

STATE OF MINNESOTA

# Journal of the House

NINETY-THIRD SESSION — 2023

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FORTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 30, 2023

The House of Representatives convened at 12:30 p.m. and was called to order by Dan Wolgamott, Speaker pro tempore.

Prayer was offered by Pastor Mark Nelson, Peace Lutheran Church, Bloomington, 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	Davis	Heintzeman	Kozlowski	Noor	Sencer-Mura
Agbaje	Demuth	Hemmingsen-Jaeger	Kraft	Norris	Skraba
Anderson, P. E.	Dotseth	Her	Kresha	Novotny	Smith
Anderson, P. H.	Edelson	Hicks	Lee, F.	O'Driscoll	Stephenson
Backer	Elkins	Hill	Lee, K.	Olson, B.	Swedzinski
Bahner	Engen	Hollins	Liebling	Olson, L.	Tabke
Bakeberg	Feist	Hornstein	Lillie	Pelowski	Torkelson
Becker-Finn	Finke	Howard	Lislegard	Pérez-Vega	Urdahl
Bennett	Fischer	Hudella	Long	Perryman	Vang
Berg	Fogelman	Hudson	McDonald	Petersburg	West
Bierman	Franson	Huot	Mekeland	Pfarr	Wiener
Bliss	Frazier	Hussein	Moller	Pinto	Wiens
Brand	Frederick	Igo	Mueller	Pryor	Witte
Burkel	Freiberg	Jacob	Murphy	Pursell	Wolgamott
Carroll	Gillman	Johnson	Myers	Quam	Xiong
Cha	Gomez	Jordan	Nadeau	Rehm	Youakim
Clardy	Greenman	Joy	Nash	Reyer	Zelevnikar
Coulter	Grossell	Keeler	Nelson, M.	Richardson	Spk. Hortman
Curran	Hansen, R.	Klevorn	Nelson, N.	Robbins	
Daniels	Hanson, J.	Knudsen	Neu Brindley	Schomacker	
Daudt	Harder	Koegel	Newton	Schultz	
Davids	Hassan	Kotyza-Witthuhn	Niska	Scott	

A quorum was present.

Altendorf, Garofalo, Kiel, Koznick and O'Neill were excused.

Baker was excused until 2:25 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.

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**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

Olson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 36, A bill for an act relating to employment; establishing worker safety requirements; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 182.

Reported the same back with the following amendments:

Page 4, line 23, delete "\$240,000" and insert "\$115,000" and delete "\$218,000" and insert "\$91,000"

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

The report was adopted.

Klevorn from the Committee on State and Local Government Finance and Policy to which was referred:

H. F. No. 402, A bill for an act relating to health; establishing requirements for certain health care entity transactions; changing the expiration date on moratorium conversion transactions; requiring a health system to return charitable assets received from the state to the general fund in certain circumstances; requiring a study on the regulation of certain transactions; requiring a report; appropriating money; amending Laws 2017, First Special Session chapter 6, article 5, section 11, as amended; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health Finance and Policy.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 3, H. F. No. 402 was re-referred to the Committee on Rules and Legislative Administration.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 917, A bill for an act relating to housing; prohibiting discrimination based on participation in public assistance; prohibiting pet declawing and devocalization; prohibiting certain fees; requiring certain inspections; providing for certain notice; providing for certain penalties; providing right to counsel in certain cases; providing for lease covenants and repairs in residential tenancy; providing for renewal and termination of lease in certain cases; providing for residential evictions; providing for expungement of certain eviction cases; amending Minnesota Statutes 2022, sections 363A.09, subdivisions 1, 2, by adding a subdivision; 363A.21, subdivision 1; 484.014, subdivisions 2, 3; 504B.135; 504B.161, subdivision 1; 504B.178, subdivision 4; 504B.211, subdivisions 2, 6; 504B.285, subdivision 5; 504B.291, subdivision 1; 504B.321; 504B.331; 504B.335; 504B.345, subdivision 1, by adding a subdivision; 504B.361, subdivision 1; 504B.371, subdivisions 3, 4, 5, 7; 504B.375, subdivision 1; 504B.381, subdivisions 1, 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 504B.

Reported the same back with the following amendments:

Page 5, after line 9, insert:

"Any requirement or lease provision that violates this subdivision is void and unenforceable."

Page 7, line 7, before "Any" insert "Except as allowed under subdivisions 1 and 2, when a tenant chooses not to request an initial or move-out inspection, or alternate inspection under subdivision 1, paragraph (b)."

