic trends, including but not limited to changes in temperature and precipitation levels;

(6) specify ways to reduce material costs; and ~~must~~

(7) consider the long-term operating costs of the building, including the use of renewable energy sources and distributed electric energy generation that uses a renewable source or natural gas or a fuel that is as clean or cleaner than natural gas.

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

Sec. 4. Minnesota Statutes 2020, section 469.53, is amended to read:

**469.53 REGIONAL EXCHANGE DISTRICT PUBLIC INFRASTRUCTURE PROJECTS.**

(a) The following projects shall be eligible for state appropriation support payments upon approval by the Duluth City Council. Costs may be reimbursed for eligible projects that begin construction prior to September 30, 2020, but in no case may the total state payment per project exceed the amount established in this section. Eligible projects include:

(1) ~~two levels of expansion~~ replace a skywalk connected to an existing medical district parking ramp ~~and skywalk replacement~~ in an amount not to exceed ~~\$13,010,000~~ \$2,100,000, including any land acquisition;

(2) a ramp with up to 1,400 new parking stalls and a skywalk to serve medical entity west in an amount not to exceed ~~\$36,400,000~~ \$37,900,000, including any land acquisition;

(3) extension of 6th Avenue East from 2nd Street to 1st Street in an amount not to exceed ~~\$5,900,000~~ \$6,650,000, including any land acquisition;

(4) demolition of existing hospital structure for site reuse, to accomplish the purposes in section 469.51, subdivision 2, in an amount not to exceed ~~\$10,000,000~~ \$11,829,000;

(5) roadway, utility, and site improvements and capacity upgrades to support medical entity west hospital construction in an amount not to exceed ~~\$11,410,000~~ \$18,250,000;

(6) district energy connections, capacity enhancement, ~~and~~ a pressure pump station, and district energy utility improvements outside of the district reasonably necessary and advantageous to serve developments within the district in an amount not to exceed \$7,000,000; and

(7) a ramp with up to 400 new parking stalls to serve medical entity east in an amount not to exceed \$14,000,000.

(b) Upon notice to the commissioner of employment and economic development, any unexpended amount for the projects described in paragraph (a), clauses (1) to (4), may fund the project in paragraph (a), clause (5). The unexpended amounts applied to the project in paragraph (a), clause (5), count toward the state payment limit for the project. The Duluth City Council must submit a written plan to the commissioner of employment and economic development to use unexpended funds in the manner under this paragraph.

~~(b)~~ (c) For any public infrastructure project that will not be let by the city for which state support is sought, the project must proceed and comply with any state and local contracting requirements otherwise applicable to the city had the city let the project. The city shall have the right to inspect, upon reasonable notice, the construction contracts and related documentation for any public infrastructure project for which state support is sought.

**EFFECTIVE DATE.** This section is effective the day after the governing body of the city of Duluth and its chief clerical officer timely comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 5. Laws 2009, chapter 93, article 1, section 14, subdivision 3, as amended by Laws 2011, First Special Session chapter 12, section 37, and Laws 2018, chapter 214, article 2, section 23, is amended to read:

**Subd. 3. Veterans Cemeteries**

1,500,000

Of this amount, up to \$500,000 is to acquire land located in southeastern, southwestern, and northeastern Minnesota for publicly owned veterans cemeteries, to be operated by the commissioner of veterans affairs. The commissioner also must seek donations of land for the cemeteries. The balance of the appropriation is to predesign ~~and~~, design, construct, and equip the cemeteries. Federal reimbursement of design, construction, and equipping costs for each cemetery must be deposited in the state treasury and is appropriated to the commissioner of veterans affairs to design, construct, and equip the remaining cemeteries. Following completion ~~of design~~ of the legislatively authorized Minnesota state veterans cemeteries in Redwood, St. Louis, and Fillmore Counties, final federal reimbursement of predesign ~~and~~, design, construction, and equipping costs is appropriated to the commissioner for asset preservation of veterans homes statewide, to be spent in accordance with Minnesota Statutes, section 16B.307. Federal reimbursement may be sought for each cemetery and must be spent to acquire land for, to predesign ~~and~~, design, construct, and equip additional cemeteries, or for asset preservation as provided in this subdivision. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for this project are available until December 31, ~~2022~~ 2024.

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

Sec. 6. Laws 2014, chapter 294, article 1, section 21, subdivision 21, is amended to read:

**Subd. 21. Thief River Falls Airport - Public Infrastructure**

650,000

For a grant to the Thief River Falls Airport Authority to predesign, design, engineer, and construct infrastructure to transfer wastewater from the Thief River Falls Regional Airport to the city wastewater collection and treatment system, and to eliminate the airport wastewater treatment pond located on airport property. ~~This appropriation is not available until the commissioner of management and budget has determined that at least \$153,360 has been committed to the~~ At least 20 percent of the total cost of the project must be committed from nonstate sources.

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

Sec. 7. Laws 2014, chapter 294, article 1, section 21, subdivision 23, as amended by Laws 2015, First Special Session chapter 5, article 3, section 23, is amended to read:

**Subd. 23. Virginia - Highway 53 Utilities Relocation**

19,500,000

(a) \$500,000 of this appropriation is for a grant to the city of Virginia Public Utilities Commission to acquire land, predesign, design, construct, furnish, and equip an electrical substation along or within six miles of the relocated U.S. Highway 53 in Virginia as part of relocating the electrical utilities. This appropriation fully funds the project described in this paragraph and meets the requirements in Minnesota Statutes, section 16A.502, that the project be fully funded. This appropriation does not require a nonstate match.

(b) \$19,000,000 of this appropriation is for:

(1) a grant to the city of Virginia Public Utilities Commission to acquire land, predesign, design, construct, furnish, and equip relocated water, electrical, and gas utilities along or within six miles of the relocated U.S. Highway 53 in Virginia, Eveleth, Gilbert, and Fayal Township;

(2) a grant to the city of Virginia to acquire land, predesign, construct, furnish, and equip relocated storm water and sanitary sewer along or within six miles of the relocated U.S. Highway 53 in Virginia, Eveleth, Gilbert, and Fayal Township; ~~and~~

(3) a grant to the St. Louis and Lake Counties Regional Railroad Authority to acquire land, predesign, design, construct, furnish, and equip trails to handle bicycles, pedestrians, snowmobiles, and ATVs along or within six miles of the relocated U.S. Highway 53 in Virginia, Eveleth, Gilbert, and Fayal Township. This appropriation does not require a nonstate match; and

(4) any amount of this appropriation that is unspent after substantial completion of the work described in clauses (1), (2), and (3), may be used for a grant to the St. Louis and Lake Counties Regional Railroad for construction of a segment of the Mesabi Trail extending from the eastern end of the Mesabi Trail in Biwabik at the intersection of State Highway 135 and St. Louis County Road 20 to the intersection of County Road 20 and First Street South in the city of McKinley. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond sale proceeds for this project are available until December 31, 2022.

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

Sec. 8. Laws 2014, chapter 294, article 1, section 22, subdivision 5, as amended by Laws 2018, chapter 214, article 2, section 27, is amended to read:

Subd. 5. **City of Rice Lake - Water Main Replacement and Extension**

1,168,000

For a grant to the city of Rice Lake to design and construct a replacement water main and related public infrastructure on East Calvary Road and Kolstad, Austin, Milwaukee, Mather, and Chicago Avenues in the city of Rice Lake. ~~This appropriation is not available until the commissioner of management and budget determines that at least an equal amount is committed to the project from nonstate sources.~~ Any amount remaining after completion of the project may be used to predesign, design, construct, furnish, and equip a municipal utility extension from Howard Gnesen Road to Martin Road in the city of Rice Lake. This appropriation is available until December 31, 2020 2022.

**EFFECTIVE DATE.** This section is effective the day following final enactment, except that the extension of time for availability of the appropriation is effective retroactively from December 30, 2020.

Sec. 9. Laws 2017, First Special Session chapter 8, article 1, section 7, subdivision 2, is amended to read:

Subd. 2. **St. Louis River Cleanup**

25,410,000

To design and implement contaminated sediment management actions identified in the St. Louis River remedial action plan to restore water quality in the St. Louis River Area of Concern. Notwithstanding Minnesota Statutes, section 16A.642, the bond authorization and appropriation of bond proceeds for this project are available until December 31, 2023.

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

Sec. 10. Laws 2017, First Special Session chapter 8, article 1, section 15, subdivision 3, as amended by Laws 2018, chapter 214, article 2, section 33, and Laws 2020, Fifth Special Session chapter 3, article 5, section 24, is amended to read:

**Subd. 3. Local Road Improvement Fund Grants**

115,932,000

(a) From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for trunk highway corridor projects under Minnesota Statutes, section 174.52, subdivision 2, for construction and reconstruction of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4, or for grants to counties to assist in paying the costs of rural road safety capital improvement projects on county state-aid highways under Minnesota Statutes, section 174.52, subdivision 4a.

(b) Of this amount, \$9,000,000 is for a grant to Anoka County to design, acquire land for, engineer, and construct improvements to, including the realignment of County State-Aid Highway 23 (Lake Drive), County State-Aid Highway 54 (West Freeway Drive), West Freeway Drive, and to Hornsby Street in the city of Columbus to support the overall interchange project. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for the project in this paragraph are available until December 31, 2024.

(c) Of this amount, \$3,246,000 is for a grant to the city of Blaine to predesign, design, and reconstruct 105th Avenue in the vicinity of the National Sports Center in Blaine. The reconstruction will include changing the street from five lanes to four lanes with median, turn lanes, sidewalk, trail, landscaping, lighting, and consolidation of access driveways. This appropriation is not available until the commissioner of management and budget determines that at least \$3,000,000 is committed to the project from sources available to the city, including municipal state aid and county turnback funds.

(d) Of this amount, \$25,000,000 is for a grant to Hennepin County, the city of Minneapolis, or both, for design, right-of-way acquisition, engineering, and construction of public improvements related to the Interstate Highway 35W and Lake Street access project and related improvements within the Interstate Highway 35W corridor, notwithstanding any provision of Minnesota Statutes, section 174.52, or rule to the contrary. This appropriation is not available until the commissioner of management and budget determines that an amount sufficient to complete this portion of the Interstate Highway 35W and Lake Street access project has been committed to this portion of the project.

(e) Of this amount, \$10,500,000 is for a grant to Carver County for environmental analysis and to acquire right-of-way access, predesign, design, engineer, and construct an interchange at

marked Trunk Highway 212 and Carver County Road 44 in the city of Chaska, including a new bridge and ramps, to support the development of approximately 400 acres of property in the city of Chaska's comprehensive plan.

(f) Of this amount, \$700,000 is for a grant to Redwood County for improvements to Nobles Avenue, including paving, as the main access road to a new State Veterans Cemetery to be located in Paxton Township.

(g) Of this amount, \$1,000,000 is for a grant to ~~the town of Appleton in~~ Swift County for ~~upgrades to an existing township road to provide for a paved, ten-ton capacity township road extending between marked Trunk Highways 7 and 119 preliminary and final design, engineering, and reconstruction of a segment of County State-Aid Highway 6 between marked Trunk Highway 7 and County State-Aid Highway 17 to provide for a ten-ton paved roadway.~~ Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for this project are available until December 31, 2025.

(h) Of this amount, \$20,500,000 is for a grant to Ramsey County for preliminary and final design, right-of-way acquisition, engineering, contract administration, and construction of public improvements related to the construction of the interchange of marked Interstate Highway 694 and Rice Street, Ramsey County State-Aid Highway 49, in Ramsey County.

(i) Of this amount, \$11,300,000 is for a grant to Hennepin County for preliminary and final design, engineering, environmental analysis, right-of-way acquisition, construction, and reconstruction of local roads related to the (1) realignment at the intersections of marked U.S. Highway 12 with Hennepin County State-Aid Highway 92; (2) realignment and safety improvements at the intersection of marked U.S. Highway 12 with Hennepin County State-Aid Highway 90; and (3) safety median improvements from the interchange with Wayzata Boulevard in Wayzata to approximately one-half mile east of the interchange of marked U.S. Highway 12 with Hennepin County State-Aid Highway 6.

(j) Of this amount, \$1,000,000 is for a grant to the city of Inver Grove Heights for preliminary design, design, engineering, and reconstruction of Broderick Boulevard between 80th Street and Concord Boulevard abutting Trunk Highway 52 and Inver Hills Community College in Inver Grove Heights. The project includes replacement or renovation of public infrastructure, including water lines, sanitary sewers, storm water sewers, and other public utilities. This appropriation does not require a nonstate contribution.

(k) Of this amount, \$2,350,000 is for a grant to McLeod County to acquire land or interests in land and to design and construct a new urban street extension of County State-Aid Highway (CSAH) 15, including railroad crossing, storm water, and drainage improvements.

(l) Of this amount, \$6,000,000 is for a grant to the city of Baxter for 50 percent of total project cost for the acquisition of land or interests in land, environmental analysis and environmental cleanup, predesign, design, engineering, and construction of improvements to Cypress Drive, including expansion to a four-lane divided urban roadway, between Excelsior Road and College Road.

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

Sec. 11. Laws 2017, First Special Session chapter 8, article 1, section 20, subdivision 14, is amended to read:

Subd. 14. **Minneapolis - Pioneers and Soldiers Cemetery Restoration** 1,029,000

For a grant to the city of Minneapolis to restore the historic steel and limestone pillar fence along Cedar Avenue and Lake Street, ~~install a new steel fence and pillars along 21st Avenue South~~, and install a waterproofing system for preservation of the fence and pillars, at the Pioneer and Soldiers Cemetery. This appropriation does not require a nonstate contribution.

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

Sec. 12. Laws 2018, chapter 214, article 1, section 16, subdivision 2, as amended by Laws 2019, chapter 2, article 2, section 2, is amended to read:

Subd. 2. **Local Road Improvement Fund Grants** 78,600,000

(a) From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for trunk highway corridor projects under Minnesota Statutes, section 174.52, subdivision 2, for construction and reconstruction of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4, or for grants to counties to assist in paying the costs of rural road safety capital improvement projects on county state-aid highways under Minnesota Statutes, section 174.52, subdivision 4a.

(b) Of this amount, \$13,500,000 is for a grant to the city of Dayton for design, engineering, environmental analysis, property and easement acquisition, construction, and reconstruction of local roads in conjunction with an interchange on marked Interstate Highway 94 near Hennepin County State-Aid Highway 101, known as Brockton Lane, in Dayton.

(c) Of this amount, \$6,100,000 is for ~~a grant~~ one or more grants to Dakota County, the city of Inver Grove Heights, or both to predesign, design, engineer, acquire right-of-way property and temporary and permanent easements, inspect, and construct or reconstruct: (1) realignment of Dakota County State-Aid Highway 63, known as Argenta Trail, in Inver Grove Heights, from northerly of its intersection with Amana Trail to the anticipated future alignment of 65th Street, then west to the existing Argenta Trail alignment, and in anticipation of the development of an interchange of Argenta Trail and marked Interstate Highway 494; and (2) expansion from two lanes to four lanes of Dakota County State-Aid Highway 26, known as 70th Street West, in Inver Grove Heights, from the border with Eagan through the intersection with Argenta Trail as realigned, to the intersection of Highway 26 with Trunk Highway 3, known as Robert Street.

(d) Of this amount, \$9,000,000 is for a grant to Carver County following a jurisdictional transfer to Carver County of the affected segment of marked Trunk Highway 101. The appropriation may be used for design, right-of-way acquisition, engineering, and reconstruction of the segment transferred to the county that is between Pioneer Trail and Flying Cloud Drive, including grade separation of a multipurpose pedestrian and bicycle trail from the segment for the Minnesota River Bluffs Regional Trail and a regional trail along marked Trunk Highway 101.

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

Sec. 13. Laws 2018, chapter 214, article 1, section 17, subdivision 6, is amended to read:

Subd. 6. **St. Paul - Nature Sanctuary Visitor Center**

3,000,000

For a grant to the city of St. Paul to predesign, design, construct, furnish, and equip a visitor and interpretive center in the Bruce Vento Nature Sanctuary in St. Paul for programs that the city determines meet regional and city park purpose requirements. The city may enter into a lease or management agreement under Minnesota Statutes, section 16A.695, to operate the programs in the center. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for the project in this subdivision are available until December 31, 2024.

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

Sec. 14. Laws 2018, chapter 214, article 1, section 18, subdivision 3, is amended to read:

Subd. 3. **St. Peter Regional Treatment Center Campus - Dietary Building HVAC and Electrical Replacement**

2,200,000

To predesign, design, engineer, and renovate the mechanical and electrical systems in the Dietary Building on the St. Peter Regional Treatment Center campus, including: the upgrade, replacement,

and improvement of existing heating and ventilation equipment; installation of air-conditioning equipment; replacement of the building's outdated and undersized electrical system; design and abatement of asbestos and hazardous materials; and structural, site, and utility work necessary to support the project.

Upon substantial completion of this project, any unspent portion of this appropriation remaining, after written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 16B.307.

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

Sec. 15. Laws 2018, chapter 214, article 1, section 18, subdivision 4, is amended to read:

**Subd. 4. Anoka Metro Regional Treatment Center - Roof and HVAC Replacement**

6,550,000

To predesign, design, engineer, construct, and equip improvements on the Anoka Metro Regional Treatment Center campus, including but not limited to design and abatement of asbestos and hazardous materials, replacement of roofs on residential units, installation of metal wall cladding on the mechanical penthouses, installation of new heating, ventilation, and air conditioning systems, fire sprinkler systems, electrical lighting systems in the Miller Building, and installation of a new heating system in the warehouse building.

Upon substantial completion of this project, any unspent portion of this appropriation remaining, after written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 16B.307. Notwithstanding Minnesota Statutes, section 16.642, the bond sale authorization and appropriation of bond proceeds in this subdivision are available until December 31, 2023.

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

Sec. 16. Laws 2018, chapter 214, article 1, section 21, subdivision 16, is amended to read:

**Subd. 16. Minneapolis - Upper Harbor Terminal Redevelopment**

15,000,000

For a grant to the city of Minneapolis, the Minneapolis Park and Recreation Board, or both, for predesign, design, and construction work for site preparation and for park and public infrastructure improvements to support an initial phase of redevelopment of the Upper Harbor Terminal on the Mississippi River; a site that was rendered inoperable for barging by the federal closure of the Upper St. Anthony Falls Lock. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds in this subdivision are available until December 31, 2024.

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

Sec. 17. Laws 2018, chapter 214, article 1, section 22, subdivision 6, is amended to read:

Subd. 6. **Aurora; Hoyt Lakes; Biwabik; and White Township - Drinking Water System** 2,500,000

For a grant to the city of Aurora to acquire land, acquire a long-term lease, or a permanent interest in land, design, engineer, construct, furnish, and equip a comprehensive municipally owned cooperative joint drinking water system ~~in~~ for the cities city of Aurora, ~~Hoyt Lakes, and Biwabik, and White Township, including a water intake and treatment plant located in White Township and~~ the Town of White and designed for the future use of other cities, including Biwabik and Hoyt Lakes. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for this project are available until December 31, 2024.

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

Sec. 18. Laws 2019, chapter 2, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. **South St. Paul - Seidl's Lake** 781,000

For a grant to the city of South St. Paul for capital improvements to improve the water quality of Seidl's Lake. The capital improvements include design, engineering, construction, and equipping of a storm water lift station to discharge excess storm water into the city of South St. Paul's storm sewer system to minimize the fluctuating water levels of the lake. This project may be implemented jointly by the cities of South St. Paul, Inver Grove Heights, and West St. Paul. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for the project in this subdivision are available until December 31, 2024.

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

Sec. 19. Laws 2020, Fifth Special Session chapter 3, article 1, section 7, subdivision 3, is amended to read:

Subd. 3. **Flood Hazard Mitigation** 17,000,000

(a) For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161.

(b) To the extent practical, levee projects shall meet the state standard of three feet above the 100-year flood elevation.

(c) Project priorities shall be determined by the commissioner as appropriate, based on need and consideration of available leveraging of federal, state, and local funds.

(d) This appropriation may be used for projects in the following municipalities: Afton, Austin, Breckenridge, Browns Valley, Carver, Delano, Faribault, Golden Valley, Halstad, Hawley, Hendrum, Inver Grove Heights, Jordan, Montevideo, Moorhead, Newfolden, Nielsville, Owatonna, Round Lake Township in Jackson County, Sioux Valley Township in Jackson County, and Waseca.

(e) This appropriation also may be used for projects in the following watershed districts: Bois de Sioux Watershed District, Buffalo-Red River Watershed District, Cedar River Watershed District; Lower Minnesota River Watershed District, Middle Snake Tamarac Rivers Watershed District, Prior Lake-Spring Lake Watershed District, Red Lake Watershed District, Roseau River Watershed District, Shell Rock River Watershed District, Two Rivers Watershed District, Upper Minnesota River Watershed District, and Wild Rice River Watershed District.

(f) This appropriation may also be used for a project in the Southern Minnesota Rivers Basin Area II.

(g) For any project listed in this subdivision that the commissioner determines is not ready to proceed, does not have the nonstate match committed, or does not expend all the money granted to it, the commissioner may allocate that project's unexpended money to a priority project on the commissioner's list.

(h) Notwithstanding paragraph (c), \$2,000,000 of this appropriation is for flood hazard mitigation for the Toelle Coulee in ~~the city of Browns Valley~~ Traverse County.

(i) To the extent practicable and consistent with the project, recipients of appropriations for flood control projects in this subdivision shall create wetlands that are eligible for wetland replacement credit to replace wetlands drained or filled as the result of repair, reconstruction, replacement, or rehabilitation of an existing public road under Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (l) and (m).

(j) To the extent that the cost of a project exceeds two percent of the median household income in a municipality or township multiplied by the number of households in the municipality or township, this appropriation is also for the local share of the project.

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

Sec. 20. Laws 2020, Fifth Special Session chapter 3, article 1, section 7, subdivision 18, is amended to read:

Subd. 18. **Lake City; Ohuta Beach Breakwater** 1,058,000

For a grant to the city of Lake City to design, engineer, and construct a breakwater at Ohuta Beach in Lake City at Ohuta Park.

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

Sec. 21. Laws 2020, Fifth Special Session chapter 3, article 1, section 13, subdivision 5, is amended to read:

Subd. 5. **Construction and Renovation of Public Skate Parks** 250,000

For grants under Minnesota Statutes, section 240A.20, subdivision 2, clause (2), ~~for design of to~~ predesign, design, construct, furnish, and equip skate parks ~~from.~~ Design work must be by designers with expertise in the field of skate park design. Construction must be of a skate park designed by designers with expertise in the field of skate park design.

**EFFECTIVE DATE.** This section is effective retroactively from October 21, 2020.

Sec. 22. Laws 2020, Fifth Special Session chapter 3, article 1, section 16, subdivision 5, is amended to read:

Subd. 5. **Anoka County; Marked Trunk Highway 65 Interchange** 1,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Anoka County to complete environmental analysis of local road intersections and associated improvements along marked Trunk Highway 65 from north of 93rd Avenue to north of 117th Avenue, preliminary engineering, environmental analysis, and final design of a grade separation and associated improvements to Anoka County State-Aid Highway 12, known as 109th Avenue, at marked Trunk Highway 65 in the city of Blaine.

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

Sec. 23. Laws 2020, Fifth Special Session chapter 3, article 1, section 16, subdivision 7, is amended to read:

Subd. 7. **Golden Valley; Douglas Drive and Highway 55** 6,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of Golden Valley to ~~construct~~ perform preliminary and final design engineering, environmental analysis, acquisition of permanent easements and right-of-way, reconstruction, and construction engineering of local roads related to construction of public safety improvements at, and within a 600 foot radius of, the

intersection of Douglas Drive and Highway 55, including a box culvert underpass across Highway 55, a roundabout and extended frontage road south of Highway 55, retaining wall construction, underground utility relocation, sidewalk and trail connections to existing facilities, Americans with Disabilities Act-compliant facilities, and landscaping.

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

Sec. 24. Laws 2020, Fifth Special Session chapter 3, article 1, section 16, subdivision 15, is amended to read:

Subd. 15. **Scott County; Highway 13 Interchange at Marked Intersections of Dakota and Yosemite Interchange Avenues**

\$5,269,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, ~~for a grant to Scott County for to~~ design, provide construction engineering, and ~~construction of~~ construct local road improvements, including accommodations for bicycles and pedestrians and public utility relocations, to support a programmed interchange at the intersection of marked Trunk Highway 13 ~~and at~~ Dakota Avenue and Yosemite Avenues in Savage.

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

Sec. 25. Laws 2020, Fifth Special Session chapter 3, article 1, section 16, subdivision 16, is amended to read:

Subd. 16. **Sherburne County; Zimmerman Interchange Project**

2,000,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Sherburne County for environmental analysis, preliminary engineering, and final design of ~~the local road portions of~~ the proposed interchange project and local road portions at marked U.S. Highway 169 and Sherburne County State-Aid Highway 4 in Zimmerman. Any money remaining upon completion of the design process may be used to acquire right-of-way needed for the local road portions of the interchange project.

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

Sec. 26. Laws 2020, Fifth Special Session chapter 3, article 1, section 16, subdivision 36, is amended to read:

Subd. 36. **Olmsted County; Trunk Highway 14 and County Road 104 Interchange Construction**

6,000,000

For a grant to Olmsted County for the county's share of general obligation bond eligible portions of a project to conduct environmental analysis, predesign, design, and engineer, construct, furnish, and equip an interchange at marked Trunk Highway 14

and County Road 104, including a flyover at 7th Street NW, in ~~Olmsted~~ Olmsted County, and associated infrastructure and road work to accommodate the interchange. Any amount remaining after substantial completion of environmental analysis, pre-design, design, and engineering work may be applied to the county's share to acquire right-of-way for, and to construct, furnish, and equip, this interchange and associated infrastructure and road work to accommodate the interchange.

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

Sec. 27. Laws 2020, Fifth Special Session chapter 3, article 1, section 20, subdivision 5, is amended to read:

Subd. 5. **Minnesota Correctional Facility - St. Cloud** 800,000

To design, renovate, construct, equip, and install a new fire suppression system in Living Units ~~A, B, and C~~ D and E at the Minnesota Correctional Facility - St. Cloud. This installation includes but is not limited to cells, common areas, and control areas and must comply with all applicable codes.

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

Sec. 28. Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 14, is amended to read:

Subd. 14. **Crookston; Colborn Property Development** 895,000

For a grant to the city of Crookston for development of the southern end of the city limits commonly known as the Colborn Property. This appropriation includes money for construction of roads and storm water infrastructure, for design and site preparation, and for other improvements of publicly owned infrastructure.

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

Sec. 29. Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 20, is amended to read:

Subd. 20. **Fergus Falls; Riverfront Corridor** 1,750,000

For a grant to the city of Fergus Falls for construction of a downtown riverfront corridor improvement project including ~~an amphitheater,~~ a river market, public arts space, interactive water components, and related publicly owned infrastructure and amenities.

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

Sec. 30. Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 23, is amended to read:

Subd. 23. **Hennepin County; Avivo** 1,700,000

For a grant to Hennepin County for Phase 1 of the Avivo regional career and employment center project in Minneapolis, subject to Minnesota Statutes, section 16A.695. Phase 1 includes geotechnical and environmental investigation, ~~demolition, and site work~~; predesign and design of the renovation and expansion of a building; and predesign and design for the replacement of or improvements to building systems on the Avivo campus, including HVAC, mechanical, electrical, and accessibility improvements. Upon substantial completion of Phase I, any unspent portion of this appropriation remaining, after written notice to the commissioner of management and budget, is available for renovation or construction.

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

Sec. 31. Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 37, is amended to read:

Subd. 37. **St. Joseph; Jacob Wetterling Recreation Center** 4,000,000

For a grant to the city of St. Joseph to predesign, design, construct, furnish, and equip a recreation center as an addition to the former school building purchased by the city to be repurposed as a adjacent to and connected to the city's new community center. The city may enter into a lease or management agreement for operation of recreation programs, subject to Minnesota Statutes, section 16A.695.

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

Sec. 32. Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 44, is amended to read:

Subd. 44. **Wadena; Access Road** 1,300,000

For a grant one or more grants to ~~the city of Wadena County, Otter Tail County, or both,~~ to acquire a permanent easement for and to predesign, design, engineer, and construct an access road just northeast of 11th Street Northwest in Wadena, going from marked Trunk Highway 10 to the new hospital complex.

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

Sec. 33. Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 47, is amended to read:

Subd. 47. **Willernie; ~~Public Infrastructure~~ Maintenance Building** 160,000

For a grant to the city of Willernie to ~~replace the roof of the city hall, and, if any money is remaining, for capital improvements in conjunction with the Washington County road 12 project,~~

~~including replacing and extending the sidewalk, replacement of a water main, and moving or removing a retaining wall demolish a maintenance building and to design, engineer, construct, and equip a new maintenance building.~~

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

Sec. 34. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 6, is amended to read:

Subd. 6. **Arden Hills; Water Main** 500,000

For a grant to the city of Arden Hills to acquire permanent easements for and to engineer and install a water main extending along Lexington Avenue, from County Road E to marked Interstate Highway 694.

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

Sec. 35. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 8, is amended to read:

Subd. 8. **Austin; Wastewater Treatment Plant** 7,450,000

For a grant to the city of Austin ~~to~~ for predesign, design, and engineer engineering improvements for upgrades to the city's wastewater treatment facility. Any balance of funds may be utilized for the construction of the wastewater treatment facility in subsequent phases.

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

Sec. 36. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 18, is amended to read:

Subd. 18. **Mahnomen; Water Infrastructure** 650,000

For a grant ~~under Minnesota Statutes, section 446A.07,~~ to the city of Mahnomen ~~for~~ to construct improvements to the city's ~~water~~ wastewater infrastructure. ~~This grant is not subject to the project priority list set forth in Minnesota Statutes, section 446A.07, subdivision 4.~~

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

Sec. 37. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 19, is amended to read:

Subd. 19. **Mahnomen; Drinking Water Infrastructure** 1,250,000

For a grant ~~under Minnesota Statutes, section 446A.081,~~ to the city of Mahnomen ~~for~~ to construct improvements to the city's drinking water infrastructure. ~~This grant is not subject to the project priority list set forth in Minnesota Statutes, section 446A.081, subdivision 5.~~

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

Sec. 38. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 21, is amended to read:

Subd. 21. **Mendota; Water Infrastructure** 650,000

For a grant to the city of Mendota to predesign, design, engineer, and construct ~~the extension of improvements to the water main throughout the city of Mendota to allow residents to connect with the Saint Paul Regional Water Services~~ distribution system.

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

Sec. 39. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 23, is amended to read:

Subd. 23. **Oronoco; Regional Wastewater System Infrastructure Grant** 24,027,000

(a) Of this amount, \$1,350,000 is for a grant to the city of Oronoco to acquire land and easements, design, and engineer a wastewater collection, conveyance, and treatment system and associated water distribution improvements to serve the city of Oronoco and the region including the Oronoco Estates Manufactured Home Community. Any amount remaining after completion of design, engineering, and acquisition may be applied to the purposes described in ~~subdivision 2~~ paragraph (b).

(b) Of this amount, \$22,677,000 is for a grant to the city of Oronoco to construct and provide construction-related engineering for a wastewater collection, conveyance, and treatment system and associated water distribution improvements to serve the city of Oronoco and the region including the Oronoco Estates Manufactured Home Community.

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

Sec. 40. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 28, is amended to read:

Subd. 28. **South Haven; Wells** 1,700,000

For a grant to the city of South Haven to acquire land, predesign, design, construct, furnish, and equip two new wells, including a well house, water main, and other related drinking water improvements, in Wright County.

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

Sec. 41. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 30, is amended to read:

Subd. 30. **Spring Park; City Utilities** 1,500,000

For a grant to the city of Spring Park for improvements to the city's water and sewer system and the adjacent roadway West Arm Drive West in the northwest area of the city ~~on West Arm Drive~~.

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

Sec. 42. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 33, is amended to read:

Subd. 33. **Vernon Center; Water Infrastructure Improvements** 7,984,000

For a grant to the city of Vernon Center to predesign, design, construct, furnish, and equip water ~~infrastructure improvements, including refurbishing a water tower, and replacement of wastewater collection treatment facilities, water distribution systems, storm sanitary sewer system improvements and storm water collection systems,~~ and related local road improvements.

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

Sec. 43. Laws 2020, Fifth Special Session chapter 3, article 2, section 2, subdivision 2, is amended to read:

Subd. 2. **Railroad Grade Separations** 110,000,000

From the bond proceeds account in the trunk highway fund ~~to construct~~ for environmental analysis, predesign, design and engineering, and construction of rail safety projects at trunk highway-railroad grade crossings in accordance with Minnesota Statutes, section 219.016 as identified in the Department of Transportation's crude by rail grade crossing study (Improvements to Highway Grade Crossings and Rail Safety, December 2014 and revised in 2019).

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

Sec. 44. Laws 2020, Fifth Special Session chapter 3, article 2, section 2, subdivision 4, is amended to read:

Subd. 4. **Flood Mitigation** 23,000,000

From the bond proceeds account in the trunk highway fund for environmental analysis, predesign, design, engineering, and reconstruction of trunk highways that experience frequent flooding in Sibley County and Le Sueur County, to modify the elevation of the roadways and reduce closures due to river flooding, for portions of the projects that are eligible for trunk highway bond proceeds.

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

Sec. 45. **REGIONAL AND COUNTY JAILS; STUDY AND REPORT.**

Subdivision 1. **Study.** The commissioner of corrections must study and make recommendations on the consolidation or merger of county jails and alternatives to incarceration for persons experiencing mental health disorders. The commissioner must engage and solicit feedback from citizens who live in communities served by facilities that may be impacted by the commissioner's recommendations for the consolidation or merger of jails. The commissioner must consult with the following individuals on the study and recommendations:

(1) county sheriffs;

(2) county and city attorneys that prosecute offenders;

(3) chief law enforcement officers;

(4) county boards, administrators of county jail facilities, and county human service directors in counties implementing co-response models for certain law enforcement or other first responders; and

(5) district court administrators.

Each party receiving a request for information from the commissioner under this section shall provide the requested information in a timely manner. If a party fails to provide the requested information within 30 days of the date the information is due, the party must submit a written explanation to the commissioner as to why the information was not timely submitted and the date by which the information will be provided.

Subd. 2. **Report.** The commissioner of corrections must file a report with the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over public safety and capital investment on the study and recommendations under subdivision 1 on or before December 1, 2022. This is a onetime report. The report must, at a minimum, provide the following information:

(1) the daily average number of offenders incarcerated in each county jail facility:

(i) that are in pretrial detention;

(ii) that cannot afford to pay bail;

(iii) for failure to pay fines and fees;

(iv) for offenses that stem from controlled substance addiction or mental health disorders;

(v) for nonfelony offenses;

(vi) that are detained pursuant to contracts with other authorities; and

(vii) for supervised release and probation violations;

(2) the actual cost of building a new jail facility, purchasing another facility, or repairing a current facility;

(3) the age of current jail facilities;

(4) county population totals and trends;

(5) county crime rates and trends;

(6) the proximity of current jails to courthouses, probation services, social services, treatment providers, and work-release employment opportunities;

(7) specific recommendations for alternatives to jails for mental health disorders;

(8) specific recommendations on the consolidation or merger of county jail facilities and operations, including:

(i) where consolidated facilities should be located;

(ii) which counties are best suited for consolidation;

(iii) the projected costs of construction, renovation, or purchase of the facility; and

(iv) the projected cost of operating the facility; and

(9) a list of the parties that did not timely submit information pursuant to the request for information in subdivision 1.

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

Sec. 46. **HOUSING POOL BONDING AUTHORITY APPLICATION DEPOSIT REFUND.**

Notwithstanding Minnesota Statutes, sections 474A.061, subdivisions 1a, paragraph (a), and 7; and 474A.21, due to the unique circumstances of the COVID-19 pandemic, issuers that returned all of their allocation of bonding authority from the 2020 housing pool, shall receive a refund of the amount of the application deposit submitted with the issuer's 2020 housing pool application, less any amount previously refunded. Any application deposit money that has not yet been transferred under Minnesota Statutes, section 474A.21, as of the date of final enactment that is connected to full returns of bonding authority from the 2020 housing pool is not required to be deposited in the fund under Minnesota Statutes, section 462A.201; and the department may instead retain that money in the separate account in the general fund under Minnesota Statutes, section 474A.21. The amount necessary to refund the application deposits under this section is appropriated to the department from the separate account in the general fund under Minnesota Statutes, section 474A.21. For purposes of this section, "department" means the Department of Management and Budget.

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

Sec. 47. **STATE PARKING ACCOUNT.**

Notwithstanding Laws 2013, chapter 136, section 3, subdivision 5, and Minnesota Statutes, section 16A.643, for fiscal year 2022, the state parking account is not required to make the transfer to the state bond fund mandated by Laws 2013, chapter 136, section 3, subdivision 5. The application of this section shall not otherwise affect the schedule of amounts assessed under Minnesota Statutes, section 16A.643, for the related capital project for the remaining life of the bonds.

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

Sec. 48. **REPEALER.**

Minnesota Statutes 2020, sections 16A.93; 16A.94; and 16A.96, are repealed."

Delete the title and insert:

"A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the issuance of state bonds; establishing and modifying state programs; modifying prior appropriations; requiring a study and report; appropriating money; amending Minnesota Statutes 2020, sections 16A.86, subdivision 2; 16B.325, subdivision 2; 462A.37, subdivisions 1, 2, 5, by adding a subdivision; 469.53; Laws 2009, chapter 93, article 1, section 14, subdivision 3, as amended; Laws 2014, chapter 294, article 1, sections 21, subdivisions 21, 23, as amended; 22,

subdivision 5, as amended; Laws 2017, First Special Session chapter 8, article 1, sections 7, subdivision 2; 15, subdivision 3, as amended; 20, subdivision 14; Laws 2018, chapter 214, article 1, sections 16, subdivision 2, as amended; 17, subdivision 6; 18, subdivisions 3, 4; 21, subdivision 16; 22, subdivision 6; Laws 2019, chapter 2, article 1, section 2, subdivision 5; Laws 2020, Fifth Special Session chapter 3, article 1, sections 7, subdivisions 3, 18; 13, subdivision 5; 16, subdivisions 5, 7, 15, 16, 36; 20, subdivision 5; 21, subdivisions 14, 20, 23, 37, 44, 47; 22, subdivisions 6, 8, 18, 19, 21, 23, 28, 30, 33; article 2, section 2, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; repealing Minnesota Statutes 2020, sections 16A.93; 16A.94; 16A.96."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Lee from the Committee on Capital Investment to which was referred:

H. F. No. 506, A bill for an act relating to capital investment; modifying prior appropriations for grants to municipalities; amending Laws 2020, Fifth Special Session chapter 3, article 1, sections 20, subdivision 5; 22, subdivisions 18, 19, 23.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Ways and Means to which was referred:

H. F. No. 707, A bill for an act relating to public safety; modifying and clarifying criminal sexual conduct provisions; creating a new crime of sexual extortion; amending Minnesota Statutes 2020, sections 609.2325; 609.341, subdivisions 3, 7, 11, 12, 14, 15, by adding subdivisions; 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3455; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 2020, sections 609.293, subdivisions 1, 5; 609.34; 609.36.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2020, section 2.722, subdivision 1, is amended to read:

Subdivision 1. **Description.** Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, Le Sueur, McLeod, Scott, and Sibley; 36 judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 26 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; 23 judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

4. Hennepin; 60 judges;
5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; ~~46~~ 17 judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;
6. Carlton, St. Louis, Lake, and Cook; 15 judges;
7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; 30 judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;
8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; 11 judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;
9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; 24 judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls; and
10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; 45 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and other places designated by the chief judge of the district.

Sec. 2. Minnesota Statutes 2020, section 243.166, subdivision 1b, is amended to read:

Subd. 1b. **Registration required.** (a) A person shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

- (i) murder under section 609.185, paragraph (a), clause (2);
- (ii) kidnapping under section 609.25;
- (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; or 609.3453;
- (iv) indecent exposure under section 617.23, subdivision 3; or
- (v) surreptitious intrusion under the circumstances described in section 609.746, subdivision 1, paragraph (f);

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

- (i) criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b);
- (ii) false imprisonment in violation of section 609.255, subdivision 2;
- (iii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in the sex trafficking of a minor in violation of section 609.322;

- (iv) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);
  - (v) soliciting a minor to engage in sexual conduct in violation of section 609.352, subdivision 2 or 2a, clause (1);
  - (vi) using a minor in a sexual performance in violation of section 617.246; or
  - (vii) possessing pornographic work involving a minor in violation of section 617.247;
- (3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was charged with or petitioned for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances.

Notwithstanding clause (1), item (iii), a person is not required to register based on conduct described in section 609.3451, subdivision 3, paragraph (a), unless the person has previously been convicted of violating section 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3453; 617.23, subdivision 2, clause (2), or 3; or 617.247.

(b) A person also shall register under this section if:

(1) the person was charged with or petitioned for an offense in another state that would be a violation of a law described in paragraph (a) if committed in this state and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer or for an aggregate period of time exceeding 30 days during any calendar year; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person was committed pursuant to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States."

Page 3, line 15, delete "an intoxicating" and insert "any" and after "substance" insert "or substances"

Page 8, line 19, strike "either" and insert "any"

Page 9, line 22, delete "either" and insert "any"

Page 12, line 4, strike "either" and insert "any"

Page 12, line 30, delete "another person" and insert "anyone under 18 years of age"

Page 13, line 6, delete "either" and insert "any"

Page 13, lines 14 and 15, before "an" insert "the actor or"

Page 15, line 22, delete "another person" and insert "anyone under 18 years of age"

Page 16, line 13, reinstate "~~force or~~"

Page 19, line 13, delete "another person" and insert "anyone under 18 years of age"

Page 20, line 8, reinstate "~~force or~~"

Page 30, after line 14, insert:

"Sec. 19. Minnesota Statutes 2020, section 609.347, is amended by adding a subdivision to read:

**Subd. 8. Voluntary intoxication defense for certain mentally incapacitated cases; clarification of applicability.** (a) The "knows or has reason to know" mental state requirement for violations of sections 609.342 to 609.345 involving a complainant who is mentally incapacitated, as defined in section 609.341, subdivision 7, clause (2), is a specific intent crime for purposes of determining the applicability of the voluntary intoxication defense described in section 609.075. This defense may be raised by a defendant if the defense is otherwise applicable under section 609.075 and related case law.

(b) Nothing in paragraph (a) may be interpreted to change the application of the defense to other crimes.

(c) Nothing in paragraph (a) is intended to change the scope or limitations of the defense or case law interpreting it beyond clarifying that the defense is available to a defendant described in paragraph (a).

**EFFECTIVE DATE.** The section is effective August 1, 2021, and applies to crimes committed on or after that date.

Sec. 20. Minnesota Statutes 2020, section 624.712, subdivision 5, is amended to read:

**Subd. 5. Crime of violence.** "Crime of violence" means: felony convictions of the following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree); 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic assault by strangulation); 609.229 (crimes committed for the

benefit of a gang); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.3458 (sexual extortion); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child); 609.486 (commission of crime while wearing or possessing a bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot); 609.713 (terroristic threats); 609.749 (harassment); 609.855, subdivision 5 (shooting at a public transit vehicle or facility); and chapter 152 (drugs, controlled substances); and an attempt to commit any of these offenses."

Page 31, delete sections 20 and 21 and insert:

"Sec. 22. **REVISOR INSTRUCTION.**

(a) The revisor of statutes shall make necessary cross-reference changes and remove statutory cross-references in Minnesota Statutes to conform with this act. The revisor may make technical and other necessary changes to language and sentence structure to preserve the meaning of the text.

(b) In Minnesota Statutes, the revisor of statutes shall modify the headnote to Minnesota Statutes, section 609.347, to reflect the amendment to that section contained in this act."

ReNUMBER the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 707 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hassan; Xiong, J.; Gomez; Lee; Vang; Frazier; Her; Hollins and Becker-Finn introduced:

H. F. No. 2543, A bill for an act relating to public safety; prohibiting the use of certain traffic stop-related information as criteria for peace officer job performance; amending Minnesota Statutes 2020, sections 169.985; 299D.08.

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy.

Robbins, Haley, Koznick, Nash and Scott introduced:

H. F. No. 2544, A bill for an act relating to unemployment; replenishing the unemployment insurance trust fund; appropriating money.

The bill was read for the first time and referred to the Committee on Workforce and Business Development Finance and Policy.

Lee; Xiong, J.; Gomez; Hassan; Richardson; Frazier; Becker-Finn and Vang introduced:

H. F. No. 2545, A bill for an act relating to state government; appropriating money to the Legislative Coordinating Commission for translation services.

The bill was read for the first time and referred to the Committee on State Government Finance and Elections.

Xiong, J.; Gomez; Hassan; Lee; Noor; Frazier; Hollins; Agbaje; Koegel; Jordan; Davnie; Greenman; Boldon; Keeler; Berg; Reyer and Freiberg introduced:

H. F. No. 2546, A bill for an act relating to public safety; prohibiting law enforcement from using tear gas, chemical weapons, and kinetic energy munitions; amending Minnesota Statutes 2020, section 624.731, subdivisions 4, 6; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Wednesday, April 21, 2021 and established a prefiling requirement for amendments offered to the following bills:

S. F. Nos. 970 and 958.

#### CALENDAR FOR THE DAY

S. F. No. 975 was reported to the House.

Bernardy moved to amend S. F. No. 975, the third engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 993, the second engrossment:

"ARTICLE 1  
APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2022</u></b>	<b><u>2023</u></b>

Sec. 2. **MINNESOTA OFFICE OF HIGHER EDUCATION**

<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$275,338,000</u></b>	<b><u>\$275,198,000</u></b>
--	-----------------------------	-----------------------------

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

Subd. 2. <b><u>State Grants</u></b>	<b><u>210,587,000</u></b>	<b><u>210,587,000</u></b>
-------------------------------------	---------------------------	---------------------------

If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available for it.

Subd. 3. <b><u>Child Care Grants</u></b>	<b><u>6,694,000</u></b>	<b><u>6,694,000</u></b>
--	-------------------------	-------------------------

Subd. 4. <b><u>State Work-Study</u></b>	<b><u>14,502,000</u></b>	<b><u>14,502,000</u></b>
---	--------------------------	--------------------------

Subd. 5. <b><u>Interstate Tuition Reciprocity</u></b>	<b><u>8,500,000</u></b>	<b><u>8,500,000</u></b>
---	-------------------------	-------------------------

If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available to meet reciprocity contract obligations.

Subd. 6. <b><u>Safety Officer's Survivors</u></b>	<b><u>100,000</u></b>	<b><u>100,000</u></b>
---	-----------------------	-----------------------

This appropriation is to provide educational benefits under Minnesota Statutes, section 299A.45, to eligible dependent children and to the spouses of public safety officers killed in the line of duty.

If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available for it.

**Subd. 7. American Indian Scholarships**3,500,0003,500,000

The commissioner must contract with or employ at least one person with demonstrated competence in American Indian culture and residing in or near the city of Bemidji to assist students with the scholarships under Minnesota Statutes, section 136A.126, and with other information about financial aid for which the students may be eligible. Bemidji State University must provide office space at no cost to the Office of Higher Education for purposes of administering the American Indian scholarship program under Minnesota Statutes, section 136A.126. This appropriation includes funding to administer the American Indian scholarship program.

**Subd. 8. Tribal College Grants**150,000150,000

For tribal college assistance grants under Minnesota Statutes, section 136A.1796.

**Subd. 9. Intervention for College Attendance Program Grants**1,500,0001,500,000

For the intervention for college attendance program under Minnesota Statutes, section 136A.861.

The commissioner may use no more than three percent of this appropriation to administer the intervention for college attendance program grants.

**Subd. 10. Student-Parent Information**122,000122,000**Subd. 11. Get Ready!**180,000180,000**Subd. 12. Minnesota Education Equity Partnership**45,00045,000**Subd. 13. Midwest Higher Education Compact**115,000115,000**Subd. 14. United Family Medicine Residency Program**501,000501,000

For a grant to United Family Medicine residency program. This appropriation shall be used to support up to 21 resident physicians each year in family practice at United Family Medicine residency programs and shall prepare doctors to practice family care medicine in underserved rural and urban areas of the state. It is intended that this program will improve health care in underserved communities, provide affordable access to appropriate medical care, and manage the treatment of patients in a cost-effective manner.

**Subd. 15. MnLINK Gateway and Minitex**5,905,0005,905,000**Subd. 16. Statewide Longitudinal Education Data System**1,782,0001,782,000

**Subd. 17. Hennepin Healthcare**645,000645,000

For transfer to Hennepin Healthcare for graduate family medical education programs at Hennepin Healthcare.

**Subd. 18. College Possible**500,000500,000

(a) This appropriation is for immediate transfer to College Possible to support programs of college admission and college graduation for low-income students through an intensive curriculum of coaching and support at both the high school and postsecondary level.

(b) This appropriation must, to the extent possible, be proportionately allocated between students from greater Minnesota and students in the seven-county metropolitan area.

(c) This appropriation must be used by College Possible only for programs supporting students who are residents of Minnesota and attending colleges or universities within Minnesota.

(d) By February 1 of each year, College Possible must report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over higher education and E-12 education on activities funded by this appropriation. The report must include, but is not limited to, information about the expansion of College Possible in Minnesota, the number of College Possible coaches hired, the expansion within existing partner high schools, the expansion of high school partnerships, the number of high school and college students served, the total hours of community service by high school and college students, and a list of communities and organizations benefiting from student service hours.

**Subd. 19. Spinal Cord Injury and Traumatic Brain Injury Research Grant Program**3,000,0003,000,000

For transfer to the spinal cord and traumatic brain injury grant account in the special revenue fund under Minnesota Statutes, section 136A.901, subdivision 1.

The commissioner may use no more than three percent of the amount transferred under this subdivision to administer the grant program.

**Subd. 20. Summer Academic Enrichment Program**750,000750,000

For summer academic enrichment grants under Minnesota Statutes, section 136A.091.

The commissioner may use no more than three percent of this appropriation to administer the grant program under this subdivision.

**Subd. 21. Dual Training Competency Grants; Office of Higher Education**

2,000,000

2,000,000

For transfer to the Dual Training Competency Grants account in the special revenue fund under Minnesota Statutes, section 136A.246, subdivision 10.

**Subd. 22. Campus Sexual Assault Reporting**

25,000

25,000

For the sexual assault reporting required under Minnesota Statutes, section 135A.15.

**Subd. 23. Campus Sexual Violence Prevention and Response Coordinator**

150,000

150,000

For the Office of Higher Education to staff a campus sexual violence prevention and response coordinator to serve as a statewide resource providing professional development and guidance on best practices for postsecondary institutions. \$50,000 each year is for administrative funding to conduct trainings and provide materials to postsecondary institutions.

**Subd. 24. Emergency Assistance for Postsecondary Students**

825,000

825,000

(a) This appropriation is for the Office of Higher Education to allocate grant funds on a matching basis to eligible institutions as defined under Minnesota Statutes, section 136A.103, located in Minnesota with a demonstrable homeless student population.

(b) This appropriation shall be used to meet immediate student needs that could result in a student not completing the term or their program including, but not limited to, emergency housing, food, and transportation. Institutions shall minimize any negative impact on student financial aid resulting from the receipt of emergency funds.

(c) The commissioner shall determine the application process and the grant amounts. The Office of Higher Education shall partner with interested postsecondary institutions, other state agencies, and student groups to establish the programs.

**Subd. 25. Grants to Teacher Candidates in Shortage Areas**

500,000

500,000

For grants to teacher candidates in shortage areas under Minnesota Statutes, section 136A.1275.

The commissioner may use no more than three percent of the appropriation for administration of the program.

**Subd. 26. Grants to Underrepresented Teacher Candidates**

2,293,000

2,628,000

For grants to underrepresented teacher candidates under Minnesota Statutes, section 136A.1274.

The commissioner may use no more than three percent of the appropriation for administration of the program.

**Subd. 27. Teacher Shortage Loan Forgiveness** 200,000 200,000

For transfer to the teacher shortage loan forgiveness repayment account in the special revenue fund under Minnesota Statutes, section 136A.1791, subdivision 8.

The commissioner may use no more than three percent of the amount transferred under this subdivision to administer the program.

**Subd. 28. Large Animal Veterinarian Loan Forgiveness Program** 375,000 375,000

For transfer to the large animal veterinarian loan forgiveness program account in the special revenue fund under Minnesota Statutes, section 136A.1795, subdivision 2.

**Subd. 29. Agricultural Educators Loan Forgiveness** 50,000 50,000

For transfer to the agricultural education loan forgiveness account in the special revenue fund under Minnesota Statutes, section 136A.1794, subdivision 2.

**Subd. 30. Aviation Degree Loan Forgiveness Program** 25,000 25,000

For transfer to the aviation degree loan forgiveness program account in the special revenue fund under Minnesota Statutes, section 136A.1789, subdivision 2.

**Subd. 31. Grants for Students with Intellectual and Developmental Disabilities** 200,000 200,000

For grants for students with intellectual and developmental disabilities under Minnesota Statutes, section 136A.1215.

**Subd. 32. Loan Repayment Assistance Program** 25,000 25,000

For a grant to the Loan Repayment Assistance Program of Minnesota to provide education debt relief to attorneys with full-time employment providing legal advice or representation to low-income clients or support services for this work.

**Subd. 33. Minnesota Independence College and Community** 1,000,000 1,000,000

For a grant to Minnesota Independence College and Community for need-based scholarships and tuition reduction. Beginning with students first enrolled in the fall of 2019, eligibility is limited to resident students as defined in Minnesota Statutes, section 136A.101, subdivision 8.

**Subd. 34. Student Loan Debt Counseling**200,000200,000

For student loan debt counseling under Minnesota Statutes, section 136A.1788.

The Office of Higher Education may use no more than three percent of the appropriation to administer the student loan debt counseling program.

**Subd. 35. Hunger-Free Campus Grants**275,000223,000

(a) For grants to Minnesota postsecondary institutions to meet and maintain the criteria in Minnesota Statutes, section 136F.245, to address food insecurity on campus.

(b) Awards must be based on head count for the most recently completed academic year.

(c) Institutions must provide matching funds to receive the hunger-free campus grant.

(d) The commissioner of the Office of Higher Education, in collaboration with the statewide student associations designated in Minnesota Statutes, section 136F.245, subdivision 2, shall create an application process and selection criteria for awarding the grants.

**Subd. 36. Concurrent Enrollment Grants**340,000340,000

For concurrent enrollment grants under Minnesota Statutes, section 136A.91.

**Subd. 37. Addiction Medicine Graduate Medical Education Fellowship**275,000275,000

(a) This appropriation is for transfer to the Hennepin County Medical Center to support up to four physicians enrolled in an addiction medicine fellowship program. This is a onetime appropriation.

(b) This appropriation shall be used:

(1) to train fellows in: (i) diagnostic interviewing; (ii) motivational interviewing; (iii) addiction counseling; (iv) recognition and care of common acute withdrawal syndromes and complications; (v) pharmacotherapies of addictive disorders; (vi) epidemiology and pathophysiology of addiction; (vii) identification and treatment of addictive disorders in special populations; (viii) secondary interventions; (ix) the use of screening and diagnostic instruments; (x) inpatient care; and (xi) working within a multidisciplinary team; and

(2) to prepare fellows to practice addiction medicine in rural and underserved areas of the state.

**Subd. 38. Aspiring Teachers of Color Scholarships** 2,000,000 2,500,000

(a) This appropriation is for the aspiring teachers of color scholarship program under Minnesota Statutes, section 136A.1273.

(b) The commissioner of the Office of Higher Education may use no more than three percent of the appropriation to administer the aspiring teachers of color scholarship program.

(c) This is a onetime appropriation. The base for this appropriation is \$0 in fiscal year 2024 and later.

**Subd. 39. Direct Admissions** 925,000 75,000

For the direct admissions pilot program in article 2, section 39.

**Subd. 40. Agency Administration** 4,577,000 4,504,000

**Subd. 41. Balances Forward**

A balance in the first year under this section does not cancel, but is available for the second year.

**Subd. 42. Transfers**

The commissioner of the Office of Higher Education may transfer unencumbered balances from the appropriations in this section to the state grant appropriation, the interstate tuition reciprocity appropriation, the child care grant appropriation, the Indian scholarship appropriation, the state work-study appropriation, the get ready appropriation, the intervention for college attendance appropriation, the student-parent information appropriation, the summer academic enrichment program appropriation, and the public safety officers' survivors appropriation. Transfers from the hunger-free campus appropriation may only be made to the emergency assistance for postsecondary students appropriation. Transfers from the child care or state work-study appropriations may only be made to the extent there is a projected surplus in the appropriation. A transfer may be made only with prior written notice to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over higher education finance.

**Sec. 3. BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES**

**Subdivision 1. Total Appropriation** \$786,284,000 \$807,384,000

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

**Subd. 2. Central Office and Shared Services Unit**33,074,00033,074,000For the Office of the Chancellor and the Shared Services Division.**Subd. 3. Operations and Maintenance**749,095,000770,195,000

(a) For the 2021-2022 and 2022-2023 academic years, the tuition rates for undergraduates at colleges and universities must not exceed the 2020-2021 academic year rates.

(b) \$3,000,000 in fiscal year 2022 and \$3,000,000 in fiscal year 2023 are to provide supplemental aid for operations and maintenance to the president of each two-year institution in the system with at least one campus that is not located in a metropolitan county, as defined in Minnesota Statutes, section 473.121, subdivision 4. The board shall transfer \$100,000 for each campus not located in a metropolitan county in each year to the president of each institution that includes such a campus, provided that no institution may receive more than \$300,000 in total supplemental aid each year.

(c) The Board of Trustees is requested to help Minnesota close the attainment gap by funding activities which improve retention and completion for students of color.

(d) \$4,000,000 in fiscal year 2022 and \$4,000,000 in fiscal year 2023 are for workforce development scholarships under Minnesota Statutes, section 136F.38.

(e) \$300,000 in fiscal year 2022 and \$300,000 in fiscal year 2023 are for transfer to the Cook County Higher Education Board to provide educational programming, workforce development, and academic support services to remote regions in northeastern Minnesota. The Cook County Higher Education Board shall continue to provide information to the Board of Trustees on the number of students served, credit hours delivered, and services provided to students.

(f) This appropriation includes \$40,000 in fiscal year 2022 and \$40,000 in fiscal year 2023 to implement the sexual assault policies required under Minnesota Statutes, section 135A.15.

(g) This appropriation includes \$8,000,000 in fiscal year 2022 and \$8,000,000 in fiscal year 2023 for upgrading the Integrated Statewide Record System.

(h) This appropriation includes \$1,250,000 in fiscal year 2022 and \$1,250,000 in fiscal year 2023 to support students in meeting critical needs, including providing online mental health resources and an online information hub to connect students with state and local resources that address basic needs, including housing and food insecurity.

(i) This appropriation includes \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 to implement the Z-Degree program under Minnesota Statutes, section 136F.305. This is a onetime appropriation.

(j) This appropriation includes \$400,000 in fiscal year 2022 and \$0 in fiscal year 2023 for the career and technical educator pilot project under article 2, section 40. Of this amount, \$250,000 is for transfer to Winona State University and \$150,000 is for transfer to Minnesota State College Southeast for the purposes listed in article 2, section 40. Notwithstanding Minnesota Statutes, section 16A.28, unencumbered balances under this section do not cancel until July 1, 2025.

(k) \$100,000 in fiscal year 2022 and \$100,000 in fiscal year 2023 are for the mental health services for students required under Minnesota Statutes, section 136F.20, subdivision 3.

(l) The total operations and maintenance base for fiscal year 2024 and later is \$769,695,000.

Subd. 4. **Learning Network of Minnesota** 4,115,000 4,115,000

Sec. 4. **BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA**

Subdivision 1. **Total Appropriation** **\$688,313,000** **\$700,563,000**

Appropriations by Fund

	<u>2022</u>	<u>2023</u>
<u>General</u>	<u>686,156,000</u>	<u>698,406,000</u>
<u>Health Care Access</u>	<u>2,157,000</u>	<u>2,157,000</u>

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

Subd. 2. **Operations and Maintenance** 616,718,000 628,968,000

(a) \$15,000,000 in fiscal year 2022 and \$15,000,000 in fiscal year 2023 are to: (1) increase the medical school's research capacity; (2) improve the medical school's ranking in National Institutes of Health funding; (3) ensure the medical school's national prominence by attracting and retaining world-class faculty, staff, and students; (4) invest in physician training programs in rural and underserved communities; and (5) translate the medical school's research discoveries into new treatments and cures to improve the health of Minnesotans.

(b) \$7,800,000 in fiscal year 2022 and \$7,800,000 in fiscal year 2023 are for health training restoration. This appropriation must be used to support all of the following: (1) faculty physicians who teach at eight residency program sites, including medical resident and student training programs in the Department of Family Medicine; (2) the Mobile Dental Clinic; and (3) expansion of geriatric education and family programs.

(c) \$4,000,000 in fiscal year 2022 and \$4,000,000 in fiscal year 2023 are for the Minnesota Discovery, Research, and InnoVation Economy funding program for cancer care research.

(d) \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 are for the University of Minnesota, Morris branch, to cover the costs of tuition waivers under Minnesota Statutes, section 137.16.

(e) \$150,000 in fiscal year 2022 and \$150,000 in fiscal year 2023 are for the advisory council on rare diseases under Minnesota Statutes, section 137.68. The base for this appropriation is \$0 in fiscal year 2024 and later.

(f) The total operations and maintenance base for fiscal year 2024 and later is \$628,818,000.

**Subd. 3. Primary Care Education Initiatives**

2,157,000

2,157,000

This appropriation is from the health care access fund.

**Subd. 4. Special Appropriations**

**(a) Agriculture and Extension Service**

42,922,000

42,922,000

For the Agricultural Experiment Station and the Minnesota Extension Service:

(1) the agricultural experiment stations and Minnesota Extension Service must convene agricultural advisory groups to focus research, education, and extension activities on producer needs and implement an outreach strategy that more effectively and rapidly transfers research results and best practices to producers throughout the state;

(2) this appropriation includes funding for research and outreach on the production of renewable energy from Minnesota biomass resources, including agronomic crops, plant and animal wastes, and native plants or trees. The following areas should be prioritized and carried out in consultation with Minnesota producers, renewable energy, and bioenergy organizations:

(i) biofuel and other energy production from perennial crops, small grains, row crops, and forestry products in conjunction with the Natural Resources Research Institute (NRRI);

(ii) alternative bioenergy crops and cropping systems; and

(iii) biofuel coproducts used for livestock feed;

(3) this appropriation includes funding for the College of Food, Agricultural, and Natural Resources Sciences to establish and provide leadership for organic agronomic, horticultural, livestock, and food systems research, education, and outreach and for the purchase of state-of-the-art laboratory, planting, tilling, harvesting, and processing equipment necessary for this project;

(4) this appropriation includes funding for research efforts that demonstrate a renewed emphasis on the needs of the state's agriculture community. The following areas should be prioritized and carried out in consultation with Minnesota farm organizations:

(i) vegetable crop research with priority for extending the Minnesota vegetable growing season;

(ii) fertilizer and soil fertility research and development;

(iii) soil, groundwater, and surface water conservation practices and contaminant reduction research;

(iv) discovering and developing plant varieties that use nutrients more efficiently;

(v) breeding and development of turf seed and other biomass resources in all three Minnesota biomes;

(vi) development of new disease-resistant and pest-resistant varieties of turf and agronomic crops;

(vii) utilizing plant and livestock cells to treat and cure human diseases;

(viii) the development of dairy coproducts;

(ix) a rapid agricultural response fund for current or emerging animal, plant, and insect problems affecting production or food safety;

(x) crop pest and animal disease research;

(xi) developing animal agriculture that is capable of sustainably feeding the world;

(xii) consumer food safety education and outreach;

(xiii) programs to meet the research and outreach needs of organic livestock and crop farmers; and

(xiv) alternative bioenergy crops and cropping systems; and growing, harvesting, and transporting biomass plant material; and

(5) by February 1, 2023, the Board of Regents must submit a report to the legislative committees and divisions with jurisdiction over agriculture and higher education finance on the status and outcomes of research and initiatives funded in this paragraph.

**(b) Health Sciences**

9,204,000

9,204,000

\$346,000 each year is to support up to 12 resident physicians in the St. Cloud Hospital family practice residency program. The program must prepare doctors to practice primary care medicine in rural areas of the state. The legislature intends this program to improve health care in rural communities, provide affordable access to appropriate medical care, and manage the treatment of patients in a more cost-effective manner. The remainder of this appropriation is for the rural physicians associates program; the Veterinary Diagnostic Laboratory; health sciences research; dental care; the Biomedical Engineering Center; and the collaborative partnership between the University of Minnesota and Mayo Clinic for regenerative medicine, research, clinical translation, and commercialization.

**(c) College of Science and Engineering**

1,140,000

1,140,000

For the geological survey and the talented youth mathematics program.

**(d) System Special**

8,181,000

8,181,000

For general research, the Labor Education Service, Natural Resources Research Institute, Center for Urban and Regional Affairs, Bell Museum of Natural History, and the Humphrey exhibit.

\$3,000,000 in fiscal year 2022 and \$3,000,000 in fiscal year 2023 are for the Natural Resources Research Institute to invest in applied research for economic development.

The base for this appropriation is \$7,181,000 in fiscal year 2024 and later and, of this amount, \$2,000,000 per fiscal year is for the Natural Resources Research Institute to invest in applied research for economic development.

**(e) University of Minnesota and Mayo Foundation Partnership**

7,991,000

7,991,000

This appropriation is for the following activities:

(1) \$7,491,000 in fiscal year 2022 and \$7,491,000 in fiscal year 2023 are for the direct and indirect expenses of the collaborative research partnership between the University of Minnesota and the Mayo Foundation for research in biotechnology and medical genomics. An annual report on the expenditure of these funds must be submitted to the governor and the chairs of the legislative committees responsible for higher education finance by June 30 of each fiscal year.

(2) \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 are to award competitive grants to conduct research into the prevention, treatment, causes, and cures of Alzheimer's disease and other dementias.

**Subd. 5. Academic Health Center**

The appropriation for Academic Health Center funding under Minnesota Statutes, section 297F.10, is estimated to be \$22,250,000 each year.

**Sec. 5. MAYO CLINIC**

**Subdivision 1. Total Appropriation**

**\$1,351,000**

**\$1,351,000**

The amounts that may be spent are specified in the following subdivisions.

**Subd. 2. Medical School**

665,000

665,000

The state must pay a capitation each year for each student who is a resident of Minnesota. The appropriation may be transferred between each year of the biennium to accommodate enrollment fluctuations. It is intended that during the biennium the Mayo Clinic use the capitation money to increase the number of doctors practicing in rural areas in need of doctors.

**Subd. 3. Family Practice and Graduate Residency Program**

686,000

686,000

The state must pay stipend support for up to 27 residents each year.

**Sec. 6. CANCELLATIONS; FISCAL YEAR 2021.**

(a) \$340,000 of the fiscal year 2021 general fund appropriation under Laws 2019, chapter 64, article 1, section 2, subdivisions 11, 25, and 26, is canceled.

(b) \$5,000,000 of the fiscal year 2021 general fund appropriation under Laws 2019, chapter 64, article 1, section 2, subdivision 2, is canceled.

(c) This section is effective the day following final enactment.

ARTICLE 2  
HIGHER EDUCATION PROVISIONS

Section 1. **[135A.144] TRANSCRIPT ACCESS.**

**Subdivision 1. Definitions.** (a) The terms defined in this subdivision apply to this section.

(b) "Debt" means any money, obligation, claim, or sum, due or owed, or alleged to be due or owed, from a student that appears on the student account. Debt does not include the fee, if any, charged to all students for the actual costs of providing the transcripts.

(c) "School" means any public institution governed by the Board of Trustees of the Minnesota State Colleges and Universities, private postsecondary educational institution as defined under section 136A.62 or 136A.821, or public or private entity responsible for providing transcripts to current or former students of an educational institution. Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

(d) "Transcript" means the statement of an individual's academic record, including official transcripts or the certified statement of an individual's academic record provided by a school, and unofficial transcripts or the uncertified statement of an individual's academic record provided by a school.

**Subd. 2. Prohibited practices.** A school must not:

(1) refuse to provide a transcript for a current or former student because the student owes a debt to the school if:

(i) the debt owed is less than \$500;

(ii) the student has entered into and, as determined by the institution, is in compliance with a payment plan with the school;

(iii) the transcript request is made by a prospective employer for the student; or

(iv) the school has sent the debt for repayment to the Department of Revenue or to a collection agency, as defined in section 332.31, subdivision 3, external to the institution; or

(2) charge an additional or a higher fee for obtaining a transcript or provide less favorable treatment of a transcript request because a student owes a debt to the originating school.

**Subd. 3. Institutional policy.** (a) Institutions that use transcript issuance as a tool for debt collection must have a policy accessible to students that outlines how the institution collects on debts owed to the institution.

(b) Institutions shall seek to use transcript issuance as a tool for debt collection for the fewest number of cases possible.

Sec. 2. **[136A.057] STUDENT TRANSFER REPORTING.**

(a) The commissioner must report on the office's website summary data on students who, within the most recent academic year, withdrew from enrollment without completing a degree or credential program at a public postsecondary institution in Minnesota. The summary data must include whether the students who withdrew transferred to another institution and the institutions transferred to and from.

(b) Summary data must be aggregated by postsecondary institution and degree or credential program. Summary data must be disaggregated by race, ethnicity, Pell eligibility, and age.

(c) The commissioner must post the initial data on the office's website on or before February 15, 2022, and must update the data at least annually thereafter.

Sec. 3. Minnesota Statutes 2020, section 136A.101, subdivision 5a, is amended to read:

Subd. 5a. **Assigned family responsibility.** "Assigned family responsibility" means the amount of a family's contribution to a student's cost of attendance, as determined by a federal need analysis. For dependent students, the assigned family responsibility is 82 percent of the parental contribution. For independent students with dependents other than a spouse, the assigned family responsibility is ~~74~~ 73 percent of the student contribution. For independent students without dependents other than a spouse, the assigned family responsibility is ~~38~~ 37 percent of the student contribution.

Sec. 4. Minnesota Statutes 2020, section 136A.121, subdivision 2, is amended to read:

Subd. 2. **Eligibility for grants.** (a) An applicant is eligible to be considered for a grant, regardless of the applicant's sex, creed, race, color, national origin, or ancestry, under sections 136A.095 to 136A.131 if the office finds that the applicant:

(1) is a resident of the state of Minnesota;

(2) is a graduate of a secondary school or its equivalent, or is 17 years of age or over, and has met all requirements for admission as a student to an eligible college or technical college of choice as defined in sections 136A.095 to 136A.131;

(3) has met the financial need criteria established in Minnesota Rules;

(4) is not in default, as defined by the office, of any federal or state student educational loan; and

(5) is not more than 30 days in arrears in court-ordered child support that is collected or enforced by the public authority responsible for child support enforcement or, if the applicant is more than 30 days in arrears in court-ordered child support that is collected or enforced by the public authority responsible for child support enforcement, but is complying with a written payment agreement under section 518A.69 or order for arrearages.

(b) A student ~~who is entitled to an additional semester or the equivalent of grant eligibility if the student withdraws from enrollment;~~

(1) for active military service after December 31, 2002, because the student was ordered to active military service as defined in section 190.05, subdivision 5b or 5c, ~~or who withdraws from enrollment;~~

(2) for a ~~major illness~~ serious health condition, while under the care of a medical professional, that substantially limits the student's ability to complete the term ~~is entitled to an additional semester or the equivalent of grant eligibility;~~ or

(3) while providing care that substantially limits the student's ability to complete the term to the student's spouse, child, or parent who has a serious health condition.

Sec. 5. Minnesota Statutes 2020, section 136A.121, subdivision 6, is amended to read:

Subd. 6. **Cost of attendance.** (a) The recognized cost of attendance consists of: (1) an allowance specified in law for living and miscellaneous expenses, and (2) an allowance for tuition and fees equal to the lesser of the average tuition and fees charged by the institution, or a tuition and fee maximum if one is established in law. If no living and miscellaneous expense allowance is established in law, the allowance is equal to ~~106~~ 113 percent of the federal poverty guidelines for a one person household in Minnesota for nine months. If no tuition and fee maximum is established in law, the allowance for tuition and fees is equal to the lesser of: (1) the average tuition and fees charged by the institution, and (2) for two-year programs, an amount equal to the highest tuition and fees charged at a public two-year institution, or for four-year programs, an amount equal to the highest tuition and fees charged at a public university.

(b) For a student registering for less than full time, the office shall prorate the cost of attendance to the actual number of credits for which the student is enrolled.

(c) The recognized cost of attendance for a student who is confined to a Minnesota correctional institution shall consist of the tuition and fee component in paragraph (a), with no allowance for living and miscellaneous expenses.

(d) For the purpose of this subdivision, "fees" include only those fees that are mandatory and charged to full-time resident students attending the institution. Fees do not include charges for tools, equipment, computers, or other similar materials where the student retains ownership. Fees include charges for these materials if the institution retains ownership. Fees do not include optional or punitive fees.

Sec. 6. Minnesota Statutes 2020, section 136A.121, subdivision 9, is amended to read:

Subd. 9. **Awards.** An undergraduate student who meets the office's requirements is eligible to apply for and receive a grant in any year of undergraduate study unless the student has obtained a baccalaureate degree or previously has been enrolled full time or the equivalent for eight semesters or the equivalent, excluding (1) courses taken from a Minnesota school or postsecondary institution which is not participating in the state grant program and from which a student transferred no credit, and (2) courses taken that qualify as developmental education or below college-level. A student enrolled in a two-year program at a four-year institution is only eligible for the tuition and fee maximums established by law for two-year institutions.

Sec. 7. Minnesota Statutes 2020, section 136A.125, subdivision 2, is amended to read:

Subd. 2. **Eligible students.** (a) An applicant is eligible for a child care grant if the applicant:

(1) is a resident of the state of Minnesota or the applicant's spouse is a resident of the state of Minnesota;

(2) has a child 12 years of age or younger, or 14 years of age or younger who is disabled as defined in section 125A.02, and who is receiving or will receive care on a regular basis from a licensed or legal, nonlicensed caregiver;

(3) is income eligible as determined by the office's policies and rules, but is not a recipient of assistance from the Minnesota family investment program;

(4) ~~either has not earned a baccalaureate degree and has been enrolled full time less than ten semesters or the equivalent in a graduate or professional degree program; or has earned a baccalaureate degree and has been enrolled full time less than ten semesters or the equivalent in a graduate or professional degree program;~~ received child care grant funds for a period of ten semesters or the equivalent, or has earned a baccalaureate degree and has been enrolled full time less than ten semesters or the equivalent in a graduate or professional degree program;

(5) is pursuing a nonsectarian program or course of study that applies to an undergraduate, graduate, or professional degree, diploma, or certificate;

(6) is enrolled in at least ~~six credits~~ one credit in an undergraduate program or one credit in a graduate or professional program in an eligible institution; and

(7) is in good academic standing and making satisfactory academic progress.

(b) A student ~~who is entitled to an additional semester or equivalent of grant eligibility and will be considered to be in continuing enrollment status upon return if the student~~ withdraws from enrollment:

(1) for active military service after December 31, 2002, because the student was ordered to active military service as defined in section 190.05, subdivision 5b or 5c, ~~or;~~

(2) for a ~~major illness~~ serious health condition, while under the care of a medical professional, that substantially limits the student's ability to complete the term ~~is entitled to an additional semester or the equivalent of grant eligibility and will be considered to be in continuing enrollment status upon return;~~ or

(3) while providing care that substantially limits the student's ability to complete the term to the student's spouse, child, or parent who has a serious health condition.