Page 10, line 25, delete everything after "(1)" and insert "when a unit of government has revoked a rental license, issued a condemnation order, issued a notice of intent to condemn, or otherwise deemed the property uninhabitable; or"

Page 10, delete line 26

Page 15, lines 15 and 16, reinstate the stricken language

Page 15, reinstate lines 22 to 26

Page 15, lines 27 and 32, reinstate the stricken language and delete the new language

Page 17, line 15, after "county" insert "or other" and after "agency" insert "requiring verification of emergency to qualify a tenant for assistance"

Page 18, line 14, after "lease" insert ", if any"

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

The report was adopted.

Freiberg from the Committee on Elections Finance and Policy to which was referred:

H. F. No. 1489, A bill for an act relating to elections; increasing the maximum refund permitted by the political contribution refund program; amending Minnesota Statutes 2022, section 290.06, subdivision 23.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2022, section 10A.31, subdivision 4, is amended to read:

Subd. 4. **Appropriation.** (a) The amounts designated by individuals for the state elections campaign account, less three percent, are appropriated from the general fund, must be transferred and credited to the appropriate account in the state elections campaign account, and are annually appropriated for distribution as set forth in subdivisions 5, 5a, 6, and 7. The remaining three percent must be kept in the general fund for administrative costs.

(b) In addition to the amounts in paragraph (a), ~~\$1,020,000~~ \$..... for each general election is appropriated from the general fund for transfer to the general account of the state elections campaign account."

Page 3, after line 3, insert:

"(i) The commissioner must annually adjust for inflation the contribution limits in paragraph (a), as provided in section 270C.22, rounded to the nearest \$10. The statutory year is 2023."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

Correct the title numbers accordingly

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

The report was adopted.

Klevorn from the Committee on State and Local Government Finance and Policy to which was referred:

H. F. No. 1826, A bill for an act relating to state government; repealing interagency transfer reports; repealing Minnesota Statutes 2022, section 15.0395.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
STATE GOVERNMENT OPERATIONS

Section 1. **[1.1471] STATE FIRE MUSEUM.**

The Bill and Bonnie Daniels Firefighters Hall and Museum in the city of Minneapolis is designated as the official state fire museum.

Sec. 2. Minnesota Statutes 2022, section 3.011, is amended to read:

**3.011 SESSIONS.**

The legislature shall meet at the seat of government on the first Tuesday after the ~~first~~ second Monday in January of each odd-numbered year. ~~When the first Monday in January falls on January 1, it shall meet on the first Wednesday after the first Monday.~~ It shall also meet when called by the governor to meet in special session.

Sec. 3. Minnesota Statutes 2022, section 3.012, is amended to read:

**3.012 LEGISLATIVE DAY.**

For the purposes of the Minnesota Constitution, article IV, section 12, a legislative day is a day when either house of the legislature ~~is called to order~~ gives any bill a third reading, adopts a rule of procedure or organization, elects a university regent, confirms a gubernatorial appointment, or votes to override a gubernatorial veto. A legislative day begins at seven o'clock a.m. and continues until seven o'clock a.m. of the following calendar day.

Sec. 4. Minnesota Statutes 2022, section 3.195, subdivision 1, is amended to read:

Subdivision 1. **Distribution of reports.** (a) Except as provided in subdivision 4, a report to the legislature required of a department or agency shall be made, unless otherwise specifically required by law, by filing ~~two copies~~ one copy with the Legislative Reference Library, and by making the report available electronically to the Legislative Reference Library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the Legislative Reference Library.

(b) A public entity as defined in section 16C.073 shall not distribute a report or publication to a member or employee of the legislature, except the Legislative Reference Library, unless the entity has determined that the member or employee wants the reports or publications published by that entity or the member or employee has requested the report or publication. This prohibition applies to both mandatory and voluntary reports and publications. A report or publication may be summarized in an executive summary and distributed as the entity chooses. Distribution of a report to legislative committee or commission members during a committee or commission hearing is not prohibited by this section.

(c) A report or publication produced by a public entity may not be sent to both the home address and the office address of a representative or senator unless mailing to both addresses is requested by the representative or senator.

(d) Reports, publications, periodicals, and summaries under this subdivision must be printed in a manner consistent with section 16C.073.