Sec. 8. Minnesota Statutes 2020, section 136A.125, subdivision 4, is amended to read:

Subd. 4. **Amount and length of grants.** ~~(a) The amount of a child care grant must be based on:~~

~~(1) the income of the applicant and the applicant's spouse;~~

~~(2) the number in the applicant's family, as defined by the office; and~~

~~(3) the number of eligible children in the applicant's family.~~

~~(b) (a) The maximum award to the applicant shall be \$3,000 equals the maximum federal Pell Grant for each eligible child per academic year, except that the campus financial aid officer may apply to the office for approval to increase grants by up to ten percent to compensate for higher market charges for infant care in a community. The office shall develop policies to determine community market costs and review institutional requests for compensatory grant increases to ensure need and equal treatment. The office shall prepare a chart to show the amount of a grant that will be awarded per child based on the factors in this subdivision. The chart shall include a range of income and family size.~~

~~(c) (b) Applicants with family incomes expected family contributions at or below a percentage of the federal poverty level the qualifying expected family contribution for the federal Pell Grant, as determined by the commissioner, will qualify for the maximum award. The commissioner shall attempt to set the percentage at a level estimated to fully expend the available appropriation for child care grants. Applicants with family incomes expected family contributions exceeding that threshold will but less than 200 percent of the qualifying expected family contribution receive the maximum award minus ten percent of their income exceeding that threshold an amount proportional to their expected family contribution as determined by the commissioner. If the result is less than zero, the grant is zero.~~

~~(d) (c) The academic year award amount must be disbursed by academic term using the following formula:~~

~~(1) the academic year amount described in paragraph (b) (a);~~

~~(2) divided by the number of terms in the academic year; and~~

~~(3) divided by 15 for undergraduate students and six for graduate and professional students; and~~

~~(4) (3) multiplied by the number of credits for which the student is enrolled that academic term, up to 15 credits for undergraduate students and six for graduate and professional students. applicable enrollment factor:~~

(i) 1.00 for undergraduate students enrolled in 12 or more semester credits or the equivalent or for graduate students enrolled in six or more semester credits or the equivalent;

(ii) 0.75 for undergraduate students enrolled in nine, ten, or 11 semester credits or the equivalent or for graduate students enrolled in five semester credits or the equivalent;

(iii) 0.50 for undergraduate students enrolled in six, seven, or eight semester credits or the equivalent or for graduate students enrolled in three or four semester credits or the equivalent; and

(iv) 0.25 for undergraduate students enrolled in at least one but less than six semester credits or the equivalent or for graduate students enrolled in one or two semester credits or the equivalent.

~~(e)~~ (d) Payments shall be made each academic term to the student or to the child care provider, as determined by the institution. Institutions may make payments more than once within the academic term.

Sec. 9. Minnesota Statutes 2020, section 136A.126, subdivision 1, is amended to read:

Subdivision 1. **Student eligibility.** The commissioner shall establish procedures for the distribution of scholarships to a Minnesota resident student as defined under section 136A.101, subdivision 8, who:

(1) is of one-fourth or more Indian ancestry or is an enrolled member or citizen of a federally recognized American Indian or Canadian First Nations tribe;

(2) has applied for other existing state and federal scholarship and grant programs;

(3) is meeting satisfactory academic progress as defined under section 136A.101, subdivision 10;

(4) is not in default, as defined by the office, of a federal or state student educational loan;

(5) if enrolled in an undergraduate program, is eligible or would be eligible to receive a federal Pell Grant or a state grant based on the federal needs analysis and is enrolled for nine semester credits per term or more, or the equivalent; and

(6) if enrolled in a graduate program, demonstrates a remaining financial need in the award amount calculation and is enrolled, per term, on a half-time basis or more as defined by the postsecondary institution.

Sec. 10. Minnesota Statutes 2020, section 136A.126, subdivision 4, is amended to read:

Subd. 4. **Award amount.** (a) Each student shall be awarded a scholarship based on the federal need analysis. Applicants are encouraged to apply for all other sources of financial aid. The amount of the award must not exceed the applicant's cost of attendance, as defined in subdivision 3, after deducting:

(1) the expected family contribution as calculated by the federal need analysis;

(2) the amount of a federal Pell Grant award for which the applicant is eligible;

(3) the amount of the state grant;

- (4) the federal Supplemental Educational Opportunity Grant;
  - (5) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission amounts;
  - (6) the sum of all tribal scholarships;
  - (7) the amount of any other state and federal gift aid; and
  - (8) the amount of any private grants or scholarships.
- (b) The award shall be paid directly to the postsecondary institution where the student receives federal financial aid.
- (c) Awards are limited as follows:
- (1) the maximum award for an undergraduate is \$4,000 per ~~award~~ academic year;
  - (2) the maximum award for a graduate student is \$6,000 per ~~award~~ academic year; and
  - (3) the minimum award for all students is \$100 per ~~award~~ academic year.

(d) Scholarships may not be given to any Indian student for more than three years of study for a two-year degree, certificate, or diploma program or five years of study for a four-year degree program at the undergraduate level and for more than five years at the graduate level. Students may acquire only one degree per level and one terminal graduate degree. Scholarships may not be given to any student for more than ten years including five years of undergraduate study and five years of graduate study.

(e) Scholarships may be given to an eligible student for four quarters, three semesters, or the equivalent during the course of a single fiscal year. In calculating the award amount, the office must use the same calculation it would for any other term.

Sec. 11. **[136A.1273] ASPIRING MINNESOTA TEACHERS OF COLOR SCHOLARSHIP PROGRAM.**

Subdivision 1. **Scholarship program established.** The commissioner must establish a scholarship program to support undergraduate and graduate students who are preparing to become teachers, have demonstrated financial need, and belong to racial or ethnic groups underrepresented in the state's teacher workforce.

Subd. 2. **Eligibility.** (a) To be eligible for a scholarship under this section, an applicant must:

(1) be admitted and enrolled in a teacher preparation program approved by the Professional Educator Licensing and Standards Board and be seeking initial licensure, or be enrolled in an eligible institution under section 136A.103 and be completing a two-year program specifically designed to prepare early childhood educators;

(2) affirm to the teacher preparation program or the Office of Higher Education that the applicant is a person of color or American Indian;

(3) be meeting satisfactory academic progress as defined under section 136A.101, subdivision 10; and

(4) demonstrate financial need based on criteria developed by the commissioner.

(b) An eligible applicant may receive a scholarship award more than once, but may receive a total of no more than \$25,000 in scholarship awards from the program.

**Subd. 3. Scholarship award amount.** (a) The commissioner shall establish the scholarship award amount based upon the anticipated number of eligible applicants and the funds available for the program. The established award amount is subject to the requirements of paragraphs (b) through (e) of this subdivision. If the funds available for the program are insufficient to make full awards to all eligible applicants, the commissioner must reduce the established scholarship award amount.

(b) The maximum award amount is \$10,000 per year for full-time study prior to student teaching. For undergraduate students, full-time study means enrollment in a minimum of 12 or more credits per term. For graduate students, full-time study means enrollment that the institution deems sufficient to confer full-time graduate student status.

(c) If an eligible applicant is enrolled in a program for one term during the academic year, the maximum award amount is \$5,000. If an eligible applicant is enrolled part time, the award amount must be prorated on a per-credit basis.

(d) Subject to the funds available for the program, and subject to the limitation in paragraph (e), the minimum award amount established under this section for full-time study must be no less than \$1,000 per year.

(e) An eligible applicant's individual award amount must not exceed the applicant's cost of attendance after deducting: (1) the sum of all state or federal grants and gift aid received, including a Pell Grant and state grant; (2) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission amounts; and (3) the amount of any private grants or scholarships.

(f) Established award amounts are not rulemaking for purposes of chapter 14 or section 14.386.

**Subd. 4. Administration.** (a) The commissioner must establish an application process for individual students and institutions on behalf of all eligible students at the institution and other guidelines for implementing the scholarship program.

(b) The commissioner must give equal consideration to all eligible applicants regardless of the order the application was received before the application deadline.

(c) A scholarship award must be paid to the eligible applicant's teacher preparation institution on behalf of the eligible applicant. Awards may be paid only when the institution has confirmed to the commissioner the applicant's name, racial or ethnic identity, gender, licensure area sought, and enrollment status.

**Subd. 5. Report.** By July 15 of each year, the commissioner must submit an interim report on the scholarship program based on available data to the legislative committees with jurisdiction over higher education finance and policy. By December 15 of each year, the commissioner must submit a full report on the details of the scholarship program for the previous fiscal year to the legislative committees with jurisdiction over higher education finance and policy. The reports must also be made available on the Office of Higher Education's website. The reports must include the following information:

(1) the number of applicants and the number of award recipients, each broken down by postsecondary institution with ten or more recipients;

(2) the total number of awards, the total dollar amount of all awards, and the average award amount; and

(3) summary data on the racial or ethnic identity, gender, licensure area sought, and enrollment status of all applicants and award recipients.

**EFFECTIVE DATE.** This section is effective July 1, 2021, and initial scholarships must be awarded by November 1, 2021.

Sec. 12. **[136A.1274] UNDERREPRESENTED TEACHER CANDIDATE GRANTS.**

**Subdivision 1. Establishment.** The commissioner of the Office of Higher Education must establish a grant program for student teaching stipends for low-income students who belong to an underrepresented racial or ethnic group.

**Subd. 2. Eligibility.** To be eligible for a grant under this section, a teacher candidate must:

(1) be enrolled in a Professional Educator Licensing and Standards Board-approved teacher preparation program at a higher education institution that requires at least 12 weeks of student teaching in order to be recommended for any Tier 3 teaching license;

(2) demonstrate financial need based on criteria established by the commissioner under subdivision 3;

(3) be meeting satisfactory academic progress as defined under section 136A.101, subdivision 10; and

(4) belong to a racial or ethnic group underrepresented in the Minnesota teacher workforce.

**Subd. 3. Administration.** (a) The commissioner must establish an application process and other guidelines for implementing this program. The commissioner must notify grant recipients of their award amounts by the following dates:

(1) for fall student teaching placements, recipients must be notified by August 1;

(2) for spring student teaching placements, recipients must be notified by December 1; and

(3) for summer student teaching placements, recipients must be notified by May 1.

These notification deadlines do not apply in cases where grants are awarded to teacher candidates who applied after application deadlines and funds remained after the initial round of grants were awarded.

(b) The commissioner must determine each academic year the stipend amount up to \$7,500 based on the amount of available funding, the number of eligible applicants, and the financial need of the applicants.

(c) The commissioner must give equal consideration to all applicants regardless of the order the application was received before the application deadline.

**Subd. 4. Reporting.** (a) By July 15 of each year, the commissioner must submit a report on the details of the program under this section for the previous fiscal year to the legislative committees with jurisdiction over higher education finance and policy. The report must include the following information:

(1) the extent of racial or ethnic underrepresentation in the teacher workforce statewide and broken down by economic development region;

(2) the number of eligible applicants and the number of teacher candidates receiving an award, each broken down by postsecondary institution; and

(3) the total number of awards, the total dollar amount of all awards, and the average award amount.

(b) Within 60 days after each round of award notifications required under subdivision 3, paragraph (a), the commissioner must publish on the Office of Higher Education's website an interim report with data on the most recent round of grant awards. The report must include the same information required to be included in the report under paragraph (a).

**EFFECTIVE DATE.** This section is effective July 1, 2021, except that the commissioner may delay notification to student teachers receiving grants for the fall 2021 term until August 15, 2021.

Sec. 13. Minnesota Statutes 2020, section 136A.1275, is amended to read:

**136A.1275 TEACHER CANDIDATE GRANTS IN SHORTAGE AREAS.**

Subdivision 1. **Establishment.** (a) The commissioner of the Office of Higher Education must establish a grant program for student teaching stipends for low-income students ~~enrolled in a Professional Educator Licensing and Standards Board-approved teacher preparation program~~ who intend to teach in a shortage area after graduating and receiving their teaching license ~~or belong to an underrepresented racial or ethnic group.~~

(b) "Shortage area" means a license field or economic development region within Minnesota defined as a shortage area by the Professional Educator Licensing and Standards Board in coordination with the commissioner using data collected for the teacher supply and demand report under section 122A.091, subdivision 5.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a teacher candidate must:

(1) be enrolled in a Professional Educator Licensing and Standards Board-approved teacher preparation program at a higher education institution that requires at least 12 weeks of student teaching in order to be recommended for any Tier 3 teaching license;

(2) demonstrate financial need based on criteria established by the commissioner under subdivision 3;

(3) be meeting satisfactory academic progress as defined under section 136A.101, subdivision 10; and

(4) intend to teach in a shortage area ~~or belong to a racial or ethnic group underrepresented in the Minnesota teacher workforce.~~ Intent can be documented based on the teacher license field the student is pursuing or a statement of intent to teach in an economic development region defined as a shortage area in the year the student receives a grant.

Subd. 3. ~~**Administration; repayment.**~~ (a) The commissioner must establish an application process and other guidelines for implementing this program. The commissioner must notify grant recipients of their award amounts by the following dates:

(1) for fall student teaching placements, recipients must be notified by August 1;

(2) for spring student teaching placements, recipients must be notified by December 1; and

(3) for summer student teaching placements, recipients must be notified by May 1.

These notification deadlines do not apply in cases where grants are awarded to teacher candidates who applied after application deadlines and funds remained after the initial round of grants were awarded.

(b) The commissioner must determine each academic year the stipend amount up to \$7,500 based on the amount of available funding, the number of eligible applicants, and the financial need of the applicants.

~~(c) The percentage of the total award funds available at the beginning of the fiscal year reserved for teacher candidates who identify as belonging to a racial or ethnic group underrepresented in the Minnesota teacher workforce must be equal to or greater than the total percentage of students of racial or ethnic groups underrepresented in the Minnesota teacher workforce as measured under section 120B.35, subdivision 3. If this percentage cannot be met because of a lack of qualifying candidates, the remaining amount may be awarded to teacher candidates who intend to teach in a shortage area.~~

(c) The commissioner must give equal consideration to all applicants regardless of the order the application was received before the application deadline.

Subd. 4. **Reporting.** (a) By July 15 of each year, the commissioner must submit a report on the details of the program under this section for the previous fiscal year to the legislative committees with jurisdiction over higher education finance and policy. The report must include the following information:

(1) the licensure shortage areas giving rise to award eligibility, organized by economic development region;

(2) the number of eligible applicants and the number of student teachers receiving an award, each broken down by postsecondary institution; and

(3) the total number of awards, the total dollar amount of all awards, and the average award amount.

(b) Within 60 days after each round of award notifications required under subdivision 3, paragraph (a), the commissioner must publish on the Office of Higher Education's website an interim report with data on the most recent round of grant awards. The report must include the same information required to be included in the report under paragraph (a).

**EFFECTIVE DATE.** This section is effective July 1, 2021, except that the commissioner may delay notification to student teachers receiving grants for the fall 2021 term until August 15, 2021.

Sec. 14. Minnesota Statutes 2020, section 136A.1704, is amended to read:

#### **136A.1704 STUDENT LOAN REFINANCING.**

The office may refinance student and parent loans as provided by this section and on other terms and conditions the office prescribes. The office may establish credit requirements for borrowers and determine what types of student and parent loans will be eligible for refinancing. The refinanced loan need not have been made through a loan program administered by the office. Loans shall be made with available funds in the loan capital fund under section 136A.1785. ~~The Δ maximum amount of outstanding loans refinanced under this section may not exceed \$100,000,000 be determined by the office.~~ The maximum loan under this section may not exceed \$70,000 \$250,000. In determining the maximum amount of outstanding loans refinanced, the office shall take into consideration funding capacity for the SELF Refi program, delinquency and default loss management, levels of student debt, current financial market conditions, and other considerations to protect the financial stability of the program.

Sec. 15. Minnesota Statutes 2020, section 136A.246, subdivision 1, is amended to read:

Subdivision 1. **Program created.** The commissioner shall make grants for the training of employees to achieve the competency standard for an occupation identified by the commissioner of labor and industry under section 175.45 and Laws 2014, chapter 312, article 3, section 21. ~~"Competency standard" has the meaning given in section 175.45, subdivision 2.~~ An individual must, no later than the commencement of the training, be an employee of the employer seeking a grant to train that individual.

Sec. 16. Minnesota Statutes 2020, section 136A.246, is amended by adding a subdivision to read:

Subd. 1a. **Definitions.** (a) The terms defined in this subdivision apply to this section.

(b) "Competency standard" has the meaning given in section 175.45, subdivision 2.

(c) "Eligible training" means training provided by an eligible training provider that:

(1) includes training to meet one or more identified competency standards;

(2) is instructor-led for a majority of the training; and

(3) results in the employee receiving an industry-recognized degree, certificate, or credential.

(d) "Eligible training provider" means an institution:

(1) operated by the Board of Trustees of the Minnesota State Colleges and Universities or the Board of Regents of the University of Minnesota;

(2) licensed or registered as a postsecondary institution by the office; or

(3) exempt from the provisions of section 136A.822 to 136A.834 or 136A.61 to 136A.71 as approved by the office.

(e) "Industry-recognized degrees, certificates, or credentials" means:

(1) certificates, diplomas, or degrees issued by a postsecondary institution;

(2) registered apprenticeship certifications or certificates;

(3) occupational licenses or registrations;

(4) certifications issued by, or recognized by, industry or professional associations; and

(5) other certifications as approved by the commissioner.

Sec. 17. Minnesota Statutes 2020, section 136A.246, subdivision 2, is amended to read:

Subd. 2. **Eligible grantees.** An employer or an organization representing the employer is eligible to apply for a grant to train employees if the employer has an employee who is in or is to be trained to be in an occupation for which a competency standard has been identified and the employee has not attained the competency standard prior to the commencement of the planned training. ~~Training need not address all aspects of a competency standard but may address only the competencies of a standard that an employee is lacking. An employee must receive an industry-recognized degree, certificate, or credential upon successful completion of the training. A grantee must have an agreement with an eligible training provider to provide eligible training prior to payment of grant.~~

Sec. 18. Minnesota Statutes 2020, section 136A.246, subdivision 3, is amended to read:

Subd. 3. **Eligible training institution or program provider.** ~~The employer must have an agreement with a training institution or program to provide the employee competency standard training prior to the grant award. The training may be provided by any institution or program having trainers qualified to instruct on the competency standard.~~

The Office of Higher Education and the Department of Labor and Industry must cooperate in maintaining an inventory of degree, certificate, and credential programs that provide training to meet competency standards. The inventory must be posted on each agency's website with contact information for each program ~~by September 1, 2016~~. The postings must be updated periodically.

Sec. 19. Minnesota Statutes 2020, section 136A.246, subdivision 4, is amended to read:

Subd. 4. **Application.** Applications must be made to the commissioner on a form provided by the commissioner. The commissioner must, to the extent possible, make the application form as short and simple to complete as is reasonably possible. The commissioner shall establish a schedule for applications and grants. The application must include, without limitation:

- (1) the projected number of employee trainees;
- ~~(2) the number of projected employee trainees who graduated from high school or passed the commissioner of education selected high school equivalency test in the current or immediately preceding calendar year;~~
- ~~(3)~~ (2) the competency standard for which training will be provided;
- (4) (3) the credential the employee will receive upon completion of training;
- ~~(5)~~ (4) the name and address of the eligible training provider institution or program and a signed statement by the institution or program that it is able and agrees to provide the training;
- ~~(6)~~ (5) the period of the training; and
- ~~(7)~~ (6) the cost of the training charged by the eligible training provider institution or program and certified by the institution or program. The cost of training includes tuition, fees, and required books and materials.

An application may be made for training of employees of multiple employers either by the employers or by an organization on their behalf.

Sec. 20. Minnesota Statutes 2020, section 136A.246, subdivision 5, is amended to read:

Subd. 5. **Grant criteria.** ~~(a) Except as provided in this subdivision, the commissioner shall award grants to employers solely for training employees who graduated from high school or passed commissioner of education selected high school equivalency tests in the current or immediately preceding calendar year.~~

~~(b) If there are not sufficient eligible applications satisfying paragraph (a), the commissioner may award grants to applicants to train employees who do not meet the requirements of paragraph (a).~~

~~(c)~~ (a) The commissioner shall, ~~to the extent possible after complying with paragraph (a),~~ make at least an approximately equal dollar amount of grants for training for employees whose work site is projected to be outside the metropolitan area as defined in section 473.121, subdivision 2, as for employees whose work site is projected to be within the metropolitan area.

~~(d)~~ (b) In determining the award of grants, the commissioner must consider, among other factors:

- (1) the aggregate state and regional need for employees with the competency to be trained;
- (2) the competency standards developed by the commissioner of labor and industry as part of the Minnesota PIPELINE Project;

(3) the per employee cost of training;

(4) the additional employment opportunities for employees because of the training;

(5) the on-the-job training the employee receives;

(6) the employer's demonstrated ability to recruit, train, and retain employees who are recent high school graduates or who recently passed high school equivalency tests;

(7) the employer's demonstrated commitment to recruit, train, and retain employees of color, American Indian employees, and employees with disabilities;

~~(8)~~ (8) projected increases in compensation for employees receiving the training; and

~~(9)~~ (9) the amount of employer training cost match, if required, on both a per employee and aggregate basis.

Sec. 21. Minnesota Statutes 2020, section 136A.246, subdivision 6, is amended to read:

Subd. 6. **Employer match.** A large employer must pay for at least 25 percent of the eligible training ~~institution's or program's provider's~~ charge for the eligible training to the ~~training institution or program~~ provider. For the purpose of this subdivision, a "large employer" means a business with more than \$25,000,000 in annual gross revenue in the previous calendar year.

Sec. 22. Minnesota Statutes 2020, section 136A.246, subdivision 7, is amended to read:

Subd. 7. **Payment of grant.** (a) The commissioner shall pay the grant to the employer after the employer presents satisfactory evidence to the commissioner that the employer has paid the eligible training ~~institution or program~~ provider.

(b) If an employer demonstrates that it is not able to pay for the training in advance, the commissioner shall make grant payments directly to the eligible training ~~institution or program~~ provider.

Sec. 23. Minnesota Statutes 2020, section 136A.246, subdivision 8, is amended to read:

Subd. 8. **Grant amounts.** (a) The maximum grant for an application is \$150,000. A grant may not exceed \$6,000 per year for a maximum of four years per employee.

(b) An employee who is attending an eligible training provider that is an institution under section 136A.103 must apply for Pell and state grants as a condition of payment for training that employee under this section.

Sec. 24. Minnesota Statutes 2020, section 136A.63, subdivision 2, is amended to read:

Subd. 2. **Sale of an institution.** Within 30 days of a change of its ownership a school must submit a registration renewal application, all usual and ordinary information and materials for an initial registration, and applicable registration fees for a new institution. For purposes of this subdivision, "change of ownership" means a merger or consolidation with a corporation; a sale, lease, exchange, or other disposition of all or substantially all of the assets of a school; the transfer of a controlling interest of at least 51 percent of the school's stock; the school enters receivership; or a change in the nonprofit or for-profit status of a school.

Sec. 25. Minnesota Statutes 2020, section 136A.645, is amended to read:

**136A.645 SCHOOL CLOSURE.**

(a) When a school intends to cease postsecondary education operations, announces its closure, or is informed by the office that the office anticipates the school's closure due to its registration status or ability to meet criteria for approval under section 136A.65, the school must provide the office:

(1) a notice of closure, including the name of the school, the name of the school owner, an active mailing address and telephone number that the school owner may be reached at after the school physically closes, the name of the school director, and the planned date for termination of postsecondary operations;

(2) a report of all students currently enrolled and all students enrolled within the prior 120 days, including the following information for each student: name, address, school e-mail address, alternate e-mail address, program of study, number of credits completed, number of credits remaining, and enrollment status at closure;

(3) a report of refunds due to any student and the amount due;

(4) a written statement from the school's owner or designee affirming that all recruitment efforts, school marketing, advertisement, solicitation, and enrollment of new students has ceased;

(5) a copy of any communication between the school's accreditors about the school closure;

(6) confirmation that the requirements for student records under section 136A.68 have been satisfied, including:

(i) the planned date for the transfer of the student records;

(ii) confirmation of the name and address of the organization to receive and hold the student records; and

(iii) the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request;

(7) academic information, including the school's most recent catalog, all course syllabi, and faculty credential information; and

(8) copies of any teach-out, transfer, or train-out agreement between the school and a new school for students to be able to complete their studies. A teach-out fulfills the original contract or agreement between the closing school and the student. If a teach-out is arranged for another approved school to do the remaining occupational training, that other school must (i) provide comparable education and training and (ii) agree that students transferring from the closing school pay only what the cost of tuition and fees remain unpaid according to the terms and conditions in the enrollment agreement entered into between the student and the closing school.

(b) Without limitation as to other circumstance, a school shall be deemed to have ceased operations when the school:

(1) has an unscheduled nonemergency closure or cancellation of classes for more than 24 hours without prior notice to the office;

(2) announces it is closed or closing; ~~or~~

(3) files for bankruptcy; or

(4) fails to complete a renewal application when required under section 136A.63, subdivision 2.

(c) When a school is deemed to have ceased operations, the office shall provide the school a reasonable time to correct student records and grant credentials. After that time, the office must revoke the school's registration. This revocation is not appealable under section 136A.65, subdivision 8.

Sec. 26. Minnesota Statutes 2020, section 136A.653, subdivision 5, is amended to read:

Subd. 5. **Regionally Higher Learning Commission accredited institutions in Minnesota.** (a) A ~~regionally accredited~~ postsecondary institution accredited by the Higher Learning Commission or its successor with its primary physical location in Minnesota is exempt from the provisions of sections 136A.61 to 136A.71, including related fees, when it creates new or modifies existing:

- (1) majors, minors, concentrations, specializations, and areas of emphasis within approved degrees;
- (2) nondegree programs within approved degrees;
- (3) underlying curriculum or courses;
- (4) modes of delivery; and
- (5) locations.

(b) The institution must annually notify the commissioner of the exempt actions listed in paragraph (a) and, upon the commissioner's request, must provide additional information about the action.

(c) The institution must notify the commissioner within 60 days of a program closing.

(d) Nothing in this subdivision exempts an institution from the annual registration and degree approval requirements of sections 136A.61 to 136A.71.

Sec. 27. Minnesota Statutes 2020, section 136A.675, is amended to read:

**136A.675 RISK ANALYSIS.**

Subdivision 1. Standard development and usage. (a) ~~To screen and detect whether an institution may not be financially or administratively responsible, the office shall develop a set of financial and programmatic evaluation metrics to aid in the detection of the failure or potential failure of a school to meet the standards established under sections 136A.61 to 136A.71 nonfinancial indicators. These metrics shall include indicators of financial stability, changes in the senior management or the financial aid and senior administrative staff of an institution, changes in enrollment, changes in program offerings, and changes in faculty staffing patterns. The development of financial standards and nonfinancial indicators shall use industry standards as benchmarks guidance. The development of the nonfinancial standards shall include a measure of trends and dramatic changes in trends or practice.~~

(b) Annually, the agency office must specify the metrics and standards for each area and provide a copy of the financial and nonfinancial indicators to each registered institution and post them a list of reviewed indicators on the agency office website.

(c) The agency office shall use regularly reported data submitted to the federal government or other regulatory or accreditation agencies wherever possible. The agency may require more frequent data reporting by an institution to ascertain whether the standards are being met.

(d) The office must use the indicators in this subdivision to identify institutions at potential risk of being unable to meet the standards established under sections 136A.646; 136A.64, subdivision 3; 136A.65, subdivisions 1a and 4, paragraph (a), clauses (1), (2), (3), and (7); and 136A.685 and thus unlikely to meet its financial obligations or complete its academic terms for the next 18 months.

Subd. 2. **Additional reporting.** (a) In addition to the information required for the indicators in subdivision 1, an institution must notify the office within ten business days if any of the events in paragraphs (b) to (e) occur.

(b) Related to revenue, debt, and cash flow, notice is required if:

(1) the institution defaulted on a debt payment or covenant and has not received a waiver of the violation from the financial institution within 60 days;

(2) for institutions with a federal composite score of less than 1.5, the institution's owner withdraws equity that directly results in a composite score of less than 1.0, unless the withdrawal is a transfer between affiliated entities included in a common composite score;

(3) the United States Department of Education requires a 25 percent or greater Letter of Credit, except when the Letter of Credit is imposed due to a change of ownership;

(4) the United States Department of Education requires Heightened Cash Monitoring 2;

(5) the institution receives written notification that it violated the United States Department of Education's revenue requirement under United States Code, title 20, section 1094(a)(24), as amended; or

(6) the institution receives written notification by the United States Department of Education that it has fallen below minimum financial standards and that its continued participation in Title IV is conditioned upon satisfying either the Zone Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (f), or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (c).

(c) Related to accreditation and licensing, notice is required if:

(1) the institution receives written notification of probation, warning, show-cause, or loss of institutional accreditation;

(2) the institution receives written notification that its institutional accreditor lost federal recognition; or

(3) the institution receives written notification that it has materially violated state authorization or institution licensing requirements in a different state that may lead to or has led to the termination of the institution's ability to continue to provide educational programs or otherwise continue to operate in that state.

(d) Related to securities, notice is required if:

(1) the Securities and Exchange Commission (i) issues an order suspending or revoking the registration of the institution's securities, or (ii) suspends trading of the institution's securities on any national securities exchange;

(2) the national securities exchange on which the institution's securities are traded notifies the institution that it is not in compliance with the exchange's listing requirements and the institution's securities are delisted; or

(3) the Securities and Exchange Commission is not in timely receipt of a required report and did not issue an extension to file the report.

(e) Related to criminal and civil investigations, notice is required if:

(1) the institution receives written notification of a felony criminal indictment or charges of the institution's owner;

(2) the institution receives written notification of criminal indictment or charges of the institution's officers related to operations of the institution; or

(3) there has been a criminal, civil, or administrative adjudication of fraud or misrepresentation in Minnesota or in another state or jurisdiction against the institution or its owner, officers, agents, or sponsoring organization.

**Subd. 3. Determination procedures.** (a) The office shall conduct a systematic evaluation under this paragraph and make a preliminary determination as to whether action under paragraph (e) is necessary, if the office: (1) identifies a potential risk under subdivision 1, paragraph (d); (2) receives notification from an institution under subdivision 2; or (3) identifies other exigent circumstances impacting the institution that may deny students a reasonable opportunity to complete their education program at the institution or through an alternate institution with minimal disruption. The systematic evaluation must, to the extent practicable, be a collaboration between the office and the institution. The office must request additional context and information from the institution that demonstrates the administrative and financial responsibility of the institution. If the institution is not financially or administratively responsible, a contingency plan must be implemented either collaboratively or as part of a final determination under paragraph (e), clause (4).

(b) The office shall provide notice in writing to the institution of the preliminary determination. The notice shall provide the analysis used by the office to make the determination, a request for the institution to provide additional context and information that demonstrates the administrative and financial responsibility of the institution not provided under paragraph (a), any potential action the office may take under paragraph (e), and a deadline for responding to the notice. The institution shall have no fewer than ten business days to respond to the preliminary determination.

(c) The response from the institution to provide additional context and information must be written and may include a collaborative consultation with the office. In its response, the institution shall provide additional context, financial data, and other information, including but not limited to evidence of sound business practices, institutional financial health, compliance with the requirements of sections 136A.61 to 136A.71, or sufficient and timely plans to cure any noncompliance or to manage financial health and risk.

(d) If the institution does not respond to the office's notice and request for additional context and information within the time required, the office's preliminary determination shall become final and the office may take any of the actions specified in the notice required by paragraph (e). If the institution responds to the office's notice, the office must reevaluate the preliminary determination. The office shall use the additional context and information provided by the institution to make a final determination and determine which actions under paragraph (e), if any, are necessary to mitigate risk to students and state financial aid under this chapter.

(e) The office may use a final determination to:

(1) revoke, suspend, or refuse to renew registration, approval of an institution's degree, or use of a regulated term in its name under section 136A.65, subdivision 8;

(2) require periodic monitoring and submission of reports on the institution's administrative and financial responsibility to ascertain whether compliance and financial risk improves;

(3) require periodic collaborative consultations with the institution on noncompliance with sections 136A.61 to 136A.71, or how the institution is managing financial health and risk;

- (4) require the institution to submit contingency plans such as teach-out plans or transfer pathways for students;
  - (5) prohibit the institution from accepting tuition and fee payments made through cash, alternative loans, or the equivalent, prior to the add/drop period of the current period of instruction;
  - (6) prohibit the institution from enrolling new students;
  - (7) initiate alternative processes and communications with students enrolled at the institution;
  - (8) require a surety bond under section 136A.646; or
  - (9) submit institution closure information under section 136A.645.
- (f) The office shall provide to the institution written notice of the final determination and the actions taken under paragraph (e).

Subd. 4. **Data classification.** Data under this section shall be classified as financial records under section 136A.64, subdivision 2.

Sec. 28. Minnesota Statutes 2020, section 136A.68, is amended to read:

**136A.68 RECORDS.**

(a) A registered school shall maintain a permanent record for each student for 50 years from the last date of the student's attendance. A registered school offering distance instruction to a student located in Minnesota shall maintain a permanent record for each Minnesota student for 50 years from the last date of the student's attendance. Records include a student's academic transcript, documents, and files containing student data about academic credits earned, courses completed, grades awarded, degrees awarded, and periods of attendance.

(b) A registered school shall maintain records required for professional licensure in Minnesota that are not included in paragraph (a) for ten years from the last date of the student's attendance or the number of years required by an institutional or programmatic accreditor, whichever is greater.

(c) To preserve permanent records, a school shall submit a plan that meets the following requirements:

(1) at least one copy of the records must be held in a secure, fireproof depository or duplicate records must be maintained off site in a secure location and in a manner approved by the office;

(2) an appropriate official must be designated to provide a student with copies of records or a transcript upon request;

(3) an alternative method approved by the office of complying with clauses (1) and (2) must be established if the school ceases to exist; and

(4) if the school has no binding agreement approved by the office for preserving student records, a continuous surety bond or an irrevocable letter of credit issued by a financial institution must be filed with the office in an amount not to exceed \$20,000. The bond or irrevocable letter of credit shall run to the state of Minnesota. In the event of a school closure, the surety bond or irrevocable letter of credit must be used by the office to retrieve, recover, maintain, digitize, and destroy academic records.

Sec. 29. Minnesota Statutes 2020, section 136A.822, subdivision 12, is amended to read:

Subd. 12. **Permanent student records.** (a) A private career school licensed under sections 136A.82 to 136A.834 and located in Minnesota shall maintain a permanent student record for each student for 50 years from the last date of the student's attendance. A private career school licensed under this chapter and offering distance instruction to a student located in Minnesota shall maintain a permanent record for each Minnesota student for 50 years from the last date of the student's attendance. Records include school transcripts, documents, and files containing student data about academic credits earned, courses completed, grades awarded, degrees awarded, and periods of attendance.

(b) A private career school licensed under sections 136A.82 to 136A.834 and located in Minnesota shall maintain a permanent student record required for professional licensure in Minnesota for each student for ten years from the last date of the student's attendance or the number of years required by an institutional or programmatic accreditor, whichever is greater. A private career school licensed under this chapter and offering distance instruction to a student located in Minnesota shall maintain records required for professional licensure in Minnesota that are not included in paragraph (a) for each Minnesota student for ten years from the last date of the student's attendance or the number of years required by an institutional or programmatic accreditor, whichever is greater.

To preserve permanent student records, a private career school shall submit a plan that meets the following requirements:

- (1) at least one copy of the records must be held in a secure, fireproof depository;
- (2) an appropriate official must be designated to provide a student with copies of records or a transcript upon request;
- (3) an alternative method, approved by the office, of complying with clauses (1) and (2) must be established if the private career school ceases to exist; and
- (4) a continuous surety bond or irrevocable letter of credit issued by a financial institution must be filed with the office in an amount not to exceed \$20,000 if the private career school has no binding agreement approved by the office, for preserving student records. The bond or irrevocable letter of credit shall run to the state of Minnesota. In the event of a school closure, the surety bond or irrevocable letter of credit must be used by the office to retrieve, recover, maintain, digitize, and destroy academic records.

Sec. 30. Minnesota Statutes 2020, section 136A.8225, is amended to read:

**136A.8225 SCHOOL CLOSURE.**

(a) When a school intends to cease postsecondary education operations, announces its closure, or is informed by the office that the office anticipates the school's closure due to its licensure status or ability to meet criteria for approval under section 136A.822, subdivision 8, the school must provide the office:

- (1) a notice of closure, including the name of the school, the name of the school owner, an active mailing address and telephone number that the school owner may be reached at after the school physically closes, the name of the school director, and the planned date for termination of postsecondary operations;
- (2) a report of all students currently enrolled and all students enrolled within the prior 120 days, including the following information for each student: name, address, school e-mail address, alternate e-mail address, program of study, number of credits completed, number of credits remaining, and enrollment status at closure;
- (3) a report of refunds due to any student and the amount due;

(4) a written statement from the school's owner or designee affirming that all recruitment efforts, school marketing, advertisement, solicitation, and enrollment of new students has ceased;

(5) a copy of any communication between the school's accreditors about the school closure;

(6) confirmation that the requirements for student records under section 136A.822, subdivision 12, have been satisfied, including:

(i) the planned date for the transfer of the student records;

(ii) confirmation of the name and address of the organization to receive and hold the student records; and

(iii) the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request;

(7) academic information, including the school's most recent catalog, all course syllabi, and faculty credential information; and

(8) copies of any teach-out, transfer, or train-out agreement between the school and a new school for students to be able to complete their studies. A teach-out fulfills the original contract or agreement between the closing school and the student. If a teach-out is arranged for another approved school to do the remaining occupational training, that other school must (i) provide comparable education and training and (ii) agree that students transferring from the closing school pay only what the cost of tuition and fees remain unpaid according to the terms and conditions in the enrollment agreement entered into between the student and the closing school.

(b) Without limitation as to other circumstance, a school shall be deemed to have ceased operations when the school:

(1) has an unscheduled nonemergency closure or cancellation of classes for more than 24 hours without prior notice to the office;

(2) announces it is closed or closing; ~~or~~

(3) files for bankruptcy; or

(4) fails to complete a renewal application when required under section 136A.823, subdivision 3.

(c) When a school is deemed to have ceased operations, the office shall provide the school a reasonable time to correct student records and grant credentials. After that time, the office must revoke the school's license. This revocation is not appealable under section 136A.829, subdivision 2.

Sec. 31. Minnesota Statutes 2020, section 136A.823, is amended by adding a subdivision to read:

**Subd. 3. Change of ownership.** Within 30 days of a change of ownership, a school must submit a registration renewal application, the information and materials for an initial registration under section 136A.822, subdivision 4, and the applicable registration fees for a new institution under section 136A.824, subdivision 1. For purposes of this subdivision, "change of ownership" means: a merger or consolidation with a corporation; a sale, lease, exchange, or other disposition of all or substantially all of the assets of a school; the transfer of a controlling interest of at least 51 percent of the school's stock; entering into receivership; or a change in the nonprofit or for-profit status of a school.

Sec. 32. Minnesota Statutes 2020, section 136A.827, subdivision 4, is amended to read:

Subd. 4. **Proration.** (a) When a student has been accepted by a private career school and gives notice of cancellation after the program of instruction has begun, but before completion of 75 percent of the program, the amount charged for tuition, fees and all other charges shall be prorated based on the number of days in the term as a portion of the total charges for tuition, fees and all other charges. An additional 25 percent of the total cost of the program may be added but shall not exceed \$100. After completion of 75 percent of the program, no refunds are required. the student is entitled to a refund if, at the last documented date of attendance, the student has not completed at least 75 percent of the entire program of instruction. For purposes of this subdivision, program of instruction is calculated under paragraph (c) or (d). Program of instruction does not mean one term, a payment period, a module, or any other portion of the entire instructional program.

(b) A notice of cancellation from a student under this subdivision must be confirmed in writing by the private career school and mailed to the student's last known address. The confirmation from the school must state that the school has withdrawn the student from enrollment, and if this action was not the student's intent, the student must contact the school.

(c) The length of a program of instruction for a program that has a defined calendar start and end date that does not change after the program has begun equals the number of days from the first scheduled date of the program through the last scheduled date of the program. To calculate the completion percentage, divide the number of calendar days from the first date of the program through the student's last documented date of attendance by the length of the program of instruction, and truncate the result after the second digit following the decimal point. If the completion percentage is less than 75 percent, the private career school may retain:

(1) tuition, fees, and charges equal to the total of tuition, fees, and charges multiplied by the completion percentage; plus

(2) the initial program application fees, not to exceed \$50; plus

(3) the lesser of (i) 25 percent of the total tuition, or (ii) \$100.

(d) The length of a program of instruction for a program that is measured in clock hours equals the number of clock hours the student was scheduled to attend. To calculate the completion percentage, divide the number of clock hours that the student actually attended by the length of the program of instruction, and truncate the result after the second digit following the decimal point. If the completion percentage is less than 75 percent, the private career school may retain:

(1) tuition, fees, and charges equal to the total of tuition, fees, and charges multiplied by the completion percentage; plus

(2) the initial program application fees, not to exceed \$50; plus

(3) the lesser of (i) 25 percent of the total tuition, or (ii) \$100.

Sec. 33. Minnesota Statutes 2020, section 136A.827, subdivision 8, is amended to read:

Subd. 8. **Cancellation occurrence.** Written notice of cancellation shall take place on the date the letter of cancellation is postmarked or, in the cases where the notice is hand carried, it shall occur on the date the notice is delivered to the private career school. Notice of cancellation shall be the date a student notifies a private career school of the student's intention to withdraw or otherwise leave the program of study. The student is not required to provide a written notice. The private career school may require a student to provide the student's notification only to

specific offices or personnel at the school as long as this requirement is documented as part of the "Student's Right to Cancel" in all places that the information appears, including on the private career school's website. The date of the notice of cancellation may or may not be the same date as the student's last documented date of attendance. If a student has not attended class for a period of ~~21~~ 14 consecutive days without contacting the private career school to ~~indicate an intent to continue in the private career school~~ provide notice of cancellation or otherwise making make arrangements concerning the absence, the student is considered to have withdrawn from the private career school for all purposes as of the student's last documented date of attendance.

Sec. 34. **[136A.91] CONCURRENT ENROLLMENT GRANTS.**

Subdivision 1. Grants. (a) The Office of Higher Education must establish a competitive grant program for postsecondary institutions to expand concurrent enrollment opportunities. To the extent that there are qualified applicants, the commissioner of the Office of Higher Education shall distribute grant funds to ensure:

(1) eligible students throughout the state have access to concurrent enrollment programs; and

(2) preference for grants that expand programs is given to programs already at capacity.

(b) The commissioner may award grants under this section to postsecondary institutions for any of the following purposes:

(1) to develop new concurrent enrollment courses under section 124D.09, subdivision 10, that satisfy the elective standard for career and technical education;

(2) to expand the existing concurrent enrollment programs already offered by the postsecondary institution by:

(i) creating new sections within the same high school;

(ii) offering the existing course in new high schools; or

(iii) supporting the preparation, recruitment, and success of students who are underrepresented in concurrent enrollment classrooms;

(3) to create online graduate tracks specifically for high school teachers to receive the necessary credentials to teach concurrent enrollment courses in various content areas, as dictated by the Higher Learning Commission; or

(4) to supplement high school teacher tuition support for graduate courses not eligible for funding under the concurrent enrollment training program.

Subd. 2. Application. (a) The commissioner shall develop a grant application process. A grant applicant must:

(1) specify the purpose under subdivision 1, paragraph (b), for which the institution is applying;

(2) specify both program and student outcome goals;

(3) include student feedback in the development of new programs or the expansion of existing programs; and

(4) demonstrate a commitment to equitable access to concurrent enrollment coursework for all eligible high school students.

(b) A postsecondary institution applying for a grant under subdivision 1, paragraph (b), clause (3), must provide a 50 percent match for the grant funds.

Subd. 3. **Report.** By December 1 of each year, the office shall submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education regarding:

(1) the amount of funds granted under each clause of subdivision 1, paragraph (b);

(2) the courses developed by grant recipients and the number of students who enrolled in the courses under subdivision 1, paragraph (b), clause (1);

(3) the programs expanded and the number of students who enrolled in programs under subdivision 1, paragraph (b), clause (2);

(4) the graduate programs developed by postsecondary institutions and the number of high school teachers enrolled in these graduate courses under subdivision 1, paragraph (b), clause (3); and

(5) the number of teachers provided tuition support under subdivision 1, paragraph (b), clause (4).

Sec. 35. Minnesota Statutes 2020, section 136F.245, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** A Hunger-Free Campus designation ~~for Minnesota State community and technical colleges~~ is established for public postsecondary institutions and for nonprofit degree-granting institutions physically located in Minnesota and registered with the Office of Higher Education under section 136A.63. In order to be awarded the designation, ~~a campus~~ an institution must meet the following minimum criteria:

(1) have an established on-campus food pantry or partnership with a local food bank to provide regular, on-campus food distributions;

(2) provide information to students on SNAP, MFIP, and other programs that reduce food insecurity;

(3) hold or participate in one hunger awareness event per academic year;

(4) have an established emergency assistance grant that is available to students; and

(5) establish a hunger task force that meets a minimum of three times per academic year. The task force must include at least two students currently enrolled at the ~~college~~ institution.

Sec. 36. Minnesota Statutes 2020, section 136F.245, subdivision 2, is amended to read:

Subd. 2. **Designation approval.** (a) The statewide student ~~association~~ associations representing the state community and technical colleges and the state universities shall create an application process and a ~~nonmonetary~~ an award, and provide final approval for the designation at each state college and university, respectively.

(b) The University of Minnesota statewide student association shall create an application process and an award, and provide final approval for the designation at each University of Minnesota campus.

(c) The Minnesota Association of Private College Students shall create an application process and an award, and provide final approval for the designation at each nonprofit degree-granting institution.

Sec. 37. Minnesota Statutes 2020, section 136F.305, is amended to read:

**136F.305 Z-DEGREES.**

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

~~(b) "Custom textbook" means course materials that are compiled by a publisher at the direction of a faculty member or, if applicable, the other adopting entity in charge of selecting course materials for courses taught at a state college or university. Custom textbooks may include items such as selections from original instructor materials, previously copyrighted publisher materials, copyrighted third party works, or elements unique to a specific state college or university.~~

(b) "Course" means a single unit of teaching in one subject area led by one or more instructors with a definite start and end date and a fixed roster of students.

(c) "Course materials" means a hard-copy or digital book, printed pages of instructional material, including consumable workbooks, lab manuals, subscriptions, online homework and quizzing platforms, and other required physical and digital content.

(d) "Course section" means an instance of a course.

~~(e)~~ (e) "Incentive" means anything provided to faculty to identify, review, adapt, author, or adopt open textbooks educational resources.

~~(d)~~ (f) "Open educational resources" means high-quality teaching, learning, and research resources materials that reside are in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others, and may include other resources that are legally available and free of cost to students. Open educational resources include course materials, modules, custom and open textbooks, articles, faculty created content, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge textbooks and curricula, syllabi, lecture notes, assignments, tests, projects, audio, video, and animation.

~~(e)~~ (g) "Open textbook" means a textbook that is distributed using an open copyright a type of open educational resource released under an intellectual property license that at a minimum allows a student to obtain, retain, reuse, and redistribute the material at no cost.

(h) "Library-curated materials" means diverse resources purchases by the library at no additional cost to the student for the supplementation or replacement of course materials.

~~(f)~~ (i) "System office" means the Minnesota State Colleges and Universities system office.

~~(g)~~ (j) "Z-Degree" means a zero textbook cost complete associate's or bachelor's degree program that exclusively uses course materials that are no cost to students such as open educational resources, open textbooks, and library-curated materials. Students may still incur costs for printing digital materials or for the following: art supplies, calculators, equipment, fees in statute or policy mandated to be charged by all colleges and universities, campus discretionary fees established by the board and adopted by the college, personal property, and service charges or course activities having value outside of the classroom.

Subd. 2. **Requirement.** (a) Three additional colleges must offer the opportunity to earn a Z-Degree by academic year 2020-2021. A college's Two additional colleges or universities must offer the opportunity to earn a Z-Degree by academic year 2023-2024. Course offerings for its in a Z-Degree program must include at least two distinct courses in each transfer curriculum goal area and at least enough credits in each transfer curriculum goal area to complete the transfer curriculum package.

(b) The Minnesota State Colleges and Universities shall support a continuous process for colleges and universities to implement Z-Degrees, expand Z-Degree courses and sections, and sustain existing Z-Degrees.

Subd. 3. **Open educational resource development.** ~~(a) The Minnesota State Colleges and Universities must develop a program to offer a Z degree at three additional colleges by expanding the use of open educational resources, including custom and open textbooks. The system office must provide opportunities for faculty to identify, review, adapt, author, create, share, and adopt open educational resources. The system office must develop incentives to academic departments to identify, review, adapt, author, or adopt open educational resources within their academic programs.~~

(b) The programs and incentives developed under this subdivision must be implemented pursuant to faculty collective bargaining agreements.

Subd. 4. **Report.** ~~Annually by January 15, the board must submit reports by January 13, 2021, and January 12, 2022, to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education. Each report must include (1) the number of courses and course sections transitioned to using an open textbook resulting from the programs in this section into a new Z-Degree, and (2) the total amount of student textbook savings resulting from the transitions.~~

Sec. 38. Minnesota Statutes 2020, section 136F.38, subdivision 3, is amended to read:

Subd. 3. **Program eligibility.** (a) Scholarships shall be awarded only to a student eligible for resident tuition, as defined in section 135A.043, who is enrolled in any of the following programs of study or certification: (1) advanced manufacturing; (2) agriculture; (3) health care services; (4) information technology; (5) early childhood; ~~or (6) transportation; or (7) a program of study under paragraph (b).~~

(b) Each institution may add one additional area of study or certification, based on a workforce shortage for full-time employment requiring postsecondary education that is unique to the institution's specific region, as reported in the most recent Department of Employment and Economic Development job vacancy survey data for the economic development region in which the institution is located. A workforce shortage area is one in which the job vacancy rate for full-time employment in a specific occupation in a region is higher than the state average vacancy rate for that same occupation. The institution may change the area of study or certification based on new data once every two years.

(c) The student must be enrolled for at least nine credits in the Minnesota State Colleges and Universities system.

Sec. 39. Minnesota Statutes 2020, section 136G.05, subdivision 10, is amended to read:

Subd. 10. **Data.** ~~(a) Account owner data, account data, and data on beneficiaries of accounts are private data on individuals or nonpublic data as defined in section 13.02, except that the names and addresses of the beneficiaries of accounts that receive matching grants are public unless the data qualifies for the exception in paragraph (b).~~

(b) The commissioner may share an account owner's name and Social Security number with the Department of Revenue in order to compile studies under section 270B.04. Data sharing authorized by this paragraph is only for purposes of evaluative research and analysis of the plan in order to make ongoing informed decisions regarding plan administration.

**Sec. 40. DIRECT ADMISSIONS PILOT PROGRAM.**

Subdivision 1. **Authorization.** The commissioner of the Office of Higher Education shall develop a pilot program in consultation with stakeholders including Minnesota State Colleges and Universities, the Minnesota Department of Education, the Minnesota Association of Secondary School Principals, and the Minnesota School Board Association, to automatically offer conditional admission to Minnesota public high school seniors based on a student's high school grade point average, high school and college transcript information, standardized tests, statewide assessments, and other measures as determined by stakeholders.

Subd. 2. **Pilot design and goals.** The pilot program shall establish and, to the extent feasible, implement a process for leveraging existing kindergarten through grade 12 and higher education student information systems to automate the admissions process for students. The pilot program will specifically evaluate the impact this process has on outcomes for students with lower levels of college knowledge, low-income students, and students from populations underserved in higher education. Initial pilot program participants must include high schools with a significant number of students of color, low-income students, or both.

Subd. 3. **Evaluation and report.** By February 1, 2022, the Office of Higher Education shall report to the legislative committees with jurisdiction over kindergarten through grade 12 education finance and policy and higher education on activities occurring under this section. The report must include but is not limited to information about the pilot program design, implementation challenges and recommendations, and the feasibility of scaling the program to all public high schools.

**Sec. 41. CAREER AND TECHNICAL EDUCATOR PILOT PROJECT.**

By the 2024-2025 academic year, Winona State University must develop a teacher preparation program that leads to initial licensure in at least one license area under Minnesota Rules, parts 8710.8000 to 8710.8080. Winona State University must partner with Minnesota State College Southeast to provide the subject matter training necessary for license areas chosen. If practical, the partnership must result in a candidate earning an associate's degree from Minnesota State College Southeast and a bachelor's degree from Winona State University. Money appropriated for this project under article 1, section 3, subdivision 5, may be used for any of the following purposes:

(1) analyzing existing course offerings at both institutions to determine compliance with the requirements of Minnesota Rules, chapter 8705, and parts 8710.8000 to 8710.8080;

(2) determining any courses that need to be adjusted or created by each institution;

(3) designing and implementing any needed course; and

(4) providing administrative support for gaining approval of the program from the Professional Educator Licensing and Standards Board.

**Sec. 42. STUDY AND REPORT ON THE WORK-STUDY PROGRAM.**

(a) The commissioner of the Office of Higher Education must conduct a study of the work-study program under Minnesota Statutes, sections 136A.231 to 136A.233. The study must analyze how the program could be expanded to meet the needs of college students and enable more students to work on campus. The study should include an assessment of:

(1) the interplay between state, federal, and institutional work-study programs and funds;

(2) the impact of minimum wage laws and ordinances on the program;

(3) the ability of the program to require a wage for student workers that is higher than the prevailing minimum wage set by law;

(4) the number of hours students should be working on campus; and

(5) options for legislative and administrative actions to expand the work-study program along with the anticipated costs of those actions.

(b) By January 15, 2023, the commissioner shall report to the legislature as provided in Minnesota Statutes, section 3.195, and to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education on the results of the study.

Sec. 43. **REVISOR INSTRUCTION.**

In Minnesota Statutes, the revisor of statutes shall renumber section 136F.245, as amended by this act, as 135A.137.

Sec. 44. **REPEALER.**

(a) Minnesota Statutes 2020, sections 136A.1703; 136A.823, subdivision 2; and 136F.245, subdivision 3, are repealed.

(b) Minnesota Rules, parts 4830.9050; 4830.9060; 4830.9070; 4830.9080; and 4830.9090, are repealed."

Delete the title and insert:

"A bill for an act relating to higher education; providing funding and policy changes for the Office of Higher Education, Minnesota State Colleges and Universities, the University of Minnesota, and the Mayo Clinic; freezing certain tuition rates; creating and modifying certain student aid programs; restricting limitations on student access to transcripts; modifying certain school accountability provisions; expanding the hunger-free campus designation; modifying data provision of the college savings plan; establishing pilot projects; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 136A.101, subdivision 5a; 136A.121, subdivisions 2, 6, 9; 136A.125, subdivisions 2, 4; 136A.126, subdivisions 1, 4; 136A.1275; 136A.1704; 136A.246, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, by adding a subdivision; 136A.63, subdivision 2; 136A.645; 136A.653, subdivision 5; 136A.675; 136A.68; 136A.822, subdivision 12; 136A.8225; 136A.823, by adding a subdivision; 136A.827, subdivisions 4, 8; 136F.245, subdivisions 1, 2; 136F.305; 136F.38, subdivision 3; 136G.05, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; repealing Minnesota Statutes 2020, sections 136A.1703; 136A.823, subdivision 2; 136F.245, subdivision 3; Minnesota Rules, parts 4830.9050; 4830.9060; 4830.9070; 4830.9080; 4830.9090."

The motion prevailed and the amendment was adopted.

Erickson moved to amend S. F. No. 975, the third engrossment, as amended, as follows:

Page 10, after line 34, insert:

"Subd. 40. **Black Men Teach**

427,000

0

(a) This appropriation is for a grant to Black Men Teach Twin Cities to establish partnerships with five school district elementary schools or elementary charter schools with a goal of increasing the number of black male teachers to 20 percent of the employees at each school site.

(b) Any balance does not cancel but is available until June 30, 2024.

(c) The grant recipient must provide a detailed report to the chairs and ranking minority members of the legislative committees having jurisdiction over higher education and kindergarten through grade 12 education by January 15 of each year until 2027 describing how the grant funds were used. The report must describe the progress made toward the goal of increasing the number of black male teachers at each school site and strategies used."

Renumber the subdivisions in sequence and correct the internal references

Page 11, line 1, delete "4,577,000" and insert "4,327,000" and delete "4,504,000" and insert "4,327,000"

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment and the roll was called. There were 57 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Kresha	Olson, B.	Schomacker
Albright	Demuth	Hamilton	Lueck	O'Neill	Scott
Anderson	Dettmer	Heinrich	McDonald	Petersburg	Swedzinski
Backer	Erickson	Heintzeman	Miller	Pfarr	Theis
Bennett	Franke	Hertaus	Mueller	Pierson	Torkelson
Bliss	Franson	Igo	Nash	Poston	Urdahl
Boe	Garofalo	Johnson	Nelson, N.	Quam	West
Burkel	Green	Jurgens	Neu Brindley	Raleigh	
Daniels	Grossell	Kiel	Novotny	Rasmusson	
Daudt	Gruenhagen	Koznick	O'Driscoll	Robbins	

Those who voted in the negative were:

Acomb	Ecklund	Hausman	Lillie	Munson	Stephenson
Agbaje	Edelson	Her	Lippert	Murphy	Sundin
Bahner	Elkins	Hollins	Lislegard	Nelson, M.	Thompson
Bahr	Feist	Hornstein	Long	Noor	Vang
Becker-Finn	Fischer	Howard	Lucero	Olson, L.	Wazlawik
Berg	Frazier	Huot	Mariani	Pelowski	Winkler
Bernardy	Frederick	Jordan	Marquart	Pinto	Wolgamott
Bierman	Freiberg	Keeler	Masin	Pryor	Xiong, J.
Boldon	Gomez	Klevorn	Mekeland	Reyer	Xiong, T.
Carlson	Greenman	Koegel	Moller	Richardson	Youakim
Christensen	Hansen, R.	Kotzya-Witthuhn	Moran	Sandell	
Davnie	Hanson, J.	Lee	Morrison	Sandstede	
Drazkowski	Hassan	Liebling	Mortensen	Schultz	

The motion did not prevail and the amendment was not adopted.

O'Neill moved to amend S. F. No. 975, the third engrossment, as amended, as follows:

Page 21, after line 14, insert:

"Sec. 7. **FEDERAL FUNDS REPLACEMENT; APPROPRIATION.**

Notwithstanding any law to the contrary, the commissioner of management and budget must determine whether the expenditures authorized under this act are eligible uses of federal funding received under the Coronavirus State Fiscal Recovery Fund or any other federal funds received by the state under the American Rescue Plan Act, Public Law 117-2. If the commissioner of management and budget determines an expenditure is eligible for funding under Public Law 117-2, the amount of the eligible expenditure is appropriated from the account where those amounts have been deposited and the corresponding general fund amounts appropriated under this act are canceled to the general fund."

Amend the title accordingly

Bernardy moved to amend the O'Neill amendment to S. F. No. 975, the third engrossment, as amended, as follows:

Page 1, line 5, before "Notwithstanding" insert "(a)"

Page 1, after line 12, insert:

"(b) This section does not apply to federal funding received by postsecondary institutions from the Higher Education Emergency Relief Fund under division H, title III, section 314 of the Consolidated Appropriations Act, 2021, as provided by Public Law 116-260, and section 2003 of the American Rescue Plan Act, as provided by Public Law 117-2."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the O'Neill amendment, as amended, to S. F. No. 975, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Daniels moved to amend S. F. No. 975, the third engrossment, as amended, as follows:

Page 8, line 28, delete the first "1,000,000" and insert "2,000,000"

Page 10, delete subdivision 39

Renumber the subdivisions in sequence

Adjust amounts accordingly

Page 56, delete section 40

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Daniels amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

The motion did not prevail and the amendment was not adopted.

Franke moved to amend S. F. No. 975, the third engrossment, as amended, as follows:

Page 11, line 1, delete "4,577,000" and insert "4,327,000" and delete "4,504,000" and insert "4,439,000"

Page 14, line 31, delete "616,718,000" and insert "617,033,000"

Adjust amounts accordingly

Page 16, after line 4, insert:

"(g) \$315,000 in fiscal year 2022 is for the review of research related to PFAS exposure required under article 2, section 43."

Page 57, after line 23, insert:

"Sec. 43. **REVIEW OF RESEARCH RELATED TO PFAS EXPOSURE.**

The University of Minnesota is requested to conduct a review of the health issues potentially related to exposure to per- and polyfluoroalkyl substances and submit a report on its findings by January 15, 2022, to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over health policy and finance. The scope of the review and report must include:

(1) an in-depth review of health studies and health assessments conducted by the Department of Health and other institutions that were used to develop the health recommendations from the Department of Health;

(2) an in-depth review of the methodology and data sources that the Department of Health had available for its assessments and the conclusions drawn from those assessments;

(3) listening sessions with community members and key stakeholders to understand their concerns, perception of risk, and understanding of public health information;

(4) identification of additional scientifically warranted analyses that could use the available data to create a more complete picture of exposure and health risks to community members;

(5) review of evidence of other potentially exposed populations in Minnesota; and

(6) identification of priorities for scientifically sound research and public health assessments to advance the understanding of the nature of the risk of per- and polyfluoroalkyl substances, including the development of preliminary protocols and cost estimates to achieve up to five of these top priorities."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Haley moved to amend S. F. No. 975, the third engrossment, as amended, as follows:

Page 23, line 19, strike "and"

Page 23, line 24, strike the period and insert "; and"

Page 23, after line 24, insert:

"(6) has signed a contract with the office to have the applicant's total grant award converted to a student loan if the applicant fails to fulfill the employment requirement in subdivision 2a."

Page 24, after line 2, insert:

**"EFFECTIVE DATE.** This section is effective for grants awarded for the 2021-2022 academic year and later."

Page 24, before line 3, insert:

"Sec. 5. Minnesota Statutes 2020, section 136A.121, is amended by adding a subdivision to read:

Subd. 2a. **Minnesota employment requirement.** (a) To receive a grant, an applicant must agree to be employed exclusively in Minnesota for a two-year term beginning within six months of completing the degree or credential program for which the grant was awarded. If a grant recipient fails to meet this employment requirement, the commissioner must convert the recipient's total grant award to a student loan.

(b) The commissioner shall waive the employment requirement for a grant recipient if, within six years of the initial grant award:

(1) the grant recipient has not completed the degree or credential program for which the grant was awarded; and

(2) the recipient is no longer enrolled in a postsecondary institution.

(c) The commissioner shall defer the employment requirement:

(1) to allow a grant recipient who previously completed a degree or credential program to continue undergraduate study, provided that the recipient is currently enrolled on at least a half-time basis in a degree or credential program;

(2) to allow a grant recipient to attend graduate school, provided that the recipient is enrolled on at least a half-time basis in a graduate program;

(3) to allow a grant recipient to perform full-time volunteer service through Peace Corps, AmeriCorps, or a similar program; or

(4) for circumstances involving extreme hardship.

(d) A grant recipient who transfers from an eligible institution to an ineligible institution, including an institution in another state or country, remains subject to the employment requirement and must complete the requirement within four years of transferring, unless the recipient qualifies for deferment under paragraph (c).

(e) A student who receives grant awards for more than one degree or credential program within six consecutive years is only required to meet the employment requirement once. Full-time volunteer service as part of AmeriCorps or a similar program qualifies as employment for purposes of the employment requirement. Any obligation to comply with this paragraph cancels upon the death or permanent and total disability of the grant recipient.

(f) A student who receives a grant award, according to rules adopted by the commissioner, must submit to the commissioner:

(1) an affidavit, prescribed by the commissioner, affirming the grant recipient's employment in Minnesota; and

(2) any additional information required by the commissioner in order to determine if the employment requirement has been met.

(g) The commissioner must adopt rules under chapter 14 to administer this subdivision.

**EFFECTIVE DATE.** This section is effective for grants awarded for the 2021-2022 academic year and later."

Page 56, after line 4, insert:

"Sec. 40. Minnesota Statutes 2020, section 270B.14, is amended by adding a subdivision to read:

Subd. 22. **Disclosure to the commissioner of the Office of Higher Education.** On request of the commissioner of the Office of Higher Education, the commissioner may disclose returns and return information with respect to returns filed under chapter 290, to the extent necessary to confirm documentation submitted under section 136A.121, subdivision 2a.

**EFFECTIVE DATE.** This section is effective for grants awarded for the 2021-2022 academic year and later."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

The Speaker assumed the Chair.

S. F. No. 975, A bill for an act relating to higher education; providing funding and related policy changes for the Office of Higher Education, Minnesota State Colleges and Universities, the University of Minnesota, and the Mayo Clinic; creating and modifying certain student aid programs; creating a direct admissions pilot program; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 136A.101, subdivision 5a; 136A.121, subdivisions 2, 6, 9; 136A.125, subdivisions 2, 4; 136A.126, subdivisions 1, 4; 136A.1275; 136A.1791; 136A.246, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, by adding a subdivision; 136A.63, subdivision 2; 136A.645; 136A.653, subdivision 5; 136A.68; 136A.822, subdivision 12; 136A.8225; 136A.823, by adding a subdivision; 136A.827, subdivisions 4, 8; 136F.20, by adding a subdivision; 136F.245, subdivisions 1, 2, by adding a subdivision; 136F.305, subdivisions 2, 3, 4; 136F.38, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 136F; 137; repealing Minnesota Statutes 2020, sections 136A.1703; 136A.823, subdivision 2; 136F.245, subdivision 3; Laws 2014, chapter 312, article 1, section 4, subdivision 2; Minnesota Rules, parts 4830.9050; 4830.9060; 4830.9070; 4830.9080; 4830.9090.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Acomb	Ecklund	Hausman	Lillie	Olson, L.	Vang
Agbaje	Edelson	Her	Lippert	Pelowski	Wazlawik
Albright	Elkins	Hollins	Lislegard	Pinto	West
Bahner	Feist	Hornstein	Long	Pryor	Winkler
Becker-Finn	Fischer	Howard	Mariani	Reyer	Wolgamott
Berg	Frazier	Huot	Marquart	Richardson	Xiong, J.
Bernardy	Frederick	Jordan	Masin	Sandell	Xiong, T.
Bierman	Freiberg	Keeler	Moller	Sandstede	Youakim
Boldon	Gomez	Klevorn	Moran	Schultz	Spk. Hortman
Carlson	Greenman	Koegel	Morrison	Stephenson	
Christensen	Hansen, R.	Kotyza-Witthuhn	Murphy	Sundin	
Davids	Hanson, J.	Lee	Nelson, M.	Thompson	
Davnie	Hassan	Liebling	Noor	Urdahl	

Those who voted in the negative were:

Akland	Demuth	Haley	Kresha	Nelson, N.	Quam
Anderson	Dettmer	Hamilton	Lucero	Neu Brindley	Raleigh
Backer	Drazkowski	Heinrich	Lueck	Novotny	Rasmusson
Bahr	Erickson	Heintzeman	McDonald	O'Driscoll	Robbins
Bennett	Franke	Hertaus	Mekeland	Olson, B.	Schomacker
Bliss	Franson	Igo	Miller	O'Neill	Scott
Boe	Garofalo	Johnson	Mortensen	Petersburg	Swedzinski
Burkel	Green	Jurgens	Mueller	Pfarr	Theis
Daniels	Grossell	Kiel	Munson	Pierson	Torkelson
Daudt	Gruenhagen	Koznick	Nash	Poston	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1065 was reported to the House.

Urdahl moved to amend H. F. No. 1065, the second engrossment, as follows:

Page 135, after line 29, insert:

"Sec. 48. Minnesota Statutes 2020, section 122A.61, subdivision 1, is amended to read:

Subdivision 1. **Staff development revenue.** (a) A district is required to reserve an amount equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for:

- (1) teacher development and evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;
- (2) principal development and evaluation under section 123B.147, subdivision 3;
- (3) professional development under section 122A.60; ~~and~~
- (4) in-service education for programs under section 120B.22, subdivision 2; and
- (5) teacher mentorship under section 122A.70, subdivision 1.

(b) To the extent extra funds remain, staff development revenue may be used for staff development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, ~~teachers' mentoring under section 122A.70 and evaluation,~~ teachers' workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts.

(c) A district may annually waive the requirement to reserve their basic revenue under this section if a majority vote of the licensed teachers in the district and a majority vote of the school board agree to a resolution to waive the requirement. A district in statutory operating debt is exempt from reserving basic revenue according to this section. Districts may expend an additional amount of unreserved revenue for staff development based on their needs.

**EFFECTIVE DATE.** This section is effective July 1, 2021."

Page 138, delete section 52 and insert:

"Sec. 52. Minnesota Statutes 2020, section 122A.70, is amended to read:

**122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE TEACHERS.**

Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School districts ~~are encouraged to~~ must develop teacher mentoring programs for teachers new to the profession or district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching.

(b) Teacher mentoring programs must be included in or aligned with districts' teacher evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41, subdivision 5. A district may use staff development revenue under section 122A.61, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three years and is not on an improvement plan. Other initiatives using such funds or funds available under sections 124D.861 and 124D.862 may include:

(1) additional stipends as incentives to mentors of color or who are American Indian;

(2) financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year. For purposes of this section, "affinity groups" are groups of educators who share a common racial or ethnic identity in society as persons of color or who are American Indian;

(3) programs for induction aligned with the district or school mentorship program during the first three years of teaching, especially for teachers from underrepresented racial and ethnic groups; or

(4) grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

(c) A school or district that receives a grant must negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school or district for at least five years and placing American Indian educators at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

Subd. 2. **Applications Board grants.** The Professional Educator Licensing and Standards Board must make grant application forms available to sites interested in developing or expanding a mentorship program. A school district; a group of school districts; a coalition of districts, teachers, and teacher education institutions; or a coalition of schools, teachers, or nonlicensed educators may apply for a program grant. The Professional Educator Licensing and Standards Board, in consultation with the teacher mentoring task force, must approve or disapprove the applications. To the extent possible, the approved applications must reflect effective mentoring, professional development, and retention components, and be geographically distributed throughout the state. The Professional Educator Licensing and Standards Board must encourage the selected sites to consider the use of its assessment procedures.

Subd. 3. **Criteria for selection.** At a minimum, applicants for grants under subdivision 2 must express commitment to:

- (1) allow staff participation;
- (2) assess skills of both beginning and mentor teachers;
- (3) provide appropriate in-service to needs identified in the assessment;
- (4) provide leadership to the effort;
- (5) cooperate with higher education institutions;
- (6) provide facilities and other resources;
- (7) share findings, materials, and techniques with other school districts; and
- (8) retain teachers of color and teachers who are American Indian.

Subd. 4. **Additional funding.** Grant applicants ~~are required to~~ must seek additional funding and assistance from sources such as school districts, postsecondary institutions, foundations, and the private sector.

Subd. 5. **Program implementation.** New and expanding mentorship sites that ~~are funded~~ receive a board grant under subdivision 2 to design, develop, implement, and evaluate their program must participate in activities that support program development and implementation. ~~The Professional Educator Licensing and Standards Board must provide resources and assistance to support new sites in their program efforts. These activities and services may include, but are not limited to: planning, planning guides, media, training, conferences, institutes, and regional and statewide networking meetings. Nonfunded schools or districts interested in getting started may participate. Fees may be charged for meals, materials, and the like.~~

Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

**EFFECTIVE DATE.** This section is effective July 1, 2021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Gruenhagen moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 59, after line 8, insert:

"Sec. 41. Minnesota Statutes 2020, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may

apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution. If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; ~~and~~

(2) the pupil's school as soon as practicable if the student withdraws from the course or stops attending the course.

**EFFECTIVE DATE.** This section is effective July 1, 2021."

Page 60, after line 6, insert:

"Sec. 43. Minnesota Statutes 2020, section 124D.09, subdivision 12, is amended to read:

Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit a course under this section.

(b) A district ~~shall~~ must grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who ~~shall~~ must determine the number of credits that ~~shall~~ must be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board ~~shall~~ must grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits ~~shall be~~ is final.

(c) A school board must adopt a policy regarding weighted grade point averages for any high school or dual enrollment course. The policy must state whether the district offers weighted grades. A school board must annually publish on its website a list of courses for which a student may earn a weighted grade.

(d) The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's ~~grade~~ grades in each course taken for secondary credit under this section, including interim or nonfinal grades earned during the academic term. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

(e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

(f) The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of

Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

**EFFECTIVE DATE.** This section is effective July 1, 2021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Lucero moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 196, after line 9, insert:

"Sec. 4. **[134.191] DIGITAL AND ONLINE LIBRARY DATABASE RESOURCES FOR K-12 STUDENTS.**

Subdivision 1. **Digital and online library database resources.** A school district, public charter school, state agency, public library, or university may offer digital or online library database resources to students in kindergarten through grade 12 only if the vendor or other person or entity providing the resources verifies that all the resources will comply with the provisions of subdivision 2.

Subd. 2. **Safety policies.** Digital or online library database resources offered by school districts, public charter schools, state agencies, public libraries, or universities to students in kindergarten through grade 12 must have safety policies and technology protection measures that:

(1) prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials that are deemed to be harmful to minors, as defined in section 617.291; and

(2) filter or block access to obscene materials, materials harmful to minors, and materials that depict the sexual exploitation of a minor, as defined in section 617.241, subdivision 1.

Subd. 3. **Payments.** Notwithstanding any contract provision to the contrary, if a provider of digital or online library resources fails to comply with the requirements of subdivision 2, the school district, public charter school, state agency, public library, or university shall withhold further payments, if any, to the provider pending verification of compliance.

Subd. 4. **Noncompliance.** If a provider of digital or online library database resources fails to timely verify that the provider is in compliance with the safety policies and requirements of subdivision 2, the school district, public charter school, state agency, public library, or university shall consider the provider's act of noncompliance a breach of contract.

Subd. 5. **Report.** No later than December 1 of each year, libraries shall submit to the legislative committees with jurisdiction over education an aggregate written report on any issues related to provider compliance with technology protection measures required by subdivision 2."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Erickson moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 238, line 25, after "GRANTS" insert "AND AIDS"

Page 238, line 26, before "The" insert "(a)" and after "section" insert "as it relates to grants"

Page 238, after line 31, insert:

"(b) The purpose of this section, as it relates to state aids, is to ensure that school districts and charter schools use state aid in accordance with evidence-based practices."

Page 238, line 32, before "Goals" insert "Grant"

Page 239, after line 17, insert:

"Subd. 6. **Evidence-based practices defined.** Evidence-based practices or programs mean an activity, strategy, or intervention that either:

(1) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes including student well-being and student college and career readiness; or

(2) demonstrates a rationale based on high-quality research findings or positive evaluation that the activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes, and includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

Subd. 7. **State aid programs.** To the extent practicable, evidence-based practices must underlie and support a school board's decisions when choosing its curricular materials, allocating staff resources, and providing professional development activities for its staff."

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 88, delete lines 8 and 9

Reletter the paragraphs in sequence

Page 89, delete lines 31 and 32

Reletter the paragraphs in sequence

Page 91, delete lines 28 and 29

Page 94, delete lines 24 and 25

Reletter the paragraphs in sequence

Page 152, delete lines 1 and 2

Reletter the paragraphs in sequence

Page 152, delete lines 11 and 12

Reletter the paragraphs in sequence

Page 152, delete lines 19 to 22

Reletter the paragraphs in sequence

Page 153, delete lines 1 and 2

Reletter the paragraphs in sequence

Page 153, delete lines 25 and 26

Reletter the paragraphs in sequence

Page 154, delete lines 8 and 9

Page 154, delete lines 22 and 23

Reletter the paragraphs in sequence

Page 185, delete lines 22 and 23

Reletter the paragraphs in sequence

Page 243, delete lines 7 and 8

Renumber the clauses in sequence

A roll call was requested and properly seconded.

The question was taken on the Kresha amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Hamilton	Lueck	O'Driscoll	Schomacker
Albright	Demuth	Heinrich	McDonald	Olson, B.	Scott
Anderson	Dettmer	Heintzeman	Mekeland	O'Neill	Swedzinski
Backer	Drazkowski	Hertaus	Miller	Petersburg	Theis
Bahr	Erickson	Igo	Mortensen	Pfarr	Torkelson
Bennett	Franke	Johnson	Mueller	Pierson	Urdahl
Bliss	Franson	Jurgens	Munson	Poston	West
Boe	Green	Kiel	Nash	Quam	
Burkel	Grossell	Koznick	Nelson, N.	Raleigh	
Daniels	Gruenhagen	Kresha	Neu Brindley	Rasmusson	
Daudt	Haley	Lucero	Novotny	Robbins	

Those who voted in the negative were:

Acomb	Elkins	Her	Lillie	Olson, L.	Vang
Agbaje	Feist	Hollins	Lippert	Pelowski	Wazlawik
Becker-Finn	Fischer	Hornstein	Lislegard	Pinto	Winkler
Berg	Frazier	Howard	Long	Pryor	Wolgamott
Bernardy	Frederick	Huot	Marquart	Reyer	Xiong, J.
Bierman	Freiberg	Jordan	Masin	Richardson	Xiong, T.
Boldon	Gomez	Keeler	Moller	Sandell	Youakim
Carlson	Greenman	Klevorn	Moran	Sandstede	Spk. Hortman
Christensen	Hansen, R.	Koegel	Morrison	Schultz	
Davnie	Hanson, J.	Kotyza-Witthuhn	Murphy	Stephenson	
Ecklund	Hassan	Lee	Nelson, M.	Sundin	
Edelson	Hausman	Liebling	Noor	Thompson	

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 242, after line 9, insert:

"Sec. 14. **FEDERAL FUNDS DIRECTED TO SCHOOLS.**

(a) Notwithstanding any law to the contrary, any federal funds for state agency administrative purposes received by the Department of Education that would otherwise be retained for state agency administrative purposes under the CARES Act or the American Rescue Plan Act must be distributed to school districts, charter schools, cooperative units, and American Indian Tribal contract schools.

(b) Notwithstanding any law to the contrary, any discretionary federal funds received under the CARES Act or the American Rescue Plan Act that, as of the effective date of this act, have not been formally allocated by the executive branch to school districts, charter schools, cooperative units, or American Indian Tribal contract schools, including the 9.5 percent of funds commonly referred to as the ESSER I, ESSER II, and ESSER III funds, must be allocated according to paragraph (c).

(c) Each school district, charter school, cooperative unit, and American Indian Tribal contract school must receive an aid amount equal to:

(1) the ratio of the number of pupils enrolled in the district, charter school, or cooperative unit during the fall of 2020 to the total number of pupils enrolled statewide during the fall of 2020; times

(2) the total amount of administrative aid calculated in paragraphs (a) and (b).

(d) Any amount of federal funds already received by and paid to the Department of Education under paragraph (a) are canceled and returned to the fund from which they were appropriated.

(e) The amounts necessary to pay the aid under this section are appropriated from their respective special reserve accounts in the special revenue fund for this purpose and must be paid to school districts, charter schools, cooperative units, and American Indian Tribal contract schools according to the timelines, reimbursement procedures, and reporting requirements established by the commissioner of education."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kresha amendment and the roll was called. There were 62 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Schomacker
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Scott
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Swedzinski
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Theis
Bahr	Erickson	Hertaus	Miller	Pfarr	Torkelson
Bennett	Franke	Igo	Mortensen	Pierson	Urdahl
Bliss	Franson	Johnson	Mueller	Poston	West
Boe	Garofalo	Jurgens	Munson	Quam	
Burkel	Green	Kiel	Nash	Raleigh	
Daniels	Grossell	Koznick	Nelson, N.	Rasmusson	
Daudt	Gruenhagen	Kresha	Neu Brindley	Robbins	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

The motion did not prevail and the amendment was not adopted.

Erickson moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 237, delete section 10

Page 242, line 16, delete "36,684,000" and insert "35,977,000"

Page 242, line 17, delete "33,099,000" and insert "31,388,000"

Page 243, line 8, after the semicolon, insert "and"

Page 243, line 10, delete ";and" and insert a period

Page 243, delete lines 11 and 12

Page 244, line 8, delete "7,406,000" and insert "7,231,000"

Page 244, line 9, delete "7,527,000" and insert "7,351,000"

Page 244, line 19, delete "2,856,000" and insert "2,952,000"

Page 244, line 20, delete "2,843,000" and insert "2,940,000"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment and the roll was called. There were 62 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Albright	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Anderson	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	
Davids	Haley	Lucero	Novotny	Robbins	

Those who voted in the negative were:

Acomb	Berg	Carlson	Edelson	Frazier	Greenman
Agbaje	Bernardy	Christensen	Elkins	Frederick	Hansen, R.
Bahner	Bierman	Davnie	Feist	Freiberg	Hanson, J.
Becker-Finn	Boldon	Ecklund	Fischer	Gomez	Hassan

Hausman	Klevorn	Long	Nelson, M.	Sandell	Winkler
Her	Koegel	Mariani	Noor	Sandstede	Wolgamott
Hollins	Kotzya-Witthuhn	Marquart	Olson, L.	Schultz	Xiong, J.
Hornstein	Lee	Masin	Pelowski	Stephenson	Xiong, T.
Howard	Liebling	Moller	Pinto	Sundin	Youakim
Huot	Lillie	Moran	Pryor	Thompson	Spk. Hortman
Jordan	Lippert	Morrison	Reyer	Vang	
Keeler	Lislegard	Murphy	Richardson	Wazlawik	

The motion did not prevail and the amendment was not adopted.

Gruenhagen moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 176, after line 25, insert:

"Sec. 8. **SPECIAL EDUCATION LEGISLATIVE WORKING GROUP.**

Subdivision 1. **Duties.** A legislative working group on special education is created to review special education delivery and costs in Minnesota and submit a written report to the legislature. The working group must:

(1) review how school districts, charter schools, intermediate school districts, special education cooperatives, education districts, service cooperatives, and nonpublic schools deliver special education services, and the costs and benefits associated with each model;

(2) compare relevant state and federal special education laws and regulations by reviewing the 2013 evaluation report by the Office of the Legislative Auditor on special education and other publicly available reports;

(3) analyze trends in special education enrollment and the reasons for the increased proportion of Minnesota students receiving special education, including disparities in student identification and reasons for the excessive labeling and drugging of school age children;

(4) identify strategies or programs that would be effective in reducing the need for special education services or could provide less-intensive special education services, when appropriate;

(5) analyze funding for children receiving special education services in a nonresident district or charter school in accordance with Minnesota Statutes, sections 124E.21, 125A.11, and 127A.47;

(6) analyze the effect of the 2013 statutory changes to the state special education funding formula, including interactions and conformity with federal funding formulas;

(7) describe how school districts and charter schools use section 504 plans, including criteria used to determine when a section 504 plan is appropriate and the prevalence of section 504 plans in school districts and charter schools;

(8) review the use of medications intended to modify the mood or behavior of students with 504 plans or individual education programs; and

(9) review the recommendations of the 2013 evaluation report by the Office of the Legislative Auditor on special education and whether any recommendations have been enacted or implemented.

Subd. 2. **Membership.** (a) The legislative working group on special education consists of:

(1) six duly elected and currently serving members of the house of representatives, three appointed by the speaker of the house and three appointed by the house minority leader. Membership must include the current chairs of the house of representatives Education Policy Committee and Education Finance Committee; and

(2) six duly elected and currently serving senators, three appointed by the senate majority leader and three appointed by the senate minority leader. Membership must include the current chair of the senate Education Finance and Policy Committee.

(b) Only duly elected and currently serving members of the house of representatives or senate may be members of the special education legislative working group. A chair of an education committee appointed under paragraph (a) may designate another member of the chair's chamber to attend a meeting of the legislative working group in place of the chair.

Subd. 3. **Organization; process; administrative and technical support.** The special education legislative working group appointments must be made by July 1, 2021. If a vacancy occurs, the leader of the caucus in the house of representatives or senate to which the vacating working group member belonged must fill the vacancy. The chair of the house of representatives Education Policy Committee shall serve as a cochair of the working group. The chair of the senate Education Finance and Policy Committee shall serve as a cochair of the working group and shall convene the first meeting. The working group must meet periodically. Meetings of the working group must be open to the public. The Legislative Coordinating Commission must provide administrative assistance upon request. The Department of Education must provide technical assistance upon request.

Subd. 4. **Consultation with stakeholders.** In developing its recommendations, the special education legislative working group must consult with interested and affected stakeholders.

Subd. 5. **Report.** The special education legislative working group must submit a report providing its findings and policy recommendations to the legislature by January 15, 2022.

Subd. 6. **Expiration.** The special education legislative working group expires January 16, 2022, unless extended by law.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gruenhagen amendment and the roll was called. There were 63 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Akland	Bahr	Burkel	Demuth	Franke	Grossell
Albright	Bennett	Daniels	Dettmer	Franson	Gruenhagen
Anderson	Bliss	Dautt	Drazkowski	Garofalo	Haley
Backer	Boe	Davids	Erickson	Green	Hamilton

Heinrich	Koznick	Mortensen	O'Driscoll	Quam	Theis
Heintzeman	Kresha	Mueller	Olson, B.	Raleigh	Torkelson
Hertaus	Lucero	Munson	O'Neill	Rasmusson	Urdahl
Igo	Lueck	Nash	Petersburg	Robbins	West
Johnson	McDonald	Nelson, N.	Pfarr	Schomacker	
Jurgens	Mekeland	Neu Brindley	Pierson	Scott	
Kiel	Miller	Novotny	Poston	Swedzinski	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Lillie	Noor	Thompson
Agbaje	Elkins	Her	Lippert	Olson, L.	Vang
Bahner	Feist	Hollins	Lislegard	Pelowski	Wazlawik
Becker-Finn	Fischer	Hornstein	Long	Pinto	Winkler
Berg	Frazier	Howard	Mariani	Pryor	Wolgamott
Bernardy	Frederick	Huot	Marquart	Reyer	Xiong, T.
Bierman	Freiberg	Jordan	Masin	Richardson	Youakim
Boldon	Gomez	Klevorn	Moller	Sandell	Spk. Hortman
Carlson	Greenman	Koegel	Moran	Sandstede	
Christensen	Hansen, R.	Kotzya-Witthuhn	Morrison	Schultz	
Davnie	Hanson, J.	Lee	Murphy	Stephenson	
Ecklund	Hassan	Liebling	Nelson, M.	Sundin	

The motion did not prevail and the amendment was not adopted.

Daniels moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 14, line 27, delete "June" and insert "April"

Page 14, line 28, before the period, insert "unless a petition has been filed under paragraph (e)"

Page 15, after line 3, insert:

"(e) A school board's authority under this subdivision is subject to a reverse referendum. A petition to revoke or reduce a referendum approved under this subdivision is effective if signed by a number of qualified voters in excess of 15 percent of the registered voters of the district on the day the petition is filed with the board. The petition to must be submitted to the school board by June 1 of the year of the election and the election must be held on the date specified in subdivision 9, paragraph (a), referendum"

The motion did not prevail and the amendment was not adopted.

Miller moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 85, after line 25, insert:

"(c) Notwithstanding any law to the contrary, the commissioner of education must submit all proposed changes to the social studies standards to the legislature for approval after an administrative law judge reviews and approves the standards. The revised standards do not go into effect until the changes are approved by a law enacted after the administrative law judge approval."

The motion did not prevail and the amendment was not adopted.

The Speaker called Moller to the Chair.

Scott moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 85, delete section 67 and insert:

"Sec. 67. **ACADEMIC STANDARDS REVIEW SUSPENSION.**

Notwithstanding Minnesota Statutes, section 120B.021, the commissioner of education must suspend any ongoing review or revision of academic standards, or implementation of revised academic standards under Minnesota Statutes, section 120B.021, until June 1, 2022.

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

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Scott amendment and the roll was called. There were 64 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Gruenhagen	Kresha	Neu Brindley	Rasmusson
Albright	Demuth	Haley	Lucero	Novotny	Robbins
Anderson	Dettmer	Hamilton	Lueck	O'Driscoll	Schomacker
Backer	Drazkowski	Heinrich	McDonald	Olson, B.	Scott
Bahr	Erickson	Heintzeman	Mekeland	O'Neill	Swedzinski
Bennett	Fischer	Hertaus	Miller	Petersburg	Theis
Bliss	Franke	Igo	Mortensen	Pfarr	Torkelson
Boe	Franson	Johnson	Mueller	Pierson	Urdahl
Burkel	Garofalo	Jurgens	Munson	Poston	West
Daniels	Green	Kiel	Nash	Quam	
Daudt	Grossell	Koznick	Nelson, N.	Raleigh	

Those who voted in the negative were:

Acomb	Edelson	Her	Lillie	Noor	Thompson
Agbaje	Elkins	Hollins	Lippert	Olson, L.	Vang
Bahner	Feist	Hornstein	Lislegard	Pelowski	Wazlawik
Becker-Finn	Frazier	Howard	Long	Pinto	Winkler
Berg	Frederick	Huot	Mariani	Pryor	Wolgamott
Bernardy	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Bierman	Gomez	Keeler	Masin	Richardson	Xiong, T.
Boldon	Greenman	Klevorn	Moller	Sandell	Youakim
Carlson	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Christensen	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Davnie	Hassan	Lee	Murphy	Stephenson	
Ecklund	Hausman	Liebling	Nelson, M.	Sundin	

The motion did not prevail and the amendment was not adopted.

Erickson moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 25, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 1, is amended to read:

Subdivision 1. **Required academic standards.** (a) The following subject areas are required for statewide accountability:

(1) language arts;

(2) mathematics;

(3) science;

(4) social studies, for which statewide or locally adopted academic standards apply, including history, geography, economics, and government and citizenship that includes civics consistent with section 120B.02, subdivision 3;

(5) physical education;

(6) health, for which locally developed academic standards apply; and

(7) the arts, for which statewide or locally developed academic standards apply, as determined by the school district. Public elementary and middle schools must offer at least three and require at least two of the following ~~four~~ five arts areas: dance; media arts; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

(b) For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

(c) The department must adopt the most recent SHAPE America (Society of Health and Physical Educators) kindergarten through grade 12 standards and benchmarks for physical education as the required physical education academic standards. The department may modify and adapt the national standards to accommodate state interest. The modification and adaptations must maintain the purpose and integrity of the national standards. The department must make available sample assessments, which school districts may use as an alternative to local assessments, to assess students' mastery of the physical education standards beginning in the 2018-2019 school year.

(d) A school district may include child sexual abuse prevention instruction in a health curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention instruction may include age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may provide instruction under this paragraph in a variety of ways, including at an annual assembly or classroom presentation. A school district may also provide parents information on the warning signs of child sexual abuse and available resources.

(e) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20."

Amend the title accordingly

A roll call was requested and properly seconded.

Erickson moved to amend the Erickson amendment to H. F. No. 1065, the second engrossment, as amended, as follows:

Page 2, after line 21, insert:

"(f) The commissioner must include the dangers and perils of communism and socialism, including estimated lives lost under communism and socialism, and negative outcomes associated with communism and socialism, in social studies standards during the 2020-2021 review and revision of the standards."

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment to the Erickson amendment and the roll was called. There were 63 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

The motion did not prevail and the amendment to the amendment was not adopted.

Erickson moved to amend the Erickson amendment to H. F. No. 1065, the second engrossment, as amended, as follows:

Page 2, after line 21, insert:

"(f) State academic standards are intended only to inform local decisions on curriculum design and instructional materials, which must be adopted locally."

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment to the Erickson amendment and the roll was called. There were 62 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	O'Driscoll	Schomacker
Albright	Demuth	Hamilton	Lueck	Olson, B.	Scott
Anderson	Dettmer	Heinrich	McDonald	O'Neill	Swedzinski
Backer	Drazkowski	Heintzeman	Miller	Petersburg	Theis
Bahr	Erickson	Hertaus	Mortensen	Pfarr	Torkelson
Bennett	Franke	Igo	Mueller	Pierson	Urdahl
Bliss	Franson	Johnson	Munson	Poston	West
Boe	Garofalo	Jurgens	Nash	Quam	
Burkel	Green	Kiel	Nelson, N.	Raleigh	
Daniels	Grossell	Koznick	Neu Brindley	Rasmuson	
Daudt	Gruenhagen	Kresha	Novotny	Robbins	

Those who voted in the negative were:

Acomb	Elkins	Her	Lillie	Noor	Vang
Agbaje	Feist	Hollins	Lippert	Olson, L.	Wazlawik
Bahner	Fischer	Hornstein	Lislegard	Pelowski	Winkler
Berg	Frazier	Howard	Long	Pinto	Wolgamott
Bernardy	Frederick	Huot	Mariani	Pryor	Xiong, J.
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, T.
Boldon	Gomez	Keeler	Masin	Richardson	Youakim
Carlson	Greenman	Klevorn	Moller	Sandell	
Christensen	Hansen, R.	Koegel	Moran	Sandstede	
Davnie	Hanson, J.	Kotzya-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	
Edelson	Hausman	Liebling	Nelson, M.	Thompson	

The motion did not prevail and the amendment to the amendment was not adopted.

Urdahl moved to amend the Erickson amendment to H. F. No. 1065, the second engrossment, as amended, as follows:

Page 2, after line 21, insert:

"(f) Academic standards must be approved by the legislature before they are adopted by the commissioner."

A roll call was requested and properly seconded.

The question was taken on the Urdahl amendment to the Erickson amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Edelson	Her	Lillie	Noor	Thompson
Agbaje	Elkins	Hollins	Lippert	Olson, L.	Vang
Bahner	Feist	Hornstein	Lislegard	Pelowski	Wazlawik
Becker-Finn	Fischer	Howard	Long	Pinto	Winkler
Berg	Frazier	Huot	Mariani	Pryor	Wolgamott
Bernardy	Frederick	Jordan	Marquart	Reyer	Xiong, J.
Bierman	Freiberg	Keeler	Masin	Richardson	Xiong, T.
Boldon	Gomez	Klevorn	Moller	Sandell	Youakim
Carlson	Greenman	Koegel	Moran	Sandstede	Spk. Hortman
Christensen	Hansen, R.	Kotyza-Witthuhn	Morrison	Schultz	
Davnie	Hanson, J.	Lee	Murphy	Stephenson	
Ecklund	Hausman	Liebling	Nelson, M.	Sundin	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Erickson amendment and the roll was called. There were 63 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

The motion did not prevail and the amendment was not adopted.

Urdahl moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 29, line 27, after "studies," insert "including credit for a course in government and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2022-2023 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under section 120B.021, subdivision 1a, and a combination of other credits"

Page 30, line 7, after the period, insert "A school district must offer the course starting in the 2022-2023 school year."

The motion prevailed and the amendment was adopted.

Mueller moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 151, after line 3, insert:

"Sec. 59. **SHORT-CALL SUBSTITUTE TEACHER PILOT.**

(a) A school district may employ a person who meets the professional requirements of Minnesota Statutes, section 122A.181, subdivision 2, as a short-call substitute teacher, notwithstanding any licensing requirements in Minnesota Statutes, chapter 122A. A school district must verify that each short-call substitute teacher has completed a background check that meets the requirements of Minnesota Statutes, section 122A.18, subdivision 8, before beginning an assignment. Each assignment to replace a teacher of record must last no longer than 15 consecutive school days.

(b) A district must report to the Professional Educator Licensing and Standards Board all persons it employs under this section and affirm that each person meets the professional requirements for a short-call substitute teacher.

**EFFECTIVE DATE.** This section is effective for the 2020-2021, 2021-2022, and 2022-2023 school years only."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mueller amendment and the roll was called. There were 64 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Kresha	Neu Brindley	Rasmusson
Albright	Demuth	Hamilton	Lucero	Novotny	Robbins
Anderson	Dettmer	Heinrich	Lueck	O'Driscoll	Schomacker
Backer	Drazkowski	Heintzeman	McDonald	Olson, B.	Scott
Bahr	Erickson	Hertaus	Mekeland	O'Neill	Swedzinski
Bennett	Franke	Igo	Miller	Petersburg	Theis
Bliss	Franson	Johnson	Mortensen	Pfarr	Torkelson
Boe	Garofalo	Jurgens	Mueller	Pierson	Urdahl
Burkel	Green	Keeler	Munson	Poston	West
Daniels	Grossell	Kiel	Nash	Quam	
Daudt	Gruenhagen	Koznick	Nelson, N.	Raleigh	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Lillie	Noor	Thompson
Agbaje	Elkins	Her	Lippert	Olson, L.	Vang
Bahner	Feist	Hollins	Lislegard	Pelowski	Wazlawik
Becker-Finn	Fischer	Hornstein	Long	Pinto	Winkler
Berg	Frazier	Howard	Mariani	Pryor	Wolgamott
Bernardy	Frederick	Huot	Marquart	Reyer	Xiong, J.
Bierman	Freiberg	Jordan	Masin	Richardson	Xiong, T.
Boldon	Gomez	Klevorn	Moller	Sandell	Youakim
Carlson	Greenman	Koegel	Moran	Sandstede	Spk. Hortman
Christensen	Hansen, R.	Kotyza-Witthuhn	Morrison	Schultz	
Davnie	Hanson, J.	Lee	Murphy	Stephenson	
Ecklund	Hassan	Liebling	Nelson, M.	Sundin	

The motion did not prevail and the amendment was not adopted.

Demuth moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 123, after line 3, insert:

"Sec. 39. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. A teacher related by blood or marriage, within the fourth degree, computed by the civil law, to a board member shall not be employed except by a unanimous vote of the full board. The initial employment of the teacher in the district must be by written contract, signed by the teacher and by the chair and clerk. All subsequent employment of the teacher in the district must be by written contract, signed by the teacher and by the chair and clerk, except where there is a master agreement covering the employment of the teacher. Contracts for teaching or supervision of teaching can be made only with qualified teachers. A teacher shall not be required to reside within the employing district as a condition to teaching employment or continued teaching employment.

(b) A school district must not give a teacher preference in hiring, termination, or placement on unrequested leave of absence based on the teacher's seniority.

(c) A school district must report all new teacher hires, terminations, and placements on unrequested leave, by race and ethnicity annually to the Department of Education. The report must not include data that would personally identify individuals.

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

Page 124, delete lines 11 to 13

Page 124, line 15, delete everything after the period

Page 124, delete line 16

Page 127, delete sections 41 and 42

Page 130, delete lines 1 to 3

Page 130, line 5, delete everything after the period

Page 130, delete line 6

Page 133, delete sections 45 and 46 and insert:

"Sec. 45. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision to read:

Subd. 16. **Hiring and termination.** (a) A school district must not give a teacher preference in hiring, termination, or placement on unrequested leave of absence based on the teacher's seniority.

(b) A school district must report all new teacher hires, terminations, and placements on unrequested leave by race and ethnicity annually to the Department of Education. The report must not include data that would personally identify individuals.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Demuth amendment and the roll was called. There were 62 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Bliss	Demuth	Garofalo	Heinrich	Kiel
Albright	Boe	Dettmer	Green	Heintzeman	Koznick
Anderson	Burkel	Drazkowski	Grossell	Hertaus	Kresha
Backer	Daniels	Erickson	Gruenhagen	Igo	Lucero
Bahr	Daudt	Franke	Haley	Johnson	Lueck
Bennett	Davids	Franson	Hamilton	Jurgens	McDonald

Mekeland	Nelson, N.	O'Neill	Quam	Scott	West
Miller	Neu Brindley	Petersburg	Raleigh	Swedzinski	
Mueller	Novotny	Pfarr	Rasmusson	Theis	
Munson	O'Driscoll	Pierson	Robbins	Torkelson	
Nash	Olson, B.	Poston	Schomacker	Urdahl	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

The motion did not prevail and the amendment was not adopted.

Drazkowski moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 122, after line 7, insert:

"Subd. 10. **Good moral character.** The board must require a teacher renewing a license to verify that the teacher is of good moral character, and must refuse to renew the license of a teacher who does not have good moral character. A teacher has good moral character if the teacher:

(1) has not been convicted of murder;

(2) has not been convicted of a sexual offense involving a minor; and

(3) is not and has not:

(i) been employed by dictator Tim Walz or any other dictator; or

(ii) burned down buildings or assaulted police officers."

Frazier moved to amend the Drazkowski amendment to H. F. No. 1065, the second engrossment, as amended, as follows:

Page 1, line 10, delete "been employed by dictator Tim Walz or any other dictator" and insert "supported or affiliated with white supremacist groups, causes, or ideologies, including but not limited to the Boogaloo Boys, Proud Boys, or 3%ers"

A roll call was requested and properly seconded.

The question was taken on the Frazier amendment to the Drazkowski amendment and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Hansen, R.	Kresha	Nash	Sandell
Agbaje	Dettmer	Hanson, J.	Lee	Nelson, M.	Sandstede
Akland	Drazkowski	Hassan	Liebling	Nelson, N.	Schomacker
Albright	Ecklund	Hausman	Lillie	Neu Brindley	Schultz
Anderson	Edelson	Heinrich	Lippert	Noor	Scott
Backer	Elkins	Heintzeman	Lislegard	O'Driscoll	Stephenson
Bahr	Erickson	Her	Long	Olson, B.	Sundin
Becker-Finn	Feist	Hertaus	Lucero	Olson, L.	Swedzinski
Bennett	Fischer	Hollins	Lueck	O'Neill	Theis
Berg	Franke	Hornstein	Mariani	Pelowski	Thompson
Bernardy	Franson	Howard	Marquart	Petersburg	Torkelson
Bierman	Frazier	Huot	Masin	Pfarr	Urdahl
Bliss	Frederick	Igo	McDonald	Pierson	Vang
Boe	Freiberg	Johnson	Mekeland	Pinto	Wazlawik
Boldon	Garofalo	Jordan	Miller	Poston	West
Burkel	Gomez	Jurgens	Moller	Pryor	Winkler
Carlson	Green	Keeler	Moran	Quam	Wolgamott
Christensen	Greenman	Kiel	Morrison	Raleigh	Xiong, J.
Daniels	Grossell	Klevorn	Mortensen	Rasmusson	Xiong, T.
Daudt	Gruenhagen	Koegel	Mueller	Reyer	Youakim
Davids	Haley	Kotyza-Witthuhn	Munson	Richardson	Spk. Hortman
Davnie	Hamilton	Koznick	Murphy	Robbins	

The motion prevailed and the amendment to the amendment was adopted.

Drazkowski withdrew his amendment, as amended, to H. F. No. 1065, the second engrossment, as amended.

The Speaker resumed the Chair.

Lucero moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 11, after line 28, insert:

"Sec. 15. **[126C.127] GENERAL EDUCATION DISPARITY AID.**

**Subdivision 1. Eligible districts.** A school district, not including a charter school, qualifies for general education disparity aid if:

(1) the district's adjusted net tax capacity per adjusted pupil unit is less than the value of the district at or immediately below the 20th percentile of districts; or

(2) the district's referendum market value per resident pupil unit is less than the value of the district at or immediately below the 20th percentile of districts.

**Subd. 2. General education disparity aid.** (a) A district's general education disparity aid allowance equals 0.7 times the greater of:

(1) zero; or

(2) the difference between:

(i) the amount of general education revenue per adjusted pupil unit under section 126C.10, not including referendum revenue, for the district at or immediately below the 20th percentile of districts; and

(ii) the amount of general education revenue per adjusted pupil unit under section 126C.10, not including referendum revenue, for the district.

(b) For fiscal year 2022 and later, a district's general education disparity aid equals its general education disparity aid allowance times the adjusted pupil units.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later."

Page 18, line 25, delete "7,563,143,000" and insert "7,568,993,000"

Page 18, line 26, delete "7,801,734,000" and insert "7,808,234,000"

Page 18, line 27, delete "\$6,845,817,000" and insert "\$6,851,667,000"

Page 18, line 28, delete "\$760,646,000" and insert "\$761,296,000" and delete "\$7,041,088,000" and insert "\$7,046,938,000"

Page 88, line 6, delete "3,000,000" and insert "1,500,000"

Page 88, line 7, delete "3,000,000" and insert "1,500,000"

Page 90, delete subdivision 12

Renumber the subdivisions in sequence

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Lucero amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Boe	Drazkowski	Gruenhagen	Johnson	McDonald
Albright	Burkel	Erickson	Haley	Jurgens	Mekeland
Anderson	Daniels	Franke	Hamilton	Kiel	Miller
Backer	Daudt	Franson	Heinrich	Koznick	Mortensen
Bahr	Davids	Garofalo	Heintzeman	Kresha	Mueller
Bennett	Demuth	Green	Hertaus	Lucero	Munson
Bliss	Dettmer	Grossell	Igo	Lueck	Nash

Nelson, N.	Olson, B.	Pierson	Rasmusson	Swedzinski	West
Neu Brindley	O'Neill	Poston	Robbins	Theis	
Novotny	Petersburg	Quam	Schomacker	Torkelson	
O'Driscoll	Pfarr	Raleigh	Scott	Urdahl	

Those who voted in the negative were:

Acomb	Edelson	Her	Lillie	Noor	Thompson
Agbaje	Elkins	Hollins	Lippert	Olson, L.	Vang
Bahner	Feist	Hornstein	Lislegard	Pelowski	Wazlawik
Becker-Finn	Fischer	Howard	Long	Pinto	Winkler
Berg	Frazier	Huot	Mariani	Pryor	Wolgamott
Bernardy	Frederick	Jordan	Marquart	Reyer	Xiong, J.
Bierman	Freiberg	Keeler	Masin	Richardson	Xiong, T.
Boldon	Gomez	Klevorn	Moller	Sandell	Youakim
Carlson	Greenman	Koegel	Moran	Sandstede	Spk. Hortman
Christensen	Hansen, R.	Kotyza-Witthuhn	Morrison	Schultz	
Davnie	Hanson, J.	Lee	Murphy	Stephenson	
Ecklund	Hausman	Liebling	Nelson, M.	Sundin	

The motion did not prevail and the amendment was not adopted.

Lucero moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 8, after line 20, insert:

"Sec. 10. Minnesota Statutes 2020, section 126C.10, subdivision 1, is amended to read:

Subdivision 1. **General education revenue.** The general education revenue for each district equals the sum of the district's basic revenue, extended time revenue, gifted and talented revenue, declining enrollment revenue, local optional revenue, small schools revenue, basic skills revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity revenue, total operating capital revenue, equity revenue, pension adjustment revenue, minimum revenue guarantee, and transition revenue.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later."

Page 11, after line 28, insert:

"Sec. 16. Minnesota Statutes 2020, section 126C.10, is amended by adding a subdivision to read:

Subd. 38. **Minimum revenue guarantee.** (a) For purposes of this section, general education component revenue means extended time revenue, gifted and talented revenue, declining enrollment revenue, local optional revenue, small schools revenue, basic skills revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity revenue, total operating capital revenue, equity revenue, pension adjustment revenue, transition revenue, and operating referendum revenue.

(b) A district's minimum revenue guarantee equals the product of the district's adjusted pupil units for that year and the greater of zero or the difference between:

(1) \$1,850; and

(2) the ratio of (i) the district's general education component revenue to (ii) the district's adjusted pupil units for that year.

(c) A school district's revenue under paragraph (b) must not exceed \$75 times the district's adjusted pupil units for that year.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later."

Page 18, line 25, delete "7,563,143,000" and insert "7,588,343,000"

Page 18, line 26, delete "7,801,734,000" and insert "7,829,734,000"

Page 18, line 27, delete "\$6,845,817,000" and insert "\$6,871,017,000"

Page 18, line 28, delete "\$760,646,000" and insert "\$763,446,000" and delete "\$7,041,088,000" and insert "\$7,066,288,000"

Page 35, delete section 16

Page 41, delete section 19

Page 88, delete subdivision 9

Page 90, delete subdivision 12

Page 91, delete subdivision 15

Renumber the subdivisions in sequence

Page 152, delete subdivisions 5 and 6

Renumber the subdivisions in sequence

Page 185, delete subdivision 4

Page 242, line 16, delete "36,684,000" and insert "31,147,000"

Page 242, line 17, delete "33,099,000" and insert "32,058,000"

Page 242, delete lines 28 and 29

Page 243, line 6, after the semicolon, insert "and"

Page 243, delete lines 7 and 8

Page 243, line 10, delete "; and" and insert a period

Page 243, delete lines 11 and 12

Renumber the clauses in sequence

Page 244, line 8, delete "7,406,000" and insert "7,231,000"

Page 244, line 9, delete "7,527,000" and insert "7,351,000"

Page 244, line 19, delete "2,856,000" and insert "2,763,000"

Page 244, line 20, delete "2,843,000" and insert "2,743,000"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Lucero amendment and the roll was called. There were 63 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

The motion did not prevail and the amendment was not adopted.

Urdahl moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Page 54, after line 16, insert:

"Sec. 37. Minnesota Statutes 2020, section 121A.53, subdivision 2, is amended to read:

Subd. 2. **Report.** (a) The school board must include state student identification numbers of affected pupils on all dismissal and other disciplinary reports required by the department. The department must report annually to the commissioner summary data on the number of dismissals and physical assaults of district employees by a student by age, grade, gender, race, and special education status of the affected pupils. All dismissal and other disciplinary reports must be submitted through the department electronic reporting system.

(b) The commissioner must aggregate the district data reported under this section and include the aggregated data, including aggregated data on physical assaults of a district employee by a student, in the annual school performance reports under section 120B.36.

(c) A teacher that is physically assaulted by a student must receive a copy of the report submitted to the commissioner under subdivision 1."

Page 58, line 20, reinstate the period and after the period, insert "The principal must remove the student from class for at least three school days following the day of the incident. A student may only return to the class from which the student was removed after the student has been given assistance to prevent the inappropriate behavior from recurring. A teacher who disagrees with the period of time determined by the principal may appeal the principal's decision, in writing, to the superintendent or charter school director for a different period of time for the removal from class. The student must not return to the classroom until the teacher and principal receive notice of the superintendent's decision. The superintendent's decision is final"

Page 101, after line 25, insert:

"Sec. 3. Minnesota Statutes 2020, section 121A.64, is amended to read:

**121A.64 NOTIFICATION; TEACHERS' AND PARAPROFESSIONALS' LEGITIMATE EDUCATIONAL INTEREST.**

(a) A classroom teacher has a legitimate educational interest in knowing which students placed in the teacher's classroom have a history of violent behavior, including any documented physical assault of a district employee by the student, and must be notified before such students are placed in the teacher's classroom.

(b) A paraprofessional assigned to work alone or on a regular basis with a student with a disability has a legitimate educational interest in knowing whether the student has a history of violent behavior, including any documented physical assault of a district employee by the student, and must be notified before being assigned to work with the student.

~~(b)~~ (c) Representatives of the school board and the exclusive representative of the teachers shall discuss issues related to the model policy on student records adopted under Laws 1999, chapter 241, article 9, section 50, and any modifications adopted under Laws 2003, First Special Session chapter 9, for notifying classroom teachers and other school district employees having a legitimate educational interest in knowing about students with a history of violent behavior, including any documented physical assault of a district employee by students placed in classrooms. The representatives of the school board and the exclusive representative of the teachers also may discuss the need for intervention services or conflict resolution or training for staff related to placing students with a history of violent behavior in teachers' classrooms."

Page 142, after line 30, insert:

"Sec. 54. **[122A.85] TEACHER AND CLASSROOM SAFETY CODED ELSEWHERE.**

Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 5 are codified outside this section. Those sections include many but not all the sections governing teacher and classroom safety.

Subd. 2. **Dismissal and disciplinary report to the commissioner.** A teacher who was physically assaulted by a student must receive a copy of the report to the commissioner under section 121A.52.

Subd. 3. **Discipline and removal of students from class.** A student must be removed from class immediately if the student engages in assault or violent behavior under section 121A.61.

Subd. 4. **Teachers' and paraprofessionals' legitimate educational interest.** (a) A teacher has a legitimate educational interest in knowing which students placed in their classroom have a history of violent behavior and must be notified before such students are placed in their classroom under section 121A.64.

(b) A paraprofessional has a legitimate educational interest in knowing whether a student with a disability that the paraprofessional works with alone or on a regular basis has a history of violent behavior and must be notified before being assigned to work with the student under section 121A.64.

Subd. 5. **General control of school and classroom.** A teacher of record must have the general control and government of a school and classroom and a teacher may remove violent or disruptive students from class as provided under section 122A.42.

Subd. 6. **Notice of rights and responsibilities.** At least once each school year, in the form and manner determined by the charter school or school district, a teacher and administrator must be informed of their rights and responsibilities under these statutes and related school or district policies."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Kresha offered an amendment to H. F. No. 1065, the second engrossment, as amended.

#### POINT OF ORDER

Pinto raised a point of order pursuant to rule 3.21 that the Kresha amendment was not in order. The Speaker ruled the point of order well taken and the Kresha amendment out of order.

Kresha appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 70 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Acomb	Edelson	Hausman	Liebling	Murphy	Sundin
Agbaje	Elkins	Her	Lillie	Nelson, M.	Thompson
Bahner	Feist	Hollins	Lippert	Noor	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Olson, L.	Wazlawik
Berg	Frazier	Howard	Long	Pelowski	Winkler
Bernardy	Frederick	Huot	Lueck	Pinto	Wolgamott
Bierman	Freiberg	Jordan	Mariani	Pryor	Xiong, J.
Boldon	Gomez	Keeler	Marquart	Reyer	Xiong, T.
Carlson	Greenman	Klevorn	Masin	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moller	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Moran	Schultz	
Ecklund	Hassan	Lee	Morrison	Stephenson	

Those who voted in the negative were:

Akland	Davids	Haley	Lucero	O'Driscoll	Robbins
Albright	Demuth	Hamilton	McDonald	Olson, B.	Schomacker
Anderson	Dettmer	Heinrich	Mekeland	O'Neill	Scott
Backer	Drazkowski	Heintzeman	Miller	Petersburg	Swedzinski
Bahr	Erickson	Hertaus	Mortensen	Pfarr	Theis
Bennett	Franke	Igo	Mueller	Pierson	Torkelson
Bliss	Franson	Johnson	Munson	Poston	Urdahl
Boe	Garofalo	Jurgens	Nash	Quam	West
Burkel	Green	Kiel	Nelson, N.	Raleigh	
Daniels	Grossell	Koznick	Neu Brindley	Rasmusson	
Daudt	Gruenhagen	Kresha	Novotny	Richardson	

So it was the judgment of the House that the decision of the Speaker should stand.

Lucero offered an amendment to H. F. No. 1065, the second engrossment, as amended.

#### POINT OF ORDER

Pinto raised a point of order pursuant to rule 3.21 that the Lucero amendment was not in order. The Speaker ruled the point of order well taken and the Lucero amendment out of order.

Kresha moved to amend H. F. No. 1065, the second engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1 GENERAL EDUCATION

Section 1. Minnesota Statutes 2020, section 126C.10, subdivision 2, is amended to read:

Subd. 2. **Basic revenue.** (a) The basic revenue for each district equals the formula allowance times the adjusted pupil units for the school year. ~~The formula allowance for fiscal year 2019 is \$6,312. The formula allowance for fiscal year 2020 is \$6,438.~~

(b) The formula allowance for fiscal year 2021 is \$6,567. The formula allowance for fiscal year 2022 is \$6,698. The formula allowance for fiscal year 2023 and later is ~~\$6,567~~ \$6,832.

Sec. 2. **APPROPRIATION; DEPARTMENT OF EDUCATION.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education in the fiscal year designated.

Subd. 2. **General education aid.** For general education aid under Minnesota Statutes section 126C.13, including aid for extended time activities authorized in section 2:

<u>\$7,524,105,000</u>	.....	<u>2022</u>
<u>\$7,746,665,000</u>	.....	<u>2023</u>

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

<u>\$12,000</u>	.....	<u>2022</u>
<u>\$13,000</u>	.....	<u>2023</u>

Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

<u>\$2,897,000</u>	.....	<u>2022</u>
<u>\$3,558,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$269,000 for 2021 and \$2,628,000 for 2022.

The 2023 appropriation includes \$291,000 for 2022 and \$3,267,000 for 2023.

Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota Statutes, section 123A.485:

<u>\$309,000</u>	.....	<u>2022</u>
<u>\$373,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

The 2023 appropriation includes \$31,000 for 2022 and \$342,000 for 2023.

Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

<u>\$17,173,000</u>	.....	<u>2022</u>
<u>\$17,864,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$1,903,000 for 2021 and \$15,270,000 for 2022.

The 2023 appropriation includes \$1,696,000 for 2022 and \$16,168,000 for 2023.

Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

<u>\$19,692,000</u>	.....	<u>2022</u>
<u>\$19,809,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$1,910,000 for 2021 and \$17,782,000 for 2022.

The 2023 appropriation includes \$1,975,000 for 2022 and \$17,834,000 for 2023.

Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No. 690, Warroad, to operate the Angle Inlet School:

<u>\$65,000</u>	.....	<u>2022</u>
<u>\$65,000</u>	.....	<u>2023</u>

Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

<u>\$2,668,000</u>	.....	<u>2022</u>
<u>\$2,279,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$323,000 for 2021 and \$2,345,000 for 2022.

The 2023 appropriation includes \$260,000 for 2022 and \$2,019,000 for 2023.

Subd. 10. **Pregnant and parenting pupil transportation reimbursement.** (a) To reimburse districts for transporting pregnant or parenting pupils under Minnesota Statutes, section 123B.92, subdivision 1, paragraph (b), clause (1), item (vi):

<u>\$56,000</u>	.....	<u>2022</u>
<u>\$55,000</u>	.....	<u>2023</u>

(b) To receive reimbursement, districts must apply using the form and manner of application prescribed by the commissioner. If the appropriation is insufficient, the commissioner must prorate the amount paid to districts seeking reimbursement.

(c) Any balance in the first year does not cancel but is available in the second year.

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

## ARTICLE 2 EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2020, section 120A.36, is amended to read:

### **120A.36 SCHOOL ATTENDANCE.**

(a) Attendance at a particular public school is a privilege not a right for a pupil.

(b) Notwithstanding paragraph (a), parents have the right to choose a high-quality, culturally affirming education for their children, regardless of their zoned public school.

Sec. 2. Minnesota Statutes 2020, section 120A.41, is amended to read:

**120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

(a) A school board's annual school calendar must include at least 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school. The school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. The school calendar for a prekindergarten student under section 124D.151, if offered by the district, must include at least 350 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the commissioner under section 124D.126.

(b) A school board's annual school calendar may include plans for ~~up to five days of instruction provided through online instruction due to inclement weather. The inclement weather~~ an unlimited number of days of instruction provided through distance learning due to weather or a health or natural disaster emergency. ~~The distance learning~~ plans must be developed according to section 120A.414.

**EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

Sec. 3. Minnesota Statutes 2020, section 120A.414, is amended to read:

**120A.414 E-LEARNING DISTANCE LEARNING DAYS.**

Subdivision 1. **Days.** ~~"E-learning day"~~ "Distance learning day" means a school day where a school offers full access to online instruction provided by students' individual teachers due to ~~inclement weather or a health or natural disaster emergency as determined by the school board or superintendent.~~ A school district or charter school that chooses to have ~~e-learning~~ distance learning days may have ~~up to five e-learning~~ an unlimited number of distance learning days in one school year. ~~An e-learning~~ A distance learning day is counted as a day of instruction and included in the hours of instruction under section 120A.41.

Subd. 2. **Plan.** A school board may ~~use its 2020-2021 school year distance learning plan or may adopt an~~ e-learning a distance learning day plan after consulting with the exclusive representative of the teachers. A charter school may adopt ~~an e-learning~~ a distance learning day plan after consulting with its teachers. The plan must include accommodations for students without Internet access at home and for digital device access for families without the technology or an insufficient amount of technology for the number of children in the household. A school's ~~e-learning~~ distance learning day plan must provide accessible options for students with disabilities under chapter 125A.

Subd. 3. **Annual notice.** A school district or charter school must notify parents and students of the ~~e-learning~~ distance learning day plan at the beginning of the school year.

Subd. 4. **Daily notice.** On ~~an e-learning~~ a distance learning day declared by the school, a school district or charter school must notify parents and students at least two hours prior to the normal school start time that students need to follow the ~~e-learning~~ distance learning day plan for that day.

Subd. 5. **Teacher access.** Each student's teacher must be accessible both online and by telephone during normal school hours on ~~an e-learning~~ a distance learning day to assist students and parents.

Subd. 6. **Approval.** The approval requirements under section 124D.095 do not apply to online instruction offered under this section.

**EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

Sec. 4. Minnesota Statutes 2020, section 120B.024, subdivision 1, is amended to read:

Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the 2011-2012 school year and later~~ must successfully complete the following high school level credits for graduation:

- (1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;
  - (2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics;
  - (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics;
  - (4) three credits of science, including at least one credit of biology, one credit of chemistry or physics, and one elective credit of science. The combination of credits under this clause must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;
  - (5) three and one-half credits of social studies, including credit for a course in government and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2022-2023 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under section 120B.021, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;
  - (6) one credit of the arts sufficient to satisfy all of the state or local academic standards in the arts; and
  - (7) a minimum of seven elective credits.
- (b) A school district is encouraged to offer a course for credit in government and citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year and later, that satisfies the government and citizenship requirement in paragraph (a), clause (5). A school district must offer the course starting in the 2022-2023 school year.

Sec. 5. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, ~~shall~~ must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with ~~creating~~ the world's best workforce goals and includes:

- (1) clearly defined district and school site goals and benchmarks to meet statewide goals for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);
- (2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;
- (3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) strategies for identifying and reducing disparities in student discipline;

(6) strategies for integrating or improving character education, consistent with section 120B.232, and citizenship education;

~~(5)~~ (7) a process to examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

~~(6)~~ (8) education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and

~~(7)~~ (9) an annual budget for continuing to implement the district plan.

Sec. 6. Minnesota Statutes 2020, section 121A.55, is amended to read:

**121A.55 POLICIES TO BE ESTABLISHED.**

(a) The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies shall emphasize preventing dismissals through early detection of problems and shall be designed to address students' inappropriate behavior from recurring. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period. The alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress ~~towards~~ toward meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission. In addition to other requirements under this paragraph, a policy adopted by a school board under this paragraph must include:

(1) a requirement that a school must notify any student facing possible dismissal of their rights, including the right against self-incrimination;

(2) a requirement that a school must allow any student facing possible dismissal to have a parent present if the student is questioned by school employees; and

(3) a requirement that a school and school district must keep a record of the school employee who made each discipline referral.

(b) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

Sec. 7. Minnesota Statutes 2020, section 121A.61, subdivision 3, is amended to read:

Subd. 3. **Policy components.** The policy must include at least the following components:

(a) rules governing student conduct and procedures for informing students of the rules;

- (b) the grounds for removal of a student from a class;
- (c) the authority of the classroom teacher to remove students from the classroom pursuant to procedures and rules established in the district's policy;
- (d) the procedures for removal of a student from a class by a teacher, school administrator, or other school district employee;
- (e) the period of time for which a student may be removed from a class, which may not exceed five class periods for a violation of a rule of conduct;
- (f) provisions relating to the responsibility for and custody of a student removed from a class;
- (g) the procedures for return of a student to the specified class from which the student has been removed;
- (h) the procedures for notifying a student and the student's parents or guardian of violations of the rules of conduct and of resulting disciplinary actions;
- (i) any procedures determined appropriate for encouraging early involvement of parents or guardians in attempts to improve a student's behavior;
- (j) any procedures determined appropriate for encouraging early detection of behavioral problems;
- (k) any procedures determined appropriate for referring a student in need of special education services to those services;
- (l) the procedures for consideration of whether there is a need for a further assessment or of whether there is a need for a review of the adequacy of a current individualized education program of a student with a disability who is removed from class;
- (m) procedures for detecting and addressing chemical abuse problems of a student while on the school premises;
- (n) the minimum consequences for violations of the code of conduct;
- (o) procedures for immediate and appropriate interventions tied to violations of the code;
- (p) a provision that states that a teacher, school employee, school bus driver, or other agent of a district may use reasonable force in compliance with section 121A.582 and other laws;
- (q) an agreement regarding procedures to coordinate crisis services to the extent funds are available with the county board responsible for implementing sections 245.487 to 245.4889 for students with a serious emotional disturbance or other students who have an individualized education program whose behavior may be addressed by crisis intervention; and
- (r) a provision that states a student must be removed from class immediately if the student engages in assault or violent behavior. For purposes of this paragraph, "assault" has the meaning given it in section 609.02, subdivision 10. The removal shall be for a period of time deemed appropriate by the principal, in consultation with the teacher. The principal must remove the student from class for at least three school days following the day of the incident. A student may only return to the class from which they were removed after the student has been given assistance to prevent the inappropriate behavior from recurring. A teacher who disagrees with the period of time determined by the principal may appeal the principal's decision, in writing, to the superintendent or charter school director for a different period of time for the removal from class. The student must not return to the classroom until the teacher and principal receive notice of the superintendent's decision. The superintendent's decision is final.

Sec. 8. **[123B.023] SCHOOL LEARNING MODELS.**

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

(b) "Continuous on-site instruction" means on-site instruction provided at least four days a week during the regularly scheduled school calendar.

(c) "Distance instruction" means remote instruction delivered to a student involving daily interactions with a licensed teacher and the student is provided appropriate education materials. Daily interaction with teachers includes access to teachers online and by telephone during normal school hours and on normal school days. Distance instruction includes online instruction as determined by the school board and may reflect the model developed by the commissioner of education for the 2019-2020 school year.

(d) "Hybrid instruction" means a manner of instruction that includes both on-site instruction as well as distance instruction. A school board may determine the hours of, and schedule for, the on-site instruction component of a hybrid instruction model.

(e) "On-site instruction" means instruction delivered at a school facility or another physical facility located off school property selected by the school board including a community center, library, or other space suitable for on-site instruction.

Subd. 2. **Learning model.** (a) A school board may adopt a resolution selecting one of the following learning models for instruction at each school site: continuous on-site instruction; distance instruction; or hybrid instruction. A school board must adopt the resolution at a public meeting and allow public comment on the selection.

(b) A district offering distance or hybrid instruction under this section is not subject to the approval requirements under section 124D.095.

Subd. 3. **Parent choice.** A student's parent or guardian may choose to have their student participate in distance instruction instead of on-site instruction. Each school district must offer a distance instruction model that meets the educational needs of all students of families who choose not to receive on-site instruction.

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

Sec. 9. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to read:

Subd. 8. **Learning models.** A charter school board may select a learning model in accordance with section 123B.023.

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

Sec. 10. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to read:

Sec. 52. **EDUCATION INNOVATION RESEARCH ZONES PILOT PROGRAM.**

Subdivision 1. **Establishment; requirements for participation; ~~research~~ innovation zone plans.** (a) The innovation ~~research~~ zone ~~pilot~~ program is established to improve student and school outcomes consistent with the world's best workforce requirements under Minnesota Statutes, section 120B.11. Innovation zone partnerships allow school districts and charter schools to research and implement innovative education programming models designed to better prepare students for the world of the 21st century.

(b) One or more school districts or charter schools may join together to form an innovation zone partnership. The partnership may include other nonschool partners, including postsecondary institutions, other units of local government, nonprofit organizations, and for-profit organizations. An innovation zone plan must be collaboratively developed in concert with the school's instructional staff.

(c) An innovation ~~research~~ zone partnership ~~must research and~~ may implement innovative education programs and models that ~~are based on proposed hypotheses. An innovation zone plan may include an emerging practice not yet supported by peer-reviewed research. Examples of innovation zone research~~ may include, but are not limited to:

(1) personalized learning, allowing students to excel at their own pace and according to their interests, aspirations, and unique needs;

(2) the use of competency outcomes rather than seat time and course completion to fulfill standards, credits, and other graduation requirements;

(3) multidisciplinary, real-world, inquiry-based, and student-directed models designed to make learning more engaging and relevant, including documenting and validating learning that takes place beyond the school day and school walls;

(4) models of instruction designed to close the achievement gap, including new models for age three to grade 3 models, English as a second language models, early identification and prevention of mental health issues, and others;

(5) new partnerships between secondary schools and postsecondary institutions, employers, or career training institutions enabling students to complete industry certifications, postsecondary education credits, and other credentials;

(6) new methods of collaborative leadership including the expansion of schools where teachers have larger professional roles;

(7) new ways to enhance parental and community involvement in learning;

(8) new models of professional development for educators, including embedded professional development; ~~or~~

(9) new models in other areas such as whole child instruction, social-emotional skill development, technology-based or blended learning, parent and community involvement, professional development and mentoring, and models that increase the return on investment;

(10) new models of evaluation, assessment, and accountability using multiple indicators, including models that demonstrate alternative ways to validate a student's academic attainment that have predictive validity to the state tests, and also include other variables such as problem solving, creativity, analytical thinking, collaboration, respecting others, global understanding, postgraduation student performance, and other information;

(11) improving teacher and principal mentoring and evaluation;

(12) granting a high school diploma to a student who meets the graduation requirements under section 120B.02, subdivision 2, who demonstrates preparation for postsecondary education or a career consistent with the world's best workforce goals under section 120B.11, and who completes:

(i) four years of high school; and

(ii)(A) at least one year of postsecondary education at a two- or four-year college or university through concurrent enrollment, advanced placement, or international baccalaureate courses; or

(B) the requirements for a career certification up to the apprenticeship program level if one is required for that certification;

(13) the use of the provisions in sections 124D.085 governing experiential and applied learning opportunities; 124D.52, subdivision 9, governing standard adult high school diploma requirements; and 126C.05, subdivision 15, paragraph (b), item (i), governing the use of independent study;

(14) the use of the provisions of a learning year in section 124D.128 for a student in grade 10, 11, or 12 to participate in career and technical programs after school, on weekends, and during school breaks, including summers, and be included in the general education revenue computation. The classes must generate both high school and postsecondary credit and lead to either a career certification, technical college degree, or an apprenticeship program. A student participating in a learning year may attend school year round, and the student's continual learning plan must provide for the student to meet the high school graduation standards no later than the end of the fall semester of grade 12;

(15) methods to initiate prevention models to reduce student needs for special education and to reduce teacher time devoted to the required special education documentation; or

(16) other innovations as determined by the local boards.

(d) An innovation zone plan submitted to the commissioner of education must describe:

(1) how the plan will improve student and school outcomes consistent with the world's best workforce requirements under Minnesota Statutes, section 120B.11;

(2) the role of each partner in the zone;

~~(3) the research methodology used for each proposed action in the plan;~~

~~(4) (3) the exemptions from statutes and rules in subdivision 2 that the ~~research~~ innovation zone partnership will use;~~

~~(5) (4) a description of how teachers and other educational staff from the affected school sites will be included in the planning and implementation process;~~

~~(6) (5) a detailed description of expected outcomes and graduation standards;~~

~~(7) (6) a timeline for implementing the plan and assessing the outcomes; and~~

~~(8) (7) how results of the plan will be disseminated.~~

The governing board for each partner must approve the innovation zone plan.

(e) Upon unanimous approval of the initial innovation zone partners ~~and approval of the commissioner of education~~, the innovation zone partnership may extend membership to other partners. A new partner's membership is effective 30 days after the innovation zone partnership notifies the commissioner of the proposed change in membership ~~unless the commissioner disapproves the new partner's membership and updates the plan.~~

(f) Notwithstanding any other law to the contrary, a school district or charter school participating in an innovation zone partnership under this section continues to receive all revenue and maintains its taxation authority in the same manner as before its participation in the innovation zone partnership. The innovation zone school district and charter school partners remain organized and governed by their respective school boards with general powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any employment agreements under Minnesota Statutes, chapters 122A and 179A. School district and charter school employees participating in an innovation zone partnership remain employees of their respective school district or charter school.

(g) An innovation zone partnership may submit its plan at any time to the commissioner in the form and manner specified by the commissioner. ~~The commissioner must approve or reject the plan after reviewing the recommendation of the Innovation Research Zone Advisory Panel. An initial innovation zone plan that has been rejected by the commissioner may be resubmitted to the commissioner after the innovation zone partnership has modified the plan to meet each individually identified objection.~~

(h) An innovation zone plan must not cause an increase in state aid or levies for partners.

Subd. 2. **Exemptions from laws and rules.** (a) Notwithstanding any other law to the contrary, an innovation zone partner with ~~an approved~~ a plan filed with the commissioner is exempt from each of the following state education laws and rules specifically identified in its plan:

(1) any law or rule from which a district-created, site-governed school under Minnesota Statutes, section 123B.045, is exempt;

(2) any statute or rule from which the commissioner has exempted another district or charter school, as identified in the list published on the Department of Education's Web site under subdivision 4, paragraph (b);

(3) online learning program approval under Minnesota Statutes, section 124D.095, subdivision 7, if the school district or charter school offers a course or program online combined with direct access to a teacher for a portion of that course or program;

(4) restrictions on extended time revenue under Minnesota Statutes, section 126C.10, subdivision 2a, for a student who meets the criteria of Minnesota Statutes, section 124D.68, subdivision 2; and

(5) any required hours of instruction in any class or subject area for a student who is meeting all competencies consistent with the graduation standards described in the innovation zone plan.

(b) The exemptions under this subdivision must not be construed as exempting an innovation zone partner from the Minnesota Comprehensive Assessments or as increasing any state aid or levy.

Subd. 3. ~~**Innovation Research Zone Advisory Panel.** (a) The commissioner must establish and convene an Innovation Research Zone Advisory Panel to review all innovation zone plans submitted for approval.~~

~~(b) The panel must be composed of nine members. One member must be appointed by each of the following organizations: Educators for Excellence, Education Minnesota, Minnesota Association of Secondary School Principals, Minnesota Elementary School Principals' Association, Minnesota Association of School Administrators, Minnesota School Boards Association, Minnesota Association of Charter Schools, and the Office of Higher Education. The commissioner must appoint one member with expertise in evaluation and research.~~

Subd. 4. **Role of the commissioner approval.** (a) ~~Upon recommendation of the Innovation Research Zone Advisory Panel, the commissioner may approve up to three innovation zone plans in the seven county metropolitan area and up to three in greater Minnesota. If an innovation zone partnership fails to implement its innovation zone~~

plan as described in its application and according to the stated timeline, ~~upon recommendation of the Innovation Research Zone Advisory Panel,~~ the commissioner ~~must~~ may alert the partnership members and provide the opportunity to remediate. If implementation continues to fail, the commissioner ~~must~~ may suspend or terminate the innovation zone plan.

(b) The commissioner must publish a list of the exemptions the commissioner has granted to a district or charter school on the Department of Education's Web site by July 1, 2017. The list must be updated annually.

Subd. 5. **Project evaluation, dissemination, and report to legislature.** Each ~~research~~ innovation zone partnership must submit project data to the commissioner in the form and manner ~~provided for in the approved application specified by the commissioner.~~ At least once every two years, the commissioner ~~must~~ may analyze each innovation zone's progress in realizing the objectives of the innovation zone partnership's plan. To the extent practicable, and using existing resources, the commissioner ~~must~~ may summarize and categorize innovation zone plans and submit a report to the legislative committees having jurisdiction over education by February 1 of each odd-numbered year in accordance with Minnesota Statutes, section 3.195.

Sec. 11. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 27, is amended to read:

Subd. 27. **Singing-based pilot program to improve student reading.** (a) For a grant to pilot a research-supported, computer-based educational program that uses singing to improve the reading ability of students in grades 2 through 5:

\$ <del>230,000</del> <u>155,000</u>	. . . . .	2020
--------------------------------------	-----------	------

(b) The commissioner of education shall award a grant to the Rock 'n' Read Project to implement a research-supported, computer-based educational program that uses singing to improve the reading ability of students in grades 2 through 5. The grantee shall be responsible for selecting participating school sites; providing any required hardware and software, including software licenses, for the duration of the grant period; providing technical support, training, and staff to install required project hardware and software; providing on-site professional development and instructional monitoring and support for school staff and students; administering preintervention and postintervention reading assessments; evaluating the impact of the intervention; and other project management services as required. To the extent practicable, the grantee must select participating schools in urban, suburban, and greater Minnesota, and give priority to schools in which a high proportion of students do not read proficiently at grade level and are eligible for free or reduced-price lunch.

(c) By February 15, 2021, the grantee must submit a report detailing expenditures and outcomes of the grant to the commissioner of education and the chairs and ranking minority members of the legislative committees with primary jurisdiction over kindergarten through grade 12 education policy and finance.

(d) Any balance in the first year does not cancel but is available in the second year.

(e) This is a onetime appropriation. \$75,000 of the initial fiscal year 2020 appropriation is canceled to the general fund on June 29, 2021.

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

Sec. 12. **ACADEMIC STANDARDS REVIEW SUSPENSION.**

Notwithstanding Minnesota Statutes, section 120B.021, the commissioner of education must suspend any ongoing review or revision of academic standards, or implementation of revised academic standards under Minnesota Statutes, section 120B.021, until June 1, 2022.

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

Sec. 13. **DEPARTMENT OF EDUCATION; IDENTIFICATION OF LEARNING LOSS.**

The Department of Education must assist school districts and charter schools in developing a process for the schools to measure student learning loss. The process must rely on evidence-based, data-driven means to identify students with learning loss. The process must specify best practices for school districts and charter schools to implement to remediate the learning loss.

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

Sec. 14. **STATE ASSESSMENTS PLAN.**

Notwithstanding any law to the contrary, the Minnesota Department of Education must develop a plan to administer the Minnesota Comprehensive Assessments under Minnesota Statutes, section 120B.30, to students during the spring of 2021 regardless of whether students are participating in distance instruction, on-site instruction, or hybrid instruction. The plan must include a process for districts to administer assessments remotely at a school board's discretion.

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

Sec. 15. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Achievement and integration aid.** For achievement and integration aid under Minnesota Statutes, section 124D.862:

<u>\$83,879,000</u>	<u>.....</u>	<u>2022</u>
<u>\$83,234,000</u>	<u>.....</u>	<u>2023</u>

The 2022 appropriation includes \$8,868,000 for 2021 and \$75,011,000 for 2022.

The 2023 appropriation includes \$8,334,000 for 2022 and \$74,900,000 for 2023.

Subd. 3. **American Indian education aid.** For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

<u>\$11,351,000</u>	<u>.....</u>	<u>2022</u>
<u>\$11,775,000</u>	<u>.....</u>	<u>2023</u>

The 2022 appropriation includes \$1,102,000 for 2021 and \$10,249,000 for 2022.

The 2023 appropriation includes \$1,138,000 for 2022 and \$10,637,000 for 2023.

Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

<u>\$93,181,000</u>	<u>.....</u>	<u>2022</u>
<u>\$99,553,000</u>	<u>.....</u>	<u>2023</u>

The 2022 appropriation includes \$8,617,000 for 2021 and \$84,564,000 for 2022.

The 2023 appropriation includes \$9,395,000 for 2022 and \$90,158,000 for 2023.

**Subd. 5. College entrance examination reimbursement.** (a) To reimburse districts for the costs of college entrance examination fees of free or reduced-price meal eligible students who take the ACT or SAT test under Minnesota Statutes, section 120B.30, subdivision 1, paragraph (e):

<u>\$1,011,000</u>	<u>.....</u>	<u>2022</u>
<u>\$1,011,000</u>	<u>.....</u>	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

**Subd. 6. Concurrent enrollment aid.** (a) For concurrent enrollment aid under Minnesota Statutes, section 124D.091:

<u>\$4,000,000</u>	<u>.....</u>	<u>2022</u>
<u>\$4,000,000</u>	<u>.....</u>	<u>2023</u>

(b) If the appropriation is insufficient, the commissioner must proportionately reduce the aid payment to each school district.

(c) Any balance in the first year does not cancel but is available in the second year.

**Subd. 7. Early childhood literacy programs.** (a) For early childhood literacy programs under Minnesota Statutes, section 119A.50, subdivision 3:

<u>\$7,950,000</u>	<u>.....</u>	<u>2022</u>
<u>\$7,950,000</u>	<u>.....</u>	<u>2023</u>

(b) Up to \$7,950,000 each year is for leveraging federal and private funding to support AmeriCorps members serving in the Minnesota reading corps program established by ServeMinnesota, including costs associated with training and teaching early literacy skills to children ages three through grade 3 and evaluating the impact of the program under Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

(c) Any balance in the first year does not cancel but is available in the second year.

**Subd. 8. Examination fees; teacher training and support programs.** (a) For students' advanced placement and international baccalaureate examination fees under Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

<u>\$4,500,000</u>	<u>.....</u>	<u>2022</u>
<u>\$4,500,000</u>	<u>.....</u>	<u>2023</u>

(b) The advanced placement program shall receive 75 percent of the appropriation each year and the international baccalaureate program shall receive 25 percent of the appropriation each year. The department, in consultation with representatives of the advanced placement and international baccalaureate programs selected by the Advanced Placement Advisory Council and International Baccalaureate Minnesota, respectively, shall determine the amounts of the expenditures each year for examination fees and training and support programs for each program.

(c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000 each year is for teachers to attend subject matter summer training programs and follow-up support workshops approved by the advanced placement or international baccalaureate programs. The amount of the subsidy for each teacher attending an advanced placement or international baccalaureate summer training program or workshop shall be the same. The commissioner shall determine the payment process and the amount of the subsidy.

(d) The commissioner shall pay all examination fees for all students of low-income families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of available appropriations, shall also pay examination fees for students sitting for an advanced placement examination, international baccalaureate examination, or both.

(e) Any balance in the first year does not cancel but is available in the second year.

Subd. 9. **Grants to increase science, technology, engineering, and math course offerings.** (a) For grants to schools to encourage low-income and other underserved students to participate in advanced placement and international baccalaureate programs according to Minnesota Statutes, section 120B.132:

<u>\$250,000</u>	.....	<u>2022</u>
<u>\$250,000</u>	.....	<u>2023</u>

(b) The commissioner must consider grant applications from schools located in greater Minnesota and from schools located in the seven-county metropolitan area.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 10. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

<u>\$12,310,000</u>	.....	<u>2022</u>
<u>\$14,823,000</u>	.....	<u>2023</u>

Subd. 11. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes, section 124D.98:

<u>\$45,075,000</u>	.....	<u>2022</u>
<u>\$45,968,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$4,463,000 for 2021 and \$40,612,000 for 2022.

The 2023 appropriation includes \$4,512,000 for 2022 and \$41,456,000 for 2023.

Subd. 12. **Minnesota Independence College and Community.** (a) For transfer to the Office of Higher Education for grants to Minnesota Independence College and Community for tuition reduction and institutional support:

<u>\$625,000</u>	.....	<u>2022</u>
<u>\$625,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 13. **Minnesota math corps program.** (a) For the Minnesota math corps program under Minnesota Statutes, section 124D.42, subdivision 9:

<u>\$500,000</u>	.....	<u>2022</u>
<u>\$500,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

**Subd. 14. Minnesota Principals Academy.** (a) For grants to the University of Minnesota College of Education and Human Development for the operation of the Minnesota Principals Academy:

<u>\$200,000</u>	.....	<u>2022</u>
<u>\$200,000</u>	.....	<u>2023</u>

(b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals and school leaders from schools identified for intervention under the state's accountability system as implemented to comply with the federal Every Student Succeeds Act. To the extent funds are available, the Department of Education is encouraged to use up to \$200,000 of federal Title II funds to support additional participation in the Principals Academy by principals and school leaders from schools identified for intervention under the state's accountability system as implemented to comply with the federal Every Student Succeeds Act.

(c) Any balance in the first year does not cancel but is available in the second year.

**Subd. 15. Museums and education centers.** (a) For grants to museums and education centers:

<u>\$460,000</u>	.....	<u>2022</u>
<u>\$460,000</u>	.....	<u>2023</u>

(b) \$269,000 each year is for the Minnesota Children's Museum.

(c) \$50,000 each year is for the Minnesota Children's Museum, Rochester.

(d) \$50,000 each year is for the Duluth Children's Museum.

(e) \$41,000 each year is for the Minnesota Academy of Science.

(f) \$50,000 each year is for the Headwaters Science Center.

(g) Any balance in the first year does not cancel but is available in the second year.

**Subd. 16. P-TECH schools.** (a) For P-TECH support grants under Minnesota Statutes, section 124D.093, subdivision 5:

<u>\$791,000</u>	.....	<u>2022</u>
<u>\$791,000</u>	.....	<u>2023</u>

(b) The amounts in this subdivision are for grants to a public-private partnership that includes Independent School District No. 535, Rochester.

(c) Any balance in the first year does not cancel but is available in the second year.

**Subd. 17. Recovery program grants.** (a) For recovery program grants under Minnesota Statutes, section 124D.695:

<u>\$750,000</u>	.....	<u>2022</u>
<u>\$750,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 18. **Rural career and technical education consortium.** (a) For rural career and technical education consortium grants:

<u>\$3,000,000</u>	<u>.....</u>	<u>2022</u>
<u>\$3,000,000</u>	<u>.....</u>	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 19. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation:

<u>\$2,000,000</u>	<u>.....</u>	<u>2022</u>
<u>\$2,000,000</u>	<u>.....</u>	<u>2023</u>

(b) The grants to the Sanneh Foundation must be directed toward programs for low-performing and chronically absent students with a focus on low-income students and students of color. The goals of the grants include decreasing absenteeism, encouraging school engagement, improving grades, and improving graduation rates. The grants may be used to:

(1) provide all-day, in-school academic and behavioral interventions and social and emotional learning throughout the school year;

(2) provide year-round, out-of-school behavioral, social, and emotional learning interventions and enrichment activities;

(3) enhance career exploration opportunities, including exposure to businesses and business activities; and

(4) develop pathways in cooperation with businesses or higher education partners for participants to pursue careers in education and youth development.

(c) Any balance in the first year does not cancel but is available in the second year.

(d) This is a onetime appropriation.

Subd. 20. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under Minnesota Statutes, sections 124D.37 to 124D.45:

<u>\$900,000</u>	<u>.....</u>	<u>2022</u>
<u>\$900,000</u>	<u>.....</u>	<u>2023</u>

(b) A grantee organization may provide health and child care coverage to the dependents of each participant enrolled in a full-time ServeMinnesota program to the extent such coverage is not otherwise available.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 21. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science, technology, engineering, and math (STEM) program providing students in grades 4 through 6 with a multisensory learning experience and a hands-on curriculum in an aerospace environment using state-of-the-art technology:

<u>\$500,000</u>	<u>.....</u>	<u>2022</u>
<u>\$500,000</u>	<u>.....</u>	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 22. **Statewide testing and reporting system.** (a) For the statewide testing and reporting system under Minnesota Statutes, section 120B.30:

<u>\$9,692,000</u>	.....	<u>2022</u>
<u>\$9,692,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) The base in 2024 and 2025 is \$10,892,000 per year.

Subd. 23. **Student organizations.** (a) For student organizations:

<u>\$768,000</u>	.....	<u>2022</u>
<u>\$768,000</u>	.....	<u>2023</u>

(b) \$46,000 each year is for student organizations serving health occupations (HOSA).

(c) \$100,000 each year is for student organizations serving trade and industry occupations (Skills USA, secondary and postsecondary).

(d) \$95,000 each year is for student organizations serving business occupations (BPA, secondary and postsecondary).

(e) \$193,000 each year is for student organizations serving agriculture occupations (FFA, PAS).

(f) \$185,000 each year is for student organizations serving family and consumer science occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and 31, the student organizations serving FCCLA shall continue to serve students younger than grade 9.

(g) \$109,000 each year is for student organizations serving marketing occupations (DECA and DECA collegiate).

(h) \$40,000 each year is for the Minnesota Foundation for Student Organizations.

(i) Any balance in the first year does not cancel but is available in the second year.

Subd. 24. **Tribal contract school aid.** For Tribal contract school aid under Minnesota Statutes, section 124D.83, and Tribal contract onetime compensatory aid:

<u>\$2,634,000</u>	.....	<u>2022</u>
<u>\$2,936,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$240,000 for 2021 and \$2,394,000 for 2022.

The 2023 appropriation includes \$266,000 for 2022 and \$2,670,000 for 2023.

Subd. 25. **Singing-based pilot program to improve student reading.** (a) For a grant to pilot a research-supported, computer-based educational program that uses singing to improve the reading ability of students in grades 2 through 5:

<u>\$75,000</u>	.....	<u>2022</u>
-----------------	-------	-------------

(b) The commissioner of education shall award a grant to the Rock 'n' Read Project to implement a research-supported, computer-based educational program that uses singing to improve the reading ability of students in grades 2 through 5. The grantee shall be responsible for selecting participating school sites; providing any required hardware and software, including software licenses, for the duration of the grant period; providing technical support, training, and staff to install required project hardware and software; providing on-site professional development and instructional monitoring and support for school staff and students; administering preintervention and postintervention reading assessments; evaluating the impact of the intervention; and other project management services as required. To the extent practicable, the grantee must select participating schools in urban, suburban, and greater Minnesota, and give priority to schools in which a high proportion of students do not read proficiently at grade level and are eligible for free or reduced-price lunch.

(c) By February 15, 2023, the grantee must submit a report detailing expenditures and outcomes of the grant to the commissioner of education and the chairs and ranking minority members of the legislative committees with jurisdiction over kindergarten through grade 12 education policy and finance.

(d) Any balance in the first year does not cancel but is available in the second year.

(e) This is a onetime appropriation.

**Sec. 16. APPROPRIATIONS; DEPARTMENT OF HUMAN SERVICES.**

Subdivision 1. **Department of Human Services.** The sum in this section is appropriated from the general fund to the commissioner of human services for the fiscal year designated.

Subd. 2. **School-linked mental health.** (a) For expanding school-linked mental health grants:

<u>\$6,011,000</u>	<u>.....</u>	<u>2022</u>
<u>\$6,011,000</u>	<u>.....</u>	<u>2023</u>

(b) The funding must be used to increase access to federal grants for school-linked mental health services to provide additional outside one-on-one mental health supports to students. These funds may be awarded to existing school-linked mental health providers through amending current contracts.

(c) This is a onetime appropriation.

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

ARTICLE 3  
TEACHERS

Section 1. Minnesota Statutes 2020, section 120A.38, is amended to read:

**120A.38 CLASSROOM PLACEMENT; PARENT DISCRETION.**

Subdivision 1. **Twins; higher order multiples.** (a) A parent or guardian of twins or higher order multiples may request that the children be placed in the same classroom or in separate classrooms if the children are in the same grade level at the same school. The school may recommend classroom placement to the parents and provide professional education advice to the parents to assist them in making the best decision for their children's education. A school must provide the placement requested by the children's parent or guardian, unless the school board makes a classroom placement determination following the school principal's request according to this section. The parent or guardian must request the classroom placement no later than 14 days after the first day of each school year or

14 days after the first day of attendance of the children during a school year if the children are enrolled in the school after the school year commences. At the end of the initial grading period, if the school principal, in consultation with the children's classroom teacher, determines that the requested classroom placement is disruptive to the school, the school principal may request that the school board determine the children's classroom placement.

(b) For purposes of this section, "higher order multiples" means triplets, quadruplets, quintuplets, or more.

Subd. 2. **Change of teacher.** A parent or guardian has the right to request a change of teacher for their child in public school unless no other teacher is available.

Sec. 2. Minnesota Statutes 2020, section 121A.53, subdivision 2, is amended to read:

Subd. 2. **Report.** (a) The school board must include state student identification numbers of affected pupils on all dismissal and other disciplinary reports required by the department. The department must report annually to the commissioner summary data on the number of dismissals and physical assaults of district employees by a student by age, grade, gender, race, and special education status of the affected pupils. All dismissal and other disciplinary reports must be submitted through the department electronic reporting system.

(b) The commissioner must aggregate the district data reported under this section and include the aggregated data, including aggregated data on physical assaults of a district employee by a student, in the annual school performance reports under section 120B.36.

(c) A teacher that is physically assaulted by a student must receive a copy of the report to the commissioner submitted according to subdivision 1.

Sec. 3. Minnesota Statutes 2020, section 121A.64, is amended to read:

**121A.64 NOTIFICATION; TEACHERS' AND PARAPROFESSIONALS' LEGITIMATE EDUCATIONAL INTEREST.**

(a) A classroom teacher has a legitimate educational interest in knowing which students placed in the teacher's classroom have a history of violent behavior, including any documented physical assault of a district employee by the student, and must be notified before such students are placed in the teacher's classroom.

(b) A paraprofessional assigned to work alone or on a regular basis with a student with a disability has a legitimate educational interest in knowing whether the student has a history of violent behavior, including any documented physical assault of a district employee by the student, and must be notified before being assigned to work with the student.

~~(b)~~ (c) Representatives of the school board and the exclusive representative of the teachers shall discuss issues related to the model policy on student records adopted under Laws 1999, chapter 241, article 9, section 50, and any modifications adopted under Laws 2003, First Special Session chapter 9, for notifying classroom teachers and other school district employees having a legitimate educational interest in knowing about students with a history of violent behavior, including any documented physical assault of a district employee by students placed in classrooms. The representatives of the school board and the exclusive representative of the teachers also may discuss the need for intervention services or conflict resolution or training for staff related to placing students with a history of violent behavior in teachers' classrooms.

Sec. 4. **[122A.051] CODE OF ETHICS.**

Subdivision 1. **Scope.** Each teacher, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles that defines professional conduct. These principles are reflected in the code of ethics, which sets forth to the education profession and the public it serves standards of professional conduct. This code applies to all persons licensed according to rules established by the Professional Educator Licensing and Standards Board.

Subd. 2. **Standards of professional conduct.** (a) A teacher must provide professional education services in a nondiscriminatory manner, including not discriminating on the basis of political, ideological, or religious beliefs.

(b) A teacher must make a reasonable effort to protect students from conditions harmful to health and safety.

(c) In accordance with state and federal laws, a teacher must disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.

(d) A teacher must take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.

(e) A teacher must not use professional relationships with students, parents, and colleagues to personal advantage.

(f) A teacher must delegate authority for teaching responsibilities only to licensed personnel or as otherwise provided by law.

(g) A teacher must not deliberately suppress or distort subject matter.

(h) A teacher must not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.

(i) A teacher must not knowingly make false or malicious statements about students or colleagues.

(j) A teacher must only accept a contract for a teaching position that requires licensing if properly or provisionally licensed for that position.

(k) A teacher must not engage in any sexual contact with a student.

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

Sec. 5. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision to read:

Subd. 9. **Professional license.** A "professional license" means a Tier 1, Tier 2, Tier 3, or Tier 4 teacher license issued by the Professional Educators Licensing and Standards Board in accordance with sections 122A.18 to 122A.184.

Sec. 6. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

Subdivision 1. **Application requirements.** The Professional Educator Licensing and Standards Board must approve a request from a district or charter school to issue a Tier 1 license in a specified content area to a candidate if:

(1) the candidate meets the professional requirement in subdivision 2;

(2) the district or charter school affirms that the candidate has the necessary skills and knowledge to teach in the specified content area; and

(3) the district or charter school demonstrates that:

~~(i) a criminal background check under section 122A.18, subdivision 8, has been completed on the candidate; and~~

~~(ii) the district or charter school has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.~~

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

Sec. 7. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to ~~paragraphs~~ paragraph (b) ~~and (c)~~. The board may submit written comments to the district or charter school that requested the renewal regarding the candidate.

(b) The Professional Educator Licensing and Standards Board must renew a Tier 1 license if:

~~(1) the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position;~~

~~(2) (1) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license;~~

~~(3) (2) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board approving the request for the initial Tier 1 license; and~~

~~(4) (3) the teacher holding the Tier 1 license met the mental illness training renewal requirement under section 122A.187, subdivision 6.~~

The requirement in clause ~~(2)~~ (1) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.

~~(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.~~

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

Sec. 8. Minnesota Statutes 2020, section 122A.182, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed ~~three times~~. Before a Tier 2 license is renewed for the first time, a teacher holding a Tier 2 license must participate in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), and mental illness training under section 122A.187, subdivision 6. ~~The board must issue rules setting forth the conditions for additional renewals after the initial license has been renewed three times.~~

Sec. 9. Minnesota Statutes 2020, section 122A.184, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards Board must issue a Tier 4 license to a candidate who provides information sufficient to demonstrate all of the following:

(1) the candidate meets all requirements for a Tier 3 license under section 122A.183, ~~and has completed a teacher preparation program under section 122A.183, subdivision 2, clause (1) or (2) ;~~

(2) the candidate has at least three years of teaching experience in Minnesota;

(3) the candidate has obtained a passing score on all required licensure exams under section 122A.185; and

(4) the candidate's most recent summative teacher evaluation did not result in placing or otherwise keeping the teacher in an improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

Sec. 10. Minnesota Statutes 2020, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics before being granted a Tier 4 teaching license under section 122A.184 to provide direct instruction to pupils in elementary, secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to pupils in elementary, secondary, or special education programs if candidates meet the other requirements in section 122A.181, 122A.182, or 122A.183, respectively.

(b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to pass an examination of general pedagogical knowledge and examinations of licensure field specific content. The content examination requirement does not apply if no relevant content exam exists.

(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must pass test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, knowledge and understanding of the foundations of reading development, development of reading comprehension and reading assessment and instruction, and the ability to integrate that knowledge and understanding into instruction strategies under section 122A.06, subdivision 4.

(d) The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.

(e) The board must adopt rules establishing a reading endorsement for kindergarten through grade 3 teachers. The rules must require a candidate to demonstrate a passing score on a board-adopted examination of skills in comprehensive, scientific research-based reading instruction to earn an endorsement. The board may adopt rules providing candidates an alternate way to earn an endorsement.

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

Sec. 11. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. A teacher related by blood or

marriage, within the fourth degree, computed by the civil law, to a board member shall not be employed except by a unanimous vote of the full board. The initial employment of the teacher in the district must be by written contract, signed by the teacher and by the chair and clerk. All subsequent employment of the teacher in the district must be by written contract, signed by the teacher and by the chair and clerk, except where there is a master agreement covering the employment of the teacher. Contracts for teaching or supervision of teaching can be made only with qualified teachers. A teacher shall not be required to reside within the employing district as a condition to teaching employment or continued teaching employment.

(b) A school district must not give a teacher preference in hiring, termination, or placement on unrequested leave of absence based on the teacher's seniority.

(c) A school district must report all new teacher hires, terminations, and placements on unrequested leave, by race and ethnicity annually to the Department of Education. The report must not include data that would personally identify individuals.

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

Sec. 12. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board and the exclusive bargaining representative of the teachers must negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts.

(b) The plan for unrequested leave of absence must not require the school board to place teachers with a Tier 1 or Tier 2 license on unrequested leave of absence first based on their tier of licensure.

Sec. 13. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

Subd. 14a. **Negotiated unrequested leave of absence.** (a) The school board and the exclusive bargaining representative of the teachers must negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts.

(b) The plan for unrequested leave of absence must not require the school board to place teachers with a Tier 1 or Tier 2 license on unrequested leave of absence first based on their tier of licensure.

Sec. 14. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision to read:

Subd. 16. **Hiring and termination.** (a) A school district must not give a teacher preference in hiring, termination, or placement on unrequested leave of absence based on the teacher's seniority.

(b) A school district must report all new teacher hires, terminations, and placements on unrequested leave by race and ethnicity annually to the Department of Education. The report must not include data that would personally identify individuals.

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

Sec. 15. Minnesota Statutes 2020, section 122A.61, subdivision 1, is amended to read:

Subdivision 1. **Staff development revenue.** (a) A district is required to reserve an amount equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for:

(1) teacher development and evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

- (2) principal development and evaluation under section 123B.147, subdivision 3;
- (3) professional development under section 122A.60; ~~and~~
- (4) in-service education for programs under section 120B.22, subdivision 2-; and
- (5) teacher mentorship under section 122A.70, subdivision 1.

(b) To the extent extra funds remain, staff development revenue may be used for staff development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, ~~teachers' mentoring under section 122A.70 and evaluation,~~ teachers' workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts.

(c) A district may annually waive the requirement to reserve their basic revenue under this section if a majority vote of the licensed teachers in the district and a majority vote of the school board agree to a resolution to waive the requirement. A district in statutory operating debt is exempt from reserving basic revenue according to this section. Districts may expend an additional amount of unreserved revenue for staff development based on their needs.

**EFFECTIVE DATE.** This section is effective July 1, 2021.

Sec. 16. **[122A.685] GROW YOUR OWN PATHWAY TO TEACHER LICENSURE.**

(a) This section establishes grants to school districts and charter schools for Grow Your Own new teacher programs. The grants are for school districts or charter schools with more than 30 percent minority students for a nonconventional teacher residency pilot program or alternative teacher preparation program approved by the Professional Educator Licensing and Standards Board. The program must provide tuition scholarships or stipends to enable school district or charter school employees or community members affiliated with a school district or charter school who seek an education license to participate in a nonconventional or alternative teacher preparation program. School districts or charter schools that receive funds under this subdivision are strongly encouraged to recruit candidates of color and American Indian candidates to participate in the Grow Your Own new teacher programs. Districts or schools providing financial support may require a commitment as determined by the district or school to teach in the district or school for a reasonable amount of time that does not exceed five years.

(b) School districts and charter schools may also apply for grants to develop innovative expanded Grow Your Own new teacher programs that encourage secondary school students to pursue teaching, including developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses consistent with section 124D.09, subdivision 10.

(c) Programs must annually report to the commissioner by the date determined by the commissioner of education on their activities under this section, including the number of participants, the percentage of participants who are of color or who are American Indian, and an assessment of program effectiveness, including participant feed back, areas for improvement, the percentage of participants continuing to pursue teacher licensure, and the number of participants hired in the school or district as teachers after completing preparation programs.

Sec. 17. Minnesota Statutes 2020, section 122A.70, is amended to read:

**122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE TEACHERS.**

Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School districts ~~are encouraged to~~ must develop teacher mentoring programs for teachers new to the profession or district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching.

(b) Teacher mentoring programs must be included in or aligned with districts' teacher evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41, subdivision 5. A district may use staff development revenue under section 122A.61, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three years and is not on an improvement plan. Other initiatives using such funds or funds available under sections 124D.861 and 124D.862 may include:

- (1) additional stipends as incentives to mentors of color or who are American Indian;
- (2) financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year. For purposes of this section, "affinity groups" are groups of educators who share a common racial or ethnic identity in society as persons of color or who are American Indian;
- (3) programs for induction aligned with the district or school mentorship program during the first three years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
- (4) grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

(c) A school or district that receives a grant must negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school or district for at least five years and placing American Indian educators at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

Subd. 2. **Applications Board grants.** The Professional Educator Licensing and Standards Board must make grant application forms available to sites interested in developing or expanding a mentorship program. A school district; a group of school districts; a coalition of districts, teachers, and teacher education institutions; or a coalition of schools, teachers, or nonlicensed educators may apply for a program grant. The Professional Educator Licensing and Standards Board, in consultation with the teacher mentoring task force, must approve or disapprove the applications. To the extent possible, the approved applications must reflect effective mentoring, professional development, and retention components, and be geographically distributed throughout the state. The Professional Educator Licensing and Standards Board must encourage the selected sites to consider the use of its assessment procedures.

Subd. 3. **Criteria for selection.** At a minimum, applicants for grants under subdivision 2 must express commitment to:

- (1) allow staff participation;
- (2) assess skills of both beginning and mentor teachers;
- (3) provide appropriate in-service to needs identified in the assessment;
- (4) provide leadership to the effort;
- (5) cooperate with higher education institutions;
- (6) provide facilities and other resources;

(7) share findings, materials, and techniques with other school districts; and

(8) retain teachers of color and teachers who are American Indian.

Subd. 4. **Additional funding.** Grant applicants are required to must seek additional funding and assistance from sources such as school districts, postsecondary institutions, foundations, and the private sector.

Subd. 5. **Program implementation.** New and expanding mentorship sites that are funded receive a board grant under subdivision 2 to design, develop, implement, and evaluate their program must participate in activities that support program development and implementation. The Professional Educator Licensing and Standards Board must provide resources and assistance to support new sites in their program efforts. These activities and services may include, but are not limited to: planning, planning guides, media, training, conferences, institutes, and regional and statewide networking meetings. Nonfunded schools or districts interested in getting started may participate. Fees may be charged for meals, materials, and the like.

Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

**EFFECTIVE DATE.** This section is effective July 1, 2021.

Sec. 18. **[122A.77] SUMMER TEACHER TRAINING PROGRAM.**

Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards Board and commissioner of education must collaborate to establish a five-day professional development training program for kindergarten through grade 3 teachers in June, July, or August of each year. The training program must provide instruction in comprehensive scientific research-based reading instruction techniques and curriculum and must provide participating teachers an opportunity to practice skills developed in the training.

Subd. 2. **Teacher participation.** A teacher who participates in the summer professional development training program may receive compensation from the employing school district. A district must not require that a teacher participate in the training program as a term or condition of employment. Neither participation in the training program or compensation for participation are subject to collective bargaining.

Subd. 3. **District participation.** The Department of Education must assign a reading coach to a school district that employs one or more teachers who participate in the summer professional development training program. The reading coach must work with participating teachers during the following school year to further develop teachers' skills, improve instruction techniques, and answer teacher questions about skills developed in the training.

Sec. 19. **[122A.85] TEACHER AND CLASSROOM SAFETY CODED ELSEWHERE.**

Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 5 are codified outside this section. Those sections include many but not all the sections governing teacher and classroom safety.

Subd. 2. **Dismissal and disciplinary report to the commissioner.** A teacher who was physically assaulted by a student must receive a copy of the report to the commissioner under section 121A.52.

Subd. 3. **Discipline and removal of students from class.** A student must be removed from class immediately if the student engages in assault or violent behavior under section 121A.61.

**Subd. 4. Teachers' and paraprofessionals' legitimate educational interest.** (a) A teacher has a legitimate educational interest in knowing which students placed in their classroom have a history of violent behavior and must be notified before such students are placed in their classroom under section 121A.64.

(b) A paraprofessional has a legitimate educational interest in knowing whether a student with a disability that the paraprofessional works with alone or on a regular basis has a history of violent behavior and must be notified before being assigned to work with the student under section 121A.64.

**Subd. 5. General control of school and classroom.** A teacher of record must have the general control and government of a school and classroom and a teacher may remove violent or disruptive students from class as provided under section 122A.42.

**Subd. 6. Notice of rights and responsibilities.** At least once each school year, in the form and manner determined by the charter school or school district, a teacher and administrator must be informed of their rights and responsibilities under these statutes and related school or district policies.

**Sec. 20. SUMMER SCHOOL TEACHERS.**

Notwithstanding any law to the contrary, a school district or charter school may employ staff that does not have a teaching license issued by the Professional Educator Licensing and Standards Board to provide instruction in a summer program outside of the regular school year if the district or charter school verifies that a staff person providing instruction satisfies the requirements in Minnesota Statutes, section 122A.181, subdivisions 1 and 2, and has completed a background check that meets the requirements of Minnesota Statutes, section 122A.18, subdivision 8. The district or charter school must report to the Professional Educator Licensing and Standards Board the names of the persons providing instruction in a summer school program without a teaching license by September 1, 2021.

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

**Sec. 21. SHORT-CALL SUBSTITUTE TEACHER PILOT.**

(a) A school district may employ a person who meets the professional requirements of Minnesota Statutes, section 122A.181, subdivision 2, as a short-call substitute teacher, notwithstanding any licensing requirements in Minnesota Statutes, chapter 122A. A school district must verify that each short-call substitute teacher has completed a background check that meets the requirements of Minnesota Statutes, section 122A.18, subdivision 8, before beginning an assignment. Each assignment to replace a teacher of record must last no longer than 15 consecutive school days.

(b) A district must report to the Professional Educator Licensing and Standards Board all persons it employs under this section and affirm that each person meets the professional requirements for a short-call substitute teacher.

**EFFECTIVE DATE.** This section is effective for the 2020-2021, 2021-2022, and 2022-2023 school years only.

**Sec. 22. RESTRICTION ON CONTRACTS WITH SCHOOL EMPLOYEES.**

Notwithstanding any law to the contrary, employment contracts and collective bargaining agreements with school employees must not contain protections against discipline or termination for school employees who engage in immoral, unethical, or illegal actions.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to all contracts entered into on or after that date.

Sec. 23. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.**

Subdivision 1. Professional Educator Licensing and Standards Board. The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board.

Subd. 2. Mentoring, induction, and retention incentive program grants for teachers of color. (a) For the development and expansion of mentoring, induction, and retention programs for teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

<u>\$750,000</u>	.....	<u>2022</u>
<u>\$742,000</u>	.....	<u>2023</u>

(b) The board may retain up to five percent of the appropriation amount for monitoring and administering the grant program and may have an interagency agreement with the Department of Education including transfer of funds to help administer the program.

(c) Any balance in the first year does not cancel but is available in the second year.

(d) The base for fiscal year 2024 is \$750,000.

Sec. 24. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Concurrent enrollment teacher partnership. (a) To the Lakes Country Service Cooperative for the concurrent enrollment teacher partnership under Minnesota Statutes, section 122A.76:

<u>\$375,000</u>	.....	<u>2022</u>
<u>\$375,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 3. Expanded concurrent enrollment grants. (a) For grants to institutions offering "Introduction to Teaching" or "Introduction to Education" college in the schools courses under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

<u>\$375,000</u>	.....	<u>2022</u>
<u>\$375,000</u>	.....	<u>2023</u>

(b) The department may retain up to five percent of the appropriation amount to monitor and administer the grant program.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 4. Grow Your Own. (a) For grants to develop, continue, or expand Grow Your Own new teacher programs:

<u>\$2,500,000</u>	.....	<u>2022</u>
<u>\$2,500,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

**Subd. 5. Black Men Teach Twin Cities grant.** (a) For a grant to Black Men Teach Twin Cities:

<u>\$750,000</u>	.....	<u>2022</u>
<u>\$0</u>	.....	<u>2023</u>

(b) Grant funds must be used to establish partnerships with eight school district elementary schools or elementary charter schools with a goal of increasing the number of black male teachers to 20 percent of the teachers at each school site.

(c) The grant recipient must provide a detailed report to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education and higher education by January 15 of each year until 2027 describing how the grant funds were used. The report must describe the progress made toward the goal of increasing the number of black male teachers at each school site and strategies used.

(d) Any balance does not cancel but is available until June 30, 2024.

**Subd. 6. Summer teaching program.** (a) For the summer teacher training program under Minnesota Statutes, section 122A.77:

<u>\$1,250,000</u>	.....	<u>2022</u>
<u>\$ .....</u>	.....	<u>2023</u>

(b) Any balance does not cancel but is available in the second year.

**Subd. 7. Alternative teacher compensation aid.** (a) For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

<u>\$88,563,000</u>	.....	<u>2022</u>
<u>\$88,525,000</u>	.....	<u>2023</u>

(b) The 2022 appropriation includes \$8,877,000 for 2021 and \$79,686,000 for 2022.

(c) The 2023 appropriation includes \$8,853,000 for 2022 and \$79,672,000 for 2023.

**Subd. 8. Agricultural educator grants.** (a) For agricultural educator grants under Laws 2017, First Special Session chapter 5, article 2, section 51:

<u>\$250,000</u>	.....	<u>2022</u>
<u>\$250,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

**Subd. 9. American Indian teacher preparation grants.** (a) For joint grants to assist people who are American Indian to become teachers under Minnesota Statutes, section 122A.63:

<u>\$460,000</u>	.....	<u>2022</u>
<u>\$460,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 10. **Suicide prevention training for teachers.** (a) For transfer to the Department of Health for a grant to a nationally recognized provider of evidence-based online training on suicide prevention and engagement of students experiencing mental distress:

\$265,000

.....

2022

(b) Training funded by the grant must be accessible to teachers in every school district, charter school, intermediate school district, service cooperative, and tribal school in Minnesota.

(c) The grant recipient must report to the commissioner of health the number of teachers completing the online training, average length of time to complete training, and length of average stay using the online training. The commissioner must survey online training users to determine their perception of the online training. By January 8, 2023, the commissioner must report the grant recipient's information and the survey results to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education and suicide prevention.

(d) This is a onetime appropriation and is available until June 30, 2023.

Sec. 25. **REPEALER.**

Minnesota Statutes 2020, section 122A.635, is repealed.

#### ARTICLE 4 CHARTER SCHOOLS

Section 1. Minnesota Statutes 2020, section 124E.06, subdivision 1, is amended to read:

Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an application from a charter school developer, may charter ~~either~~ a licensed teacher under section 122A.18, subdivision 1, ~~or~~ a group of individuals that includes one or more licensed teachers under section 122A.18, subdivision 1, or a group of parents with children from birth to age 18 to operate a school subject to the commissioner's approval of the authorizer's affidavit under subdivision 4.

(b) "Application" under this section means the charter school business plan a charter school developer submits to an authorizer for approval to establish a charter school. This application must include:

(1) the school developer's:

(i) mission statement;

(ii) school purposes;

(iii) program design;

(iv) financial plan;

(v) governance and management structure; and

(vi) background and experience;

(2) any other information the authorizer requests; and

(3) a "statement of assurances" of legal compliance prescribed by the commissioner.

(c) An authorizer shall not approve an application submitted by a charter school developer under paragraph (a) if the application does not comply with subdivision 3, paragraph (e), and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit submitted by an authorizer under subdivision 4 if the affidavit does not comply with subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

ARTICLE 5  
SPECIAL EDUCATION

Section 1. Minnesota Statutes 2020, section 125A.76, subdivision 2e, is amended to read:

Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy reduction aid equals the school district's initial special education cross subsidy for the previous fiscal year times the cross subsidy aid factor for that fiscal year.

(b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and 6.43 percent for fiscal year 2021 and later.~~ The cross subsidy aid factor equals 9.33 percent for fiscal year 2022 and 12.11 percent for fiscal year 2023 and later.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 2. **SPECIAL EDUCATION PAPERWORK REDUCTION.**

By January 1, 2020, the commissioner of education must review and modify state special education reporting requirements. The commissioner must reduce or eliminate any reporting requirement that is not required by a specific federal or state statute, rule, or regulation. The commissioner must consult with school districts, teachers, and other stakeholders to identify special education reporting requirements not required by federal or state law. The commissioner must submit a report to the legislative committees having jurisdiction over education by February 15, 2020, in accordance with Minnesota Statutes, section 3.195. The report must identify each reporting requirement eliminated in accordance with this section and identify the federal or state statute, rule, or regulation that requires each reporting requirement not eliminated under this section.

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

Sec. 3. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

<u>\$1,843,218.000</u>	<u>.....</u>	<u>2022</u>
<u>\$1,993,631.000</u>	<u>.....</u>	<u>2023</u>

The 2022 appropriation includes \$215,125,000 for 2021 and \$1,628,093,000 for 2022.

The 2023 appropriation includes \$229,188,000 for 2022 and \$1,764,443,000 for 2023.

Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

<u>\$1,818,000</u>	.....	<u>2022</u>
<u>\$2,010,000</u>	.....	<u>2023</u>

If the appropriation for either year is insufficient, the appropriation for the other year is available.

Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

<u>\$465,000</u>	.....	<u>2022</u>
<u>\$512,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

The 2023 appropriation includes \$49,000 for 2022 and \$463,000 for 2023.

Subd. 5. **Court-placed special education revenue.** For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

<u>\$24,000</u>	.....	<u>2022</u>
<u>\$25,000</u>	.....	<u>2023</u>

Subd. 6. **Special education out-of-state tuition.** For special education out-of-state tuition under Minnesota Statutes, section 125A.79, subdivision 8:

<u>\$250,000</u>	.....	<u>2022</u>
<u>\$250,000</u>	.....	<u>2023</u>

## ARTICLE 6 NUTRITION

Section 1. Minnesota Statutes 2020, section 124D.111, is amended to read:

### **124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE ACCOUNTING.**

Subdivision 1. **School ~~lunch aid computation~~ meals policies.** (a) Each Minnesota participant in the national school lunch program must adopt and post to its website, or the website of the organization where the meal is served, a school meals policy.

(b) The policy must be in writing and clearly communicate student meal charges when payment cannot be collected at the point of service. The policy must be reasonable and well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student.

(c) The policy must address whether the participant uses a collections agency to collect unpaid school meals debt.

(d) The policy must ensure that once a participant has placed a meal on a tray or otherwise served the meal to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

(e) The policy must ensure that a student who has been determined eligible for free and reduced-price lunch must always be served a reimbursable meal even if the student has an outstanding debt.

(f) If a school contracts with a third party for its meal services, it must provide the vendor with its school meals policy. Any contract between the school and a third-party provider entered into or modified after July 1, 2021, must ensure that the third-party provider adheres to the participant's school meals policy.

**Subd. 1a. School lunch aid amounts.** Each school year, the state must pay participants in the national school lunch program the amount of 12.5 cents for each full paid and free student lunch and 52.5 cents for each reduced-price lunch served to students.

**Subd. 2. Application.** A school district, charter school, nonpublic school, or other participant in the national school lunch program shall apply to the department for this payment on forms provided by the department.

**Subd. 2a. Federal child and adult care food program; criteria and notice.** The commissioner must post on the department's website eligibility criteria and application information for nonprofit organizations interested in applying to the commissioner for approval as a multisite sponsoring organization under the federal child and adult care food program. The posted criteria and information must inform interested nonprofit organizations about:

(1) the criteria the commissioner uses to approve or disapprove an application, including how an applicant demonstrates financial viability for the Minnesota program, among other criteria;

(2) the commissioner's process and time line for notifying an applicant when its application is approved or disapproved and, if the application is disapproved, the explanation the commissioner provides to the applicant; and

(3) any appeal or other recourse available to a disapproved applicant.

**Subd. 3. School food service fund.** (a) The expenses described in this subdivision must be recorded as provided in this subdivision.

(b) In each district, the expenses for a school food service program for pupils must be attributed to a school food service fund. Under a food service program, the school food service may prepare or serve milk, meals, or snacks in connection with school or community service activities.

(c) Revenues and expenditures for food service activities must be recorded in the food service fund. The costs of processing applications, accounting for meals, preparing and serving food, providing kitchen custodial services, and other expenses involving the preparing of meals or the kitchen section of the lunchroom may be charged to the food service fund or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial services, lunchroom utilities, and other administrative costs of the food service program must be charged to the general fund.

That portion of superintendent and fiscal manager costs that can be documented as attributable to the food service program may be charged to the food service fund provided that the school district does not employ or contract with a food service director or other individual who manages the food service program, or food service management company. If the cost of the superintendent or fiscal manager is charged to the food service fund, the charge must be at a wage rate not to exceed the statewide average for food service directors as determined by the department.

(d) Capital expenditures for the purchase of food service equipment must be made from the general fund and not the food service fund, unless the restricted balance in the food service fund at the end of the last fiscal year is greater than the cost of the equipment to be purchased.

(e) If the condition set out in paragraph (d) applies, the equipment may be purchased from the food service fund.

(f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit is not eliminated by revenues from food service operations in the next fiscal year, then the deficit must be eliminated by a permanent fund transfer from the general fund at the end of that second fiscal year. However, if a district contracts with a food service management company during the period in which the deficit has accrued, the deficit must be eliminated by a payment from the food service management company.

(g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund for up to three years without making the permanent transfer if the district submits to the commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at the end of the third fiscal year.

(h) If a surplus in the food service fund exists at the end of a fiscal year for three successive years, a district may recode for that fiscal year the costs of lunchroom supervision, lunchroom custodial services, lunchroom utilities, and other administrative costs of the food service program charged to the general fund according to paragraph (c) and charge those costs to the food service fund in a total amount not to exceed the amount of surplus in the food service fund.

Subd. 4. **No fees.** A participant that receives school lunch aid under this section must make lunch available without charge and must not deny a school lunch to all participating students who qualify for free or reduced-price meals, whether or not that student has an outstanding balance in the student's meals account attributable to a la carte purchases or for any other reason.

Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students in a respectful manner according to the policy adopted under subdivision 1. The participant must ensure that any reminders for payment of outstanding student meal balances do not demean or stigmatize any child participating in the school lunch program, including but not limited to dumping meals, withdrawing a meal that has been served, announcing or listing students names publicly, or affixing stickers, stamps, or pins. The participant must not impose any other restriction prohibited under section 123B.37 due to unpaid student meal balances. The participant must not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

(b) If the commissioner or the commissioner's designee determines a participant has violated the requirement to provide meals to participating students in a respectful manner, the commissioner or the commissioner's designee must send a letter of noncompliance to the participant. The participant is required to respond and, if applicable, remedy the practice within 60 days.

**EFFECTIVE DATE.** This section is effective July 1, 2021.

## Sec. 2. **APPROPRIATIONS.**

**Subdivision 1. Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated. Any balance in the first year does not cancel but is available in the second year.

**Subd. 2. School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

<u>\$16,625,000</u>	<u>.....</u>	<u>2022</u>
<u>\$16,918,000</u>	<u>.....</u>	<u>2023</u>

Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:

<u>\$11,738,000</u>	.....	<u>2022</u>
<u>\$12,090,000</u>	.....	<u>2023</u>

Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes, section 124D.118:

<u>\$656,000</u>	.....	<u>2022</u>
<u>\$658,000</u>	.....	<u>2023</u>

Subd. 5. **Summer school food service replacement.** For summer school food service replacement aid under Minnesota Statutes, section 124D.119:

<u>\$150,000</u>	.....	<u>2022</u>
<u>\$150,000</u>	.....	<u>2023</u>

Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes, section 134.355:

<u>\$13,570,000</u>	.....	<u>2022</u>
<u>\$13,570,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$1,357,000 for 2021 and \$12,213,000 for 2022.

The 2023 appropriation includes \$1,357,000 for 2022 and \$12,213,000 for 2023.

Subd. 7. **Multicounty, multitype library systems.** For aid under Minnesota Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

<u>\$1,300,000</u>	.....	<u>2022</u>
<u>\$1,300,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$130,000 for 2021 and \$1,170,000 for 2022.

The 2023 appropriation includes \$130,000 for 2022 and \$1,170,000 for 2023.

Subd. 8. **Electronic library for Minnesota.** For statewide licenses to online databases selected in cooperation with the Minnesota Office of Higher Education for school media centers, public libraries, state government agency libraries, and public or private college or university libraries:

<u>\$900,000</u>	.....	<u>2022</u>
<u>\$900,000</u>	.....	<u>2023</u>

Subd. 9. **Regional library telecommunications.** For regional library telecommunications aid under Minnesota Statutes, section 134.355:

<u>\$2,300,000</u>	.....	<u>2022</u>
<u>\$2,300,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$230,000 for 2021 and \$2,070,000 for 2022.

The 2023 appropriation includes \$230,000 for 2022 and \$2,070,000 for 2023.

ARTICLE 7  
STATE AGENCIES

Section 1. Minnesota Statutes 2020, section 12.21, subdivision 3, is amended to read:

Subd. 3. **Specific authority.** (a) In performing duties under this chapter and to effect its policy and purpose, the governor may:

(1) make, amend, and rescind the necessary orders and rules to carry out the provisions of this chapter and section 216C.15 within the limits of the authority conferred by this section, with due consideration of the plans of the federal government and without complying with sections 14.001 to 14.69, but no order or rule has the effect of law except as provided by section 12.32;

(2) ensure that a comprehensive emergency operations plan and emergency management program for this state are developed and maintained, and are integrated into and coordinated with the emergency plans of the federal government and of other states to the fullest possible extent;

(3) in accordance with the emergency operations plan and the emergency management program of this state, procure supplies, equipment, and facilities; institute training programs and public information programs; and take all other preparatory steps, including the partial or full activation of emergency management organizations in advance of actual disaster to ensure the furnishing of adequately trained and equipped forces of emergency management personnel in time of need;

(4) make studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for emergency management and to plan for the most efficient emergency use of those industries, resources, and facilities;

(5) on behalf of this state, enter into mutual aid arrangements or cooperative agreements with other states, tribal authorities, and Canadian provinces, and coordinate mutual aid plans between political subdivisions of this state;

(6) delegate administrative authority vested in the governor under this chapter, except the power to make rules, and provide for the subdelegation of that authority;

(7) cooperate with the president and the heads of the armed forces, the Emergency Management Agency of the United States and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the emergency management of the state and nation, including the direction or control of:

(i) emergency preparedness drills and exercises;

(ii) warnings and signals for drills or actual emergencies and the mechanical devices to be used in connection with them;

(iii) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(iv) the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and the movement and cessation of movement of pedestrians, vehicular traffic, and all forms of private and public transportation during, prior, and subsequent to drills or actual emergencies;

(v) public meetings or gatherings; and

(vi) the evacuation, reception, and sheltering of persons;

(8) contribute to a political subdivision, within the limits of the appropriation for that purpose, not more than 25 percent of the cost of acquiring organizational equipment that meets standards established by the governor;

(9) formulate and execute, with the approval of the Executive Council, plans and rules for the control of traffic in order to provide for the rapid and safe movement over public highways and streets of troops, vehicles of a military nature, and materials for national defense and war or for use in any war industry, for the conservation of critical materials, or for emergency management purposes; and coordinate the activities of the departments or agencies of the state and its political subdivisions concerned directly or indirectly with public highways and streets, in a manner that will best effectuate those plans;

(10) alter or adjust by executive order, without complying with sections 14.01 to 14.69, the working hours, workdays and work week of, and annual and sick leave provisions and payroll laws regarding all state employees in the executive branch as the governor deems necessary to minimize the impact of the disaster or emergency, conforming the alterations or adjustments to existing state laws, rules, and collective bargaining agreements to the extent practicable; and

~~(11) authorize the commissioner of education to alter school schedules, curtail school activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and 17, and including charter schools under chapter 124E, and elementary schools enrolling prekindergarten pupils in district programs; and~~

~~(12) transfer the direction, personnel, or functions of state agencies to perform or facilitate response and recovery programs.~~

(b) The governor may not use any authority provided under this chapter to issue any order or to authorize the commissioner of education to alter school schedules, curtail school activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and 17, and including charter schools under chapter 124E, and elementary schools enrolling prekindergarten pupils in district programs. The governor may not use any authority provided under this chapter to prevent the typical presence of students in school buildings. The governor may advise and consult with school leaders regarding any action needed for emergency management purposes.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to peacetime emergencies in effect or declared on or after that date.

Sec. 2. Minnesota Statutes 2020, section 122A.09, subdivision 2, is amended to read:

Subd. 2. **Advise members of profession.** (a) The Professional Educator Licensing and Standards Board must act in an advisory capacity to members of the profession in matters of interpretation of the code of ethics in section 122A.051.

(b) The board must develop a process for a school district to receive a written complaint about a teacher under the code of ethics and forward the complaint to the board. A school board must inform parents and guardians in the school district of their ability to submit a complaint to the school board under this section.

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

Sec. 3. **[127A.20] EVIDENCE-BASED EDUCATION GRANTS.**

Subdivision 1. **Purpose and applicability.** The purpose of this section is to create a process to describe, measure, and report on the effectiveness of any prekindergarten through grade 12 education program funded in whole or in part through funds appropriated by the legislature to the commissioner of education for grants to organizations. The evidence-based evaluation required by this section applies to all grants awarded by the commissioner of education on or after July 1, 2022.

Subd. 2. **Goals.** Each applicant for a grant awarded by the commissioner of education must include in the grant application a statement of the goals of the education program and grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's world's best workforce and the federally required Every Student Succeeds Act accountability systems.

Subd. 3. **Strategies and data.** Each applicant must include in the grant application a description of the strategies that will be used to meet the goals specified in the application. The applicant must also include a plan to collect data to measure the effectiveness of the strategies outlined in the grant application.

Subd. 4. **Reporting.** Within 180 days of the end of the grant period, each grant recipient must compile a report that describes the data that was collected and evaluate the effectiveness of the strategies. The evidence-based report may identify or propose alternative strategies based on the results of the data. The report must be submitted to the commissioner of education and to the chairs and ranking minority members of the legislative committees with jurisdiction over prekindergarten through grade 12 education. The report must be filed with the Legislative Reference Library according to section 3.195.

Subd. 5. **Grant defined.** For purposes of this section, "grant" means money appropriated from the state general fund to the commissioner of education for distribution to the grant recipients.

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

Sec. 4. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2, as amended by Laws 2020, chapter 116, article 5, section 4, is amended to read:

Subd. 2. **Department.** (a) For the Department of Education:

\$29,196,000	.....	2020
\$24,911,000	.....	2021

Of these amounts:

- (1) \$319,000 each year is for the Board of School Administrators;
  - (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;
  - (3) \$250,000 each year is for the School Finance Division to enhance financial data analysis;
  - (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;
  - (5) \$123,000 each year is for a dyslexia specialist;
  - (6) \$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with litigation; and
  - (7) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the Department of Education's mainframe update.
- (b) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C. office.
- (c) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated.

(d) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanism specified in that agreement.

(e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is \$24,591,000. The base for fiscal year 2023 is \$24,611,000. The base for fiscal year 2024 is \$24,629,000.

(f) On the effective date of this act, the commissioner of the Department of Education must cancel to the general fund \$2,000,000 from the fiscal year 2020 general fund appropriations for legal fees and costs associated with litigation.

(g) On the effective date of this act, the commissioner of the Department of Education must cancel to the general fund \$1,252,000 from the fiscal year 2021 general fund appropriations for agency operations.

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

Sec. 5. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

Subdivision 1. Department of Education. Unless otherwise indicated, the sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated. Any balance in the first year does not cancel but is available in the second year.

Subd. 2. Department. (a) For the Department of Education:

<u>\$22,787,000</u>	<u>.....</u>	<u>2022</u>
<u>\$22,806,000</u>	<u>.....</u>	<u>2023</u>

(b) Of these amounts:

(1) \$319,000 each year is for the Board of School Administrators;

(2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;

(3) \$250,000 each year is for the School Finance Division to enhance financial data analysis;

(4) \$123,000 each year is for a dyslexia specialist; and

(5) \$480,000 each year is for the Department of Education's mainframe update.

(c) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C., office.

(d) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and must be spent as indicated.

(e) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanisms specified in that agreement.

(f) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 is \$32,630,000 and the base for fiscal year 2025 is \$32,475,000.

Sec. 6. **APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

(a) The sums indicated in this section are appropriated from the general fund to the Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

<u>\$13,794,000</u>	.....	<u>2022</u>
<u>\$13,801,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2024 is \$14,323,000.

Sec. 7. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

(a) The sums in this section are appropriated from the general fund to the Perpich Center for Arts Education for the fiscal years designated:

<u>\$7,288,000</u>	.....	<u>2022</u>
<u>\$7,294,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (c), the base for fiscal year 2024 is \$7,532,000.

Sec. 8. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.**

Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board for the fiscal years designated:

<u>\$2,719,000</u>	.....	<u>2022</u>
<u>\$2,719,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) This appropriation includes funds for information technology project services and support subject to Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into an interagency agreement and will be paid to the Office of MN.IT Services by the Professional Educator Licensing and Standards Board under the mechanism specified in that agreement.

Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

<u>\$34,000</u>	.....	<u>2022</u>
<u>\$34,000</u>	.....	<u>2023</u>

This appropriation is from the education licensure portfolio account in the special revenue fund.

Sec. 9. **REPEALER.**(a) Minnesota Rules, part 8710.2100, subparts 1 and 2, are repealed.(b) Minnesota Statutes 2020, section 122A.09, subdivision 1, is repealed.ARTICLE 8  
FACILITIESSection 1. **APPROPRIATIONS.**Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.Subd. 2. **Debt service equalization aid.** For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

<u>\$25,001,000</u>	.....	<u>2022</u>
<u>\$24,286,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.The 2023 appropriation includes \$2,490,000 for 2022 and \$21,796,000 for 2023.Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

<u>\$108,427,000</u>	.....	<u>2022</u>
<u>\$110,904,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$10,660,000 for 2021 and \$97,767,000 for 2022.The 2023 appropriation includes \$10,862,000 for 2022 and \$100,042,000 for 2023.Subd. 4. **Equity in telecommunications access.** (a) For equity in telecommunications access:

<u>\$3,750,000</u>	.....	<u>2022</u>
<u>\$3,750,000</u>	.....	<u>2023</u>

(b) If the appropriation amount is insufficient, the commissioner shall reduce the reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the revenue for fiscal years 2022 and 2023 shall be prorated.(c) Any balance in the first year does not cancel but is available in the second year.Subd. 5. **Maximum effort loan aid.** For aid payments to schools under Minnesota Statutes, section 477A.09.

<u>\$3,288,000</u>	.....	<u>2022</u>
<u>\$0</u>	.....	<u>2023</u>

The base for fiscal year 2024 is \$0.

ARTICLE 9  
EARLY CHILDHOOD

Section 1. Minnesota Statutes 2020, section 124D.142, is amended to read:

**124D.142 QUALITY RATING AND IMPROVEMENT SYSTEM.**

(a) There is established a quality rating and improvement system (QRIS) framework to ensure that Minnesota's children have access to high-quality early learning and care programs in a range of settings so that they are fully ready for kindergarten by 2020. Creation of a standards-based voluntary quality rating and improvement system includes:

(1) quality opportunities in order to improve the educational outcomes of children so that they are ready for school. The framework shall be based on the Minnesota quality rating system rating tool and a common set of child outcome and program standards and informed by evaluation results;

(2) a tool to increase the number of publicly funded and regulated early learning and care services in both public and private market programs that are high quality. If a program or provider chooses to participate, the program or provider will be rated and may receive public funding associated with the rating. The state shall develop a plan to link future early learning and care state funding to the framework in a manner that complies with federal requirements; and

(3) tracking progress toward statewide access to high-quality early learning and care programs, progress toward the number of low-income children whose parents can access quality programs, and progress toward increasing the number of children who are fully prepared to enter kindergarten.

~~(b) In planning a statewide quality rating and improvement system framework in paragraph (a), the state shall use evaluation results of the Minnesota quality rating system rating tool in use in fiscal year 2008 to recommend:~~

~~(1) a framework of a common set of child outcome and program standards for a voluntary statewide quality rating and improvement system;~~

~~(2) a plan to link future funding to the framework described in paragraph (a), clause (2); and~~

~~(3) a plan for how the state will realign existing state and federal administrative resources to implement the voluntary quality rating and improvement system framework. The state shall provide the recommendation in this paragraph to the early childhood education finance committees of the legislature by March 15, 2011.~~

~~(c) Prior to the creation of a statewide quality rating and improvement system in paragraph (a), the state shall employ the Minnesota quality rating system rating tool in use in fiscal year 2008 in the original Minnesota Early Learning Foundation pilot areas and additional pilot areas supported by private or public funds with its modification as a result of the evaluation results of the pilot project.~~

(b) The commissioner must apply a uniform rating process for all early learning and care programs under the quality rating and improvement system, and is prohibited from providing an automatic rating for a program, including, but not limited to, a voluntary prekindergarten program under section 124D.151.

**EFFECTIVE DATE.** This section is effective July 1, 2021.

Sec. 2. Minnesota Statutes 2020, section 124D.151, subdivision 4, is amended to read:

Subd. 4. **Eligibility.** (a) A child ~~who is~~ **must be** four years of age as of September 1 in the calendar year in which the school year commences ~~is to be~~ eligible to participate in a voluntary prekindergarten program ~~free of charge.~~

(b) A child is eligible to participate in a voluntary prekindergarten program free of charge if the child:

(1) qualifies for free or reduced-price lunch;

(2) is an English language learner;

(3) is homeless;

(4) has an individualized education program or individual interagency intervention plan;

(5) is identified, through health and developmental screening under sections 121A.16 to 121A.19, with a potential risk factor that may influence learning; or

(6) is in foster care.

(c) A child who does not have at least one of the risk factors under paragraph (b) may participate in a voluntary prekindergarten program on a fee-for-service basis. A district or charter school must adopt a sliding fee schedule based on a family's income but must waive a fee for a participant unable to pay.

~~An eligible four year old child served in a mixed delivery system by a child care center, family child care program licensed under section 245A.03, or community based organization may be charged a fee as long as the mixed delivery partner was not awarded a seat for that child.~~ (d) Each eligible child must complete a health and developmental screening within 90 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation of required immunizations under section 121A.15.

(e) Districts and charter schools must use voluntary prekindergarten aid for eligible children.

Sec. 3. Minnesota Statutes 2020, section 124D.151, is amended by adding a subdivision to read:

Subd. 6a. **Portability of voluntary prekindergarten aid.** (a) A child who is eligible to enroll in a voluntary prekindergarten program free of charge may transfer at any time to a program that is eligible to receive early learning scholarships under section 124D.165, subdivision 4.

(b) The child's family must inform the district or charter school of the transfer and identify the program provider. Within two weeks of verification of the transfer in enrollment, the district or charter school must pay an amount equal to 88 percent of the remaining voluntary prekindergarten program aid attributed to the child. The payment must be made to the fiscal agent of the program to which the child transfers.

(c) The district or charter school must continue to count the eligible child in its enrollment for the rest of the school year.

Sec. 4. Minnesota Statutes 2020, section 124D.165, subdivision 2, is amended to read:

Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship, parents or guardians must meet the following eligibility requirements:

(1) have an eligible child; and

(2) have income equal to or less than 185 percent of federal poverty level income in the current calendar year, or be able to document their child's current participation in the free and reduced-price lunch program or Child and Adult Care Food Program, National School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota family investment program under chapter 256J; child care assistance programs under chapter 119B; the supplemental nutrition assistance program; or placement in foster care under section 260C.212.

(b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

(1) ~~at least three but not yet~~ from birth up to five years of age on September 1 of the current school year;

(2) a sibling from birth to age five of a child who has been awarded a scholarship under this section provided the sibling attends the same program as long as funds are available;

(3) the child of a parent under age 21 who is pursuing a high school degree or a course of study for a high school equivalency test; or

(4) homeless, in foster care, or in need of child protective services.

(c) A child who has received a scholarship under this section must continue to receive a scholarship each year until that child is eligible for kindergarten under section 120A.20 ~~and as long as funds are available~~.

(d) Early learning scholarships may not be counted as earned income for the purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota family investment program under chapter 256J, child care assistance programs under chapter 119B, or Head Start under the federal Improving Head Start for School Readiness Act of 2007.

(e) A child from an adjoining state whose family resides at a Minnesota address as assigned by the United States Postal Service, who has received developmental screening under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district, and whose family meets the criteria of paragraph (a) is eligible for an early learning scholarship under this section.

Sec. 5. Minnesota Statutes 2020, section 124D.165, subdivision 3, is amended to read:

Subd. 3. **Administration.** (a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meets operational needs of eligible families and programs. The commissioner must give highest priority to applications from children who:

(1) have a parent under age 21 who is pursuing a high school diploma or a course of study for a high school equivalency test;

(2) are in foster care or otherwise in need of protection or services; or

(3) have experienced homelessness in the last 24 months, as defined under the federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

The commissioner may prioritize applications on additional factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

(b) The commissioner shall establish a target for the average scholarship amount per child based on the results of the rate survey conducted under section 119B.02.

~~(c) A four star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number. For fiscal year 2018 and later, the statewide amount of funding directly designated by the commissioner must not exceed the funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district or Head Start program qualifying under this paragraph may use its established registration process to enroll scholarship recipients and may verify a scholarship recipient's family income in the same manner as for other program participants.~~

~~(d)~~ (c) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ten months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. A child may not be awarded more than one scholarship in a 12-month period.

~~(e)~~ (d) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program or within 90 days after the child's third birthday if awarded a scholarship under the age of three.

~~(f) For fiscal year 2017 and later, a school district or Head Start program enrolling scholarship recipients under paragraph (e) may apply to the commissioner, in the form and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of the application, the commissioner must pay each program directly for each approved scholarship recipient enrolled under paragraph (e) according to the metered payment system or another schedule established by the commissioner.~~

Sec. 6. **DEPARTMENT OF EDUCATION.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **School readiness.** (a) For revenue for school readiness programs under Minnesota Statutes, sections 124D.15 and 124D.16:

\$33,683,000	.....	<u>2022</u>
\$33,683,000	.....	<u>2023</u>

(b) The 2022 appropriation includes \$3,368,000 for fiscal year 2021 and \$30,315,000 for fiscal year 2022.

(c) The 2023 appropriation includes \$3,368,000 for fiscal year 2022 and \$30,315,000 for fiscal year 2023.

Subd. 3. **Early learning scholarships.** (a) For the early learning scholarship program under Minnesota Statutes, section 124D.165:

\$83,209,000	.....	<u>2022</u>
\$83,209,000	.....	<u>2023</u>

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 124D.165, subdivision 6.

(c) The base for each of fiscal years 2024 and 2025 is \$70,709,000.

Subd. 4. **Head Start program.** For Head Start programs under Minnesota Statutes, section 119A.52:

<u>\$25,100,000</u>	.....	<u>2022</u>
<u>\$25,100,000</u>	.....	<u>2023</u>

Subd. 5. **Early childhood family education aid.** (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

<u>\$34,380,000</u>	.....	<u>2022</u>
<u>\$35,349,000</u>	.....	<u>2023</u>

(b) The 2022 appropriation includes \$3,341,000 for fiscal year 2021 and \$31,039,000 for fiscal year 2022.

(c) The 2023 appropriation includes \$3,448,000 for fiscal year 2022 and \$31,901,000 for fiscal year 2023.

Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

<u>\$3,582,000</u>	.....	<u>2022</u>
<u>\$3,476,000</u>	.....	<u>2023</u>

(b) The 2022 appropriation includes \$360,000 for fiscal year 2021 and \$3,222,000 for fiscal year 2022.

(c) The 2023 appropriation includes \$358,000 for fiscal year 2022 and \$3,118,000 for fiscal year 2023.

Subd. 7. **ParentChild+ program.** (a) For a grant to the ParentChild+ program:

<u>\$900,000</u>	.....	<u>2022</u>
<u>\$900,000</u>	.....	<u>2023</u>

(b) The ParentChild+ program must use the grant to implement its evidence-based and research-validated early childhood literacy and school readiness program for children ages 16 months to four years. The program must be implemented at existing ParentChild+ program locations, including Cass County, Hennepin County, and Rice County, and the cities of Rochester and St. Cloud, or at any new rural, suburban, or urban locations.

Subd. 8. **Kindergarten readiness assessment.** For the kindergarten readiness assessment under Minnesota Statutes, section 124D.162:

<u>\$281,000</u>	.....	<u>2022</u>
<u>\$281,000</u>	.....	<u>2023</u>

Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner of human services for the purposes of expanding the quality rating and improvement system under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports for providers participating in the quality rating and improvement system:

<u>\$1,750,000</u>	.....	<u>2022</u>
<u>\$1,750,000</u>	.....	<u>2023</u>

(b) The amounts in paragraph (a) must be in addition to any federal funding under the child care and development block grant authorized under Public Law 101-508 in that year for the system under Minnesota Statutes, section 124D.142.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 10. **Early childhood programs at tribal contract schools.** For early childhood family education programs at tribal contract schools under Minnesota Statutes, section 124D.83, subdivision 4:

<u>\$68,000</u>	.....	<u>2022</u>
<u>\$68,000</u>	.....	<u>2023</u>

Subd. 11. **Educate parents partnership.** For the educate parents partnership under Minnesota Statutes, section 124D.129:

<u>\$49,000</u>	.....	<u>2022</u>
<u>\$49,000</u>	.....	<u>2023</u>

Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section 124D.135:

<u>\$462,000</u>	.....	<u>2022</u>
<u>\$444,000</u>	.....	<u>2023</u>

(b) The 2022 appropriation includes \$47,000 for fiscal year 2021 and \$415,000 for fiscal year 2022.

(c) The 2023 appropriation includes \$46,000 for fiscal year 2022 and \$398,000 for fiscal year 2023.

## ARTICLE 10 COMMUNITY EDUCATION AND LIFELONG LEARNING

### Section 1. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated. Any balances in the first year do not cancel but are available in the second year.

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

<u>\$180,000</u>	.....	<u>2022</u>
<u>\$155,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

The 2023 appropriation includes \$17,000 for 2022 and \$138,000 for 2023.

Subd. 3. **Adults with disabilities program aid.** For adults with disabilities programs under Minnesota Statutes, section 124D.56:

<u>\$710,000</u>	.....	<u>2022</u>
<u>\$710,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$71,000 for 2021 and \$639,000 for 2022.

The 2023 appropriation includes \$71,000 for 2022 and \$639,000 for 2023.

Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under Minnesota Statutes, section 124D.57:

<u>\$70,000</u>	<u>.....</u>	<u>2022</u>
<u>\$70,000</u>	<u>.....</u>	<u>2023</u>

Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section 124D.22:

<u>\$1,000</u>	<u>.....</u>	<u>2022</u>
<u>\$1,000</u>	<u>.....</u>	<u>2023</u>

The 2022 appropriation includes \$0 for 2021 and \$1,000 for 2022.

The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023.

Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants under Minnesota Statutes, section 124D.99:

<u>\$2,600,000</u>	<u>.....</u>	<u>2022</u>
<u>\$2,600,000</u>	<u>.....</u>	<u>2023</u>

(b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under Minnesota Statutes, section 124D.99:

<u>\$480,000</u>	<u>.....</u>	<u>2022</u>
<u>\$480,000</u>	<u>.....</u>	<u>2023</u>

(b) Of the amounts in paragraph (a), \$96,000 each year is for each of the following programs:

(1) the Northfield Healthy Community Initiative in Northfield;

(2) the Jones Family Foundation for the Every Hand Joined program in Red Wing;

(3) the United Way of Central Minnesota for the Partners for Student Success program;

(4) Austin Aspires; and

(5) Rochester Area Foundation as fiscal host for the Cradle 2 Career program.

(c) Any balance in the first year does not cancel but is available in the second year.

(d) The 2024 base amount for each recipient listed in paragraph (b) is \$96,000.

Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

<u>\$53,191,000</u>	.....	<u>2022</u>
<u>\$54,768,000</u>	.....	<u>2023</u>

The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

The 2023 appropriation includes \$5,334,000 for 2022 and \$49,434,000 for 2023.

Subd. 9. **High school equivalency tests.** For payment of the costs of the commissioner-selected high school equivalency tests under Minnesota Statutes, section 124D.55:

<u>\$125,000</u>	.....	<u>2022</u>
<u>\$125,000</u>	.....	<u>2023</u>

Subd. 10. **Early Childhood Family Education aid.** (a) For Early Childhood Family Education aid under Minnesota Statutes, section 124D.135:

<u>\$34,380,000</u>	.....	<u>2022</u>
<u>\$35,349,000</u>	.....	<u>2023</u>

(b) The 2022 appropriation includes \$3,341,000 for 2021 and \$31,039,000 for 2022.

(c) The 2023 appropriation includes \$3,449,000 for 2022 and \$31,900,000 for 2023.

(d) These amounts are in addition to any other appropriation for this purpose.

Subd. 11. **Kindergarten readiness assessment.** For the kindergarten readiness assessment under Minnesota Statutes, section 124D.162:

<u>\$281,000</u>	.....	<u>2022</u>
<u>\$281,000</u>	.....	<u>2023</u>

## ARTICLE 11 FORECAST ADJUSTMENTS

Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 2, is amended to read:

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

\$19,000	.....	2020
<del>\$ 20,000</del> <u>11,000</u>	.....	2021

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

Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4, as amended by Laws 2020, chapter 116, article 6, section 3, is amended to read:

Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

\$1,770,000	.....	2020
\$ <del>2,827,000</del> <u>2,595,000</u>	.....	2021

The 2020 appropriation includes \$274,000 for 2019 and \$1,496,000 for 2020.

The 2021 appropriation includes \$166,000 for 2020 and ~~\$2,661,000~~ \$2,429,000 for 2021.

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

Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6, as amended by Laws 2020, chapter 116, article 6, section 4, is amended to read:

Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

\$17,925,000	.....	2020
\$ <del>18,917,000</del> <u>18,918,000</u>	.....	2021

The 2020 appropriation includes \$1,806,000 for 2019 and \$16,119,000 for 2020.

The 2021 appropriation includes \$1,790,000 for 2020 and ~~\$17,127,000~~ \$17,128,000 for 2021.

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

Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7, as amended by Laws 2020, chapter 116, article 6, section 5, is amended to read:

Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

\$19,168,000	.....	2020
\$ <del>20,100,000</del> <u>19,106,000</u>	.....	2021

The 2020 appropriation includes \$1,961,000 for 2019 and \$17,207,000 for 2020.

The 2021 appropriation includes \$1,911,000 for 2020 and ~~\$18,189,000~~ \$17,195,000 for 2021.

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

Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9, as amended by Laws 2020, chapter 116, article 6, section 6, is amended to read:

Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

\$3,857,000	.....	2020
\$ <del>3,433,000</del> <u>3,288,000</u>	.....	2021

The 2020 appropriation includes \$422,000 for 2019 and \$3,435,000 for 2020.

The 2021 appropriation includes \$378,000 for 2020 and ~~\$3,055,000~~ \$2,910,000 for 2021.

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

Sec. 6. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2, as amended by Laws 2020, chapter 116, article 3, section 2, is amended to read:

Subd. 2. **Achievement and integration aid.** For achievement and integration aid under Minnesota Statutes, section 124D.862:

\$77,247,000	.....	2020
\$ <del>81,233,000</del> <u>87,574,000</u>	.....	2021

The 2020 appropriation includes \$7,058,000 for 2019 and \$70,189,000 for 2020.

The 2021 appropriation includes \$7,763,000 for 2020 and ~~\$73,470,000~~ \$79,811,000 for 2021.

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

Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 7, is amended to read:

Subd. 3. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

\$14,231,000	.....	2020
\$ <del>14,962,000</del> <u>15,670,000</u>	.....	2021

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

Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5, as amended by Laws 2020, chapter 116, article 6, section 9, is amended to read:

Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

\$2,766,000	.....	2020
\$ <del>3,106,000</del> <u>2,435,000</u>	.....	2021

The 2020 appropriation includes \$299,000 for 2019 and \$2,467,000 for 2020.

The 2021 appropriation includes \$274,000 for 2020 and ~~\$2,832,000~~ \$2,161,000 for 2021.

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

Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6, as amended by Laws 2020, chapter 116, article 6, section 10, is amended to read:

Subd. 6. **American Indian education aid.** For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

\$10,113,000	.....	2020
\$ <del>10,696,000</del> <u>10,939,000</u>	.....	2021

The 2020 appropriation includes \$960,000 for 2019 and \$9,153,000 for 2020.

The 2021 appropriation includes \$1,016,000 for 2020 and ~~\$9,680,000~~ \$9,923,000 for 2021.

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

Sec. 10. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 16, as amended by Laws 2020, chapter 116, article 6, section 11, is amended to read:

Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

\$83,214,000	.....	2020
\$ <del>88,454,000</del> <u>85,916,000</u>	.....	2021

The 2020 appropriation includes \$8,021,000 for 2019 and \$75,193,000 for 2020.

The 2021 appropriation includes \$8,354,000 for 2020 and ~~\$80,100,000~~ \$77,562,000 for 2021.

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

Sec. 11. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 12, is amended to read:

Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

\$89,166,000	.....	2020
\$ <del>88,851,000</del> <u>88,788,000</u>	.....	2021

(b) The 2020 appropriation includes \$8,974,000 for 2019 and \$80,192,000 for 2020.

(c) The 2021 appropriation includes \$8,887,000 for 2020 and ~~\$79,964,000~~ \$79,901,000 for 2021.

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

Sec. 12. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 13, is amended to read:

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

\$1,600,889,000	.....	2020
\$ <del>1,747,701,000</del> <u>1,727,596,000</u>	.....	2021

The 2020 appropriation includes \$184,363,000 for 2019 and \$1,416,526,000 for 2020.

The 2021 appropriation includes \$199,406,000 for 2020 and ~~\$1,548,295,000~~ \$1,528,190,000 for 2021.

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

Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 14, is amended to read:

Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

\$1,109,000	.....	2020
\$ <del>1,267,000</del> <u>1,644,000</u>	.....	2021

If the appropriation for either year is insufficient, the appropriation for the other year is available.

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

Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4, as amended by Laws 2020, chapter 116, article 6, section 15, is amended to read:

Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

\$445,000	.....	2020
\$ <del>467,000</del> <u>254,000</u>	.....	2021

The 2020 appropriation includes \$40,000 for 2019 and \$405,000 for 2020.

The 2021 appropriation includes \$44,000 for 2020 and ~~\$423,000~~ \$210,000 for 2021.

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

Sec. 15. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5, as amended by Laws 2020, chapter 116, article 6, section 16, is amended to read:

Subd. 5. **Court-placed special education revenue.** For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

\$-0-	.....	2020
\$ <del>23,000</del> <u>-0-</u>	.....	2021

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

Sec. 16. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 17, and Laws 2020, Fifth Special Session chapter 3, article 5, section 36, is amended to read:

Subd. 2. **Debt service equalization aid.** For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

\$20,684,000	.....	2020
\$ <del>25,380,000</del> <u>25,335,000</u>	.....	2021

The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

The 2021 appropriation includes \$2,043,000 for 2020 and ~~\$23,337,000~~ \$23,292,000 for 2021.

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

Sec. 17. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 18, is amended to read:

Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

\$104,690,000	.....	2020
\$ <del>107,820,000</del> <u>106,356,000</u>	.....	2021

The 2020 appropriation includes \$10,464,000 for 2019 and \$94,226,000 for 2020.

The 2021 appropriation includes \$10,412,000 for 2020 and ~~\$97,408,000~~ \$95,944,000 for 2021.

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

Sec. 18. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 20, is amended to read:

Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

\$16,245,000	.....	2020
\$ <del>16,514,000</del> <u>4,796,000</u>	.....	2021

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

Sec. 19. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 21, is amended to read:

Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:

\$11,428,000	.....	2020
\$ <del>11,846,000</del> <u>3,242,000</u>	.....	2021

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

Sec. 20. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4, as amended by Laws 2020, chapter 116, article 6, section 22, is amended to read:

Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes, section 124D.118:

\$658,000	.....	2020
\$ <del>658,000</del> <u>494,000</u>	.....	2021

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

Sec. 21. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5, as amended by Laws 2020, chapter 116, article 6, section 23, is amended to read:

Subd. 5. **Early childhood family education aid.** (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

\$32,151,000	.....	2020
\$ <del>33,540,000</del> <u>33,204,000</u>	.....	2021

(b) The 2020 appropriation includes \$3,098,000 for 2019 and \$29,053,000 for 2020.

(c) The 2021 appropriation includes \$3,133,000 for 2020 and ~~\$30,407,000~~ \$30,071,000 for 2021.

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

Sec. 22. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 14, as amended by Laws 2020, chapter 116, article 6, section 24, is amended to read:

Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section 124D.135:

\$521,000	.....	2020
\$ <del>528,000</del> <u>481,000</u>	.....	2021

(b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

(c) The 2021 appropriation includes \$51,000 for 2020 and ~~\$477,000~~ \$430,000 for 2021.

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

Sec. 23. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 25, is amended to read:

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

\$327,000	.....	2020
\$ <del>249,000</del> <u>236,000</u>	.....	2021

The 2020 appropriation includes \$40,000 for 2019 and \$287,000 for 2020.

The 2021 appropriation includes \$31,000 for 2020 and ~~\$218,000~~ \$205,000 for 2021.

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

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kresha amendment and the roll was called. There were 60 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Gruenhagen	Koznick	Neu Brindley	Raleigh
Albright	Demuth	Haley	Kresha	Novotny	Rasmusson
Anderson	Dettmer	Hamilton	Lucero	O'Driscoll	Robbins
Backer	Drazkowski	Heinrich	Lueck	Olson, B.	Schomacker
Bennett	Erickson	Heintzeman	McDonald	O'Neill	Scott
Bliss	Franke	Hertaus	Mekeland	Petersburg	Swedzinski
Boe	Franson	Igo	Miller	Pfarr	Theis
Burkel	Garofalo	Johnson	Mueller	Pierson	Torkelson
Daniels	Green	Jurgens	Nash	Poston	Urdahl
Daudt	Grossell	Kiel	Nelson, N.	Quam	West

Those who voted in the negative were:

Acomb	Edelson	Her	Lippert	Noor	Vang
Agbaje	Elkins	Hollins	Lislegard	Olson, L.	Wazlawik
Bahner	Feist	Hornstein	Long	Pelowski	Winkler
Bahr	Fischer	Howard	Mariani	Pinto	Wolgamott
Becker-Finn	Frazier	Huot	Marquart	Pryor	Xiong, J.
Berg	Frederick	Jordan	Masin	Reyer	Xiong, T.
Bernardy	Freiberg	Keeler	Moller	Richardson	Youakim
Bierman	Gomez	Klevorn	Moran	Sandell	Spk. Hortman
Boldon	Greenman	Koegel	Morrison	Sandstede	
Carlson	Hansen, R.	Kotyza-Witthuhn	Mortensen	Schultz	
Christensen	Hanson, J.	Lee	Munson	Stephenson	
Davnie	Hassan	Liebling	Murphy	Sundin	
Ecklund	Hausman	Lillie	Nelson, M.	Thompson	

The motion did not prevail and the amendment was not adopted.

H. F. No. 1065, A bill for an act relating to education finance; providing funding for prekindergarten through grade 12 education; modifying provisions for general education, education excellence, teachers, charter schools, special education, health and safety, facilities, nutrition and libraries, early childhood, community education, and state agencies; making forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 13.32, subdivision 3; 119A.52; 120A.22, subdivisions 7, 9, 10; 120A.35; 120A.40; 120B.02, subdivision 1; 120B.021, subdivisions 1, 2, 3, 4; 120B.024, subdivision 1; 120B.11, subdivisions 1, 1a, 2, 3; 120B.132; 120B.15; 120B.21; 120B.30, subdivision 1a, by adding subdivisions; 120B.35, subdivisions 3, 4; 121A.031, subdivisions 5, 6; 121A.41, subdivision 10, by adding subdivisions; 121A.425; 121A.45, subdivision 1; 121A.46, subdivision 4, by adding subdivisions; 121A.47, subdivisions 2, 14; 121A.53, subdivision 1; 121A.55; 121A.58; 121A.61; 122A.06, subdivisions 2, 5, 6, 7, 8, by adding a subdivision; 122A.07, subdivisions 1, 2, 4a; 122A.09, subdivisions 4, 6, 9, 10; 122A.091, subdivisions 1, 2; 122A.15, subdivision 1; 122A.16; 122A.18, subdivisions 7a, 8, 10; 122A.181, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 122A.182, subdivisions 1, 2, 3, 4, 7; 122A.183, subdivisions 1, 2, 3, by adding a subdivision; 122A.184, subdivisions 1, 2; 122A.185, subdivisions 1, 4; 122A.187; 122A.19, subdivision 4; 122A.21; 122A.26, subdivision 2; 122A.40, subdivisions 5, 8, 10, by adding a subdivision; 122A.41, subdivisions 2, 5, 14a, by adding a subdivision; 122A.61, subdivision 1; 122A.63, subdivisions 6, 9; 122A.635, subdivisions 3, 4; 122A.70; 122A.76; 123B.147, subdivision 3; 123B.595, subdivision 3; 124D.09, subdivisions 3, 5, 7, 8, 12, 13; 124D.095, subdivisions 2, 7; 124D.111; 124D.1158; 124D.128, subdivisions 1, 3; 124D.13, subdivision 2; 124D.142; 124D.151, subdivisions 2, 5, 6; 124D.162; 124D.165, subdivisions 2, 3; 124D.531, subdivision 1; 124D.55; 124D.59, subdivision 2; 124D.65, subdivision 5; 124D.74, subdivisions 1, 3; 124D.78, subdivisions 1, 3; 124D.79, subdivision 2; 124D.791, subdivision 4; 124D.81;

124D.861, subdivision 2; 124E.02; 124E.03, subdivision 2, by adding subdivisions; 124E.05, subdivisions 4, 6, 7; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1; 124E.13, subdivision 1; 124E.16, subdivision 1; 124E.21, subdivision 1; 124E.25, subdivision 1a; 125A.08; 125A.094; 125A.0942; 125A.21, subdivisions 1, 2; 125A.76, subdivision 2e; 126C.05, subdivisions 1, 3, 17; 126C.10, subdivisions 2, 2a, 2e, 4, 18a; 126C.15, subdivisions 1, 2, 5; 126C.17, by adding a subdivision; 126C.40, subdivision 1; 126C.44; 127A.47, subdivision 7; 127A.49, subdivision 3; 134.34, subdivision 1; 134.355, subdivisions 5, 6, 7; 144.4165; 179A.03, subdivision 19; 290.0679, subdivision 2; 469.176, subdivision 2; 609A.03, subdivision 7a; Laws 2019, First Special Session chapter 11, article 1, section 25, subdivisions 3, as amended, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article 2, section 33, subdivisions 2, as amended, 3, as amended, 5, as amended, 6, as amended, 16, as amended, 27; article 3, section 23, subdivision 3, as amended; article 4, section 11, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended; article 6, section 7, subdivisions 2, as amended, 3, as amended; article 7, section 1, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section 13, subdivisions 5, as amended, 14, as amended; article 9, section 3, subdivision 2, as amended; article 10, section 5, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 124D; 125A; 127A; 134; repealing Minnesota Statutes 2020, sections 120B.35, subdivision 5; 122A.091, subdivisions 3, 6; 122A.092; 122A.18, subdivision 7c; 122A.184, subdivision 3; 122A.23, subdivision 3; 122A.2451; Laws 2017, First Special Session chapter 5, article 8, section 9.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Acomb	Edelson	Hausman	Lillie	Olson, L.	Vang
Agbaje	Elkins	Her	Lippert	Pelowski	Wazlawik
Bahner	Feist	Hollins	Lislegard	Pinto	Winkler
Becker-Finn	Fischer	Hornstein	Long	Pryor	Wolgamott
Berg	Franke	Howard	Mariani	Reyer	Xiong, J.
Bernardy	Frazier	Huot	Marquart	Richardson	Xiong, T.
Bierman	Frederick	Jordan	Masin	Robbins	Youakim
Boldon	Freiberg	Keeler	Moller	Sandell	Spk. Hortman
Carlson	Gomez	Klevorn	Moran	Sandstede	
Christensen	Greenman	Koegel	Morrison	Schultz	
Davids	Hansen, R.	Kotyza-Witthuhn	Murphy	Stephenson	
Davnie	Hanson, J.	Lee	Nelson, M.	Sundin	
Ecklund	Hassan	Liebling	Noor	Thompson	

Those who voted in the negative were:

Akland	Daudt	Haley	Kresha	Nelson, N.	Quam
Albright	Demuth	Hamilton	Lucero	Neu Brindley	Raleigh
Anderson	Dettmer	Heinrich	Lueck	Novotny	Rasmusson
Backer	Drazkowski	Heintzeman	McDonald	O'Driscoll	Schomacker
Bahr	Erickson	Hertaus	Mekeland	Olson, B.	Scott
Bennett	Franson	Igo	Miller	O'Neill	Swedzinski
Bliss	Garofalo	Johnson	Mortensen	Petersburg	Theis
Boe	Green	Jurgens	Mueller	Pfarr	Torkelson
Burkel	Grossell	Kiel	Munson	Pierson	Urdahl
Daniels	Gruenhagen	Koznick	Nash	Poston	West

The bill was passed, as amended, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 959.

CAL R. LUDEMAN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 959, A bill for an act relating to state government; appropriating money for environment and natural resources and tourism; modifying fees and programs; creating accounts; authorizing sales and conveyances of certain state land; modifying forestry provisions; modifying game and fish laws; modifying water law; modifying natural resource and environment provisions; requiring reports; making technical corrections; amending Minnesota Statutes 2020, sections 17.4982, subdivisions 6, 8, 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 17.4993, subdivision 1; 84.027, subdivisions 13a, 18, by adding a subdivision; 84.415, by adding a subdivision; 84.63; 84.631; 84.82, subdivisions 1a, 7a; 84.92, subdivision 8; 84.943, subdivisions 3, 5; 84.944, subdivision 1; 84.946, subdivision 4; 84D.02, subdivision 3; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2, 6; 85.053, subdivision 2, by adding a subdivision; 85.054, subdivision 1; 85.43; 89.021, by adding a subdivision; 89.17; 89A.11; 92.50, by adding a subdivision; 92.502; 94.3495, subdivision 3; 97A.015, subdivision 29; 97A.075, subdivisions 1, 7; 97A.126, by adding a subdivision; 97A.137, subdivision 5; 97A.401, subdivision 1, by adding a subdivision; 97A.421, subdivision 1, by adding a subdivision; 97A.475, subdivisions 2, 3, 3a, 4; 97A.505, subdivision 3b; 97B.022, by adding a subdivision; 97B.036; 97B.055, subdivision 2; 97B.071; 97B.086; 97B.311; 97B.415; 97B.645, subdivision 9; 97B.715, subdivision 1; 97B.801; 97B.811, subdivision 4a; 97C.005, subdivision 3; 97C.081, subdivisions 3, 3a; 97C.211, subdivision 2a; 97C.342, subdivision 2; 97C.515, subdivision 2; 97C.605, subdivisions 2, 3; 97C.611; 97C.805, subdivision 2; 97C.836; 103A.212; 103C.315, subdivision 4; 103G.201; 103G.223; 103G.271, subdivisions 4a, 7, by adding subdivisions; 103G.287, subdivisions 4, 5; 103G.289; 103G.401; 115.03, subdivision 1; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115A.03, subdivisions 25, 25d, 27, 28, 34, 35, 36, by adding subdivisions; 115A.565, subdivision 1; 115B.40, subdivision 1; 116.03, subdivision 2b; 116.06, subdivision 22; 116.07, subdivisions 2, 4d, 7, by adding a subdivision; 116.155, by adding a subdivision; 116D.04, subdivision 2a; 116G.07, by adding a subdivision; 116G.15, by adding a subdivision; 127A.353, subdivision 4; 282.08; 290C.04; Laws 2016, chapter 154, sections 16; 48; Laws 2016, chapter 186, section 2, subdivision 9, as amended; Laws 2017, chapter 96, section 2, subdivision 9, as amended; Laws 2018, chapter 214, article 4, section 2, subdivision 6; Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9; article 3, section 109, as amended; proposing coding for new law in Minnesota Statutes, chapters 11A; 84; 92; 103F; 103G; 115A; 115B; 116; 116P; repealing Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19; 97C.515, subdivisions 4, 5; Laws 2013, chapter 121, section 53; Minnesota Rules, part 6232.0350.

The bill was read for the first time.

Hansen, R., moved that S. F. No. 959 and H. F. No. 1076, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Her moved that the name of Jordan be added as an author on H. F. No. 833. The motion prevailed.

Rasmusson moved that the names of Marquart and Sandstede be added as authors on H. F. No. 1305. The motion prevailed.

Sandell moved that the name of Poston be added as an author on H. F. No. 1906. The motion prevailed.

Freiberg moved that the names of Boldon and Davnie be added as authors on H. F. No. 2457. The motion prevailed.

Keeler moved that the names of Pfarr and Mekeland be added as authors on H. F. No. 2519. The motion prevailed.

Liebling moved that H. F. No. 2128, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Xiong, J., and Gomez introduced:

House Resolution No. 6, A House resolution supporting federal legislation that grants statehood to the citizens of Washington, D.C.

The resolution was referred to the Committee on State Government Finance and Elections.

**IN MEMORIAM**

The members of the House of Representatives paused for a moment of silence in memory of former Vice President Walter Mondale, who passed away on Monday, April 19, 2021.

**ADJOURNMENT**

Winkler moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, April 20, 2021. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Tuesday, April 20, 2021.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