Sec. 5. Minnesota Statutes 2022, section 3.303, subdivision 6, is amended to read:

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

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

Sec. 6. Minnesota Statutes 2022, section 3.855, subdivision 2, is amended to read:

Subd. 2. **Unrepresented state employee negotiations compensation.** ~~(a) The commissioner of management and budget shall regularly advise the commission on the progress of collective bargaining activities with state employees under the state Public Employment Labor Relations Act. During negotiations, the commission may make recommendations to the commissioner as it deems appropriate but no recommendation shall impose any obligation or grant any right or privilege to the parties.~~

~~(b) (a) The commissioner of management and budget shall submit to the chair of the commission any negotiated collective bargaining agreements, arbitration awards, compensation plans, or salaries for legislative approval or disapproval. Negotiated agreements shall be submitted within five days of the date of approval by the commissioner or the date of approval by the affected state employees, whichever occurs later. Arbitration awards shall be submitted within five days of their receipt by the commissioner. prepared under section 43A.18, subdivisions 2, 3, 3b, and 4. The chancellor of the Minnesota State Colleges and Universities shall submit any compensation plan under section 43A.18, subdivision 3a. If the commission disapproves a collective bargaining agreement, award, compensation plan, or salary, the commission shall specify in writing to the parties those portions with which it disagrees and its reasons. If the commission approves a collective bargaining agreement, award, compensation plan, or salary, it shall submit the matter to the legislature to be accepted or rejected under this section.~~

~~(c) (b) When the legislature is not in session, the commission may give interim approval to a negotiated collective bargaining agreement, salary, or compensation plan, or arbitration award. When the legislature is not in session, failure of the commission to disapprove a collective bargaining agreement or arbitration award within 30 days constitutes approval. The commission shall submit the negotiated collective bargaining agreements, salaries, and compensation plans, or arbitration awards for which it has provided approval to the entire legislature for ratification at a special legislative session called to consider them or at its next regular legislative session as provided in this section. Approval or disapproval by the commission is not binding on the legislature.~~

~~(d)~~ (c) When the legislature is not in session, the proposed ~~collective bargaining agreement, arbitration decision, salary, or compensation plan~~ must be implemented upon its approval by the commission, and state employees covered by the proposed ~~agreement or arbitration decision plan or salary~~ do not have the right to strike while the interim approval is in effect. ~~Wages and economic fringe benefit increases provided for in the agreement or arbitration decision paid in accordance with the interim approval by the commission are not affected, but the wages or benefit increases must cease to be paid or provided effective upon the rejection of the agreement, arbitration decision, salary, or compensation plan, or upon adjournment of the legislature without acting on it.~~

Sec. 7. Minnesota Statutes 2022, section 3.855, subdivision 3, is amended to read:

Subd. 3. **Other salaries and compensation plans.** The commission shall also:

(1) review and approve, reject, or modify a plan for compensation and terms and conditions of employment prepared and submitted by the commissioner of management and budget under section 43A.18, subdivision 2, covering all state employees who are not represented by an exclusive bargaining representative and whose compensation is not provided for by chapter 43A or other law;

(2) review and approve, reject, or modify a plan for total compensation and terms and conditions of employment for employees in positions identified as being managerial under section 43A.18, subdivision 3, whose salaries and benefits are not otherwise provided for in law or other plans established under chapter 43A;

(3) review and approve, reject, or modify recommendations for salaries submitted by the governor or other appointing authority under section 15A.0815, subdivision 5, covering agency head positions listed in section 15A.0815;

(4) review and approve, reject, or modify recommendations for salary range of officials of higher education systems under section 15A.081, subdivision 7c;

(5) review and approve, reject, or modify plans for compensation, terms, and conditions of employment proposed under section 43A.18, subdivisions 3a, 3b, and 4; and

(6) review and approve, reject, or modify the plan for compensation, terms, and conditions of employment of classified employees in the office of the legislative auditor under section 3.971, subdivision 2.

Sec. 8. Minnesota Statutes 2022, section 3.855, subdivision 5, is amended to read:

Subd. 5. **Information required.** The commissioner of management and budget must submit to the Legislative Coordinating Commission the following information with the submission of a ~~collective bargaining agreement or compensation plan~~ under ~~subdivisions~~ subdivision 2 ~~and 3~~:

(1) for each agency and for each proposed ~~agreement or plan~~, a comparison of biennial compensation costs under the current ~~agreement or plan~~ to the projected biennial compensation costs under the proposed ~~agreement or plan~~, paid with funds appropriated from the general fund;

(2) for each agency and for each proposed ~~agreement or plan~~, a comparison of biennial compensation costs under the current ~~agreement or plan~~ to the projected biennial compensation costs under the proposed ~~agreement or plan~~, paid with funds appropriated from each fund other than the general fund;

(3) for each agency and for each proposed ~~agreement or plan~~, an identification of the amount of the additional biennial compensation costs that are attributable to salary and wages and to the cost of nonsalary and nonwage benefits; and

(4) for each agency, for clauses (1) to (3), the impact of the aggregate of all ~~agreements and plans~~ being submitted to the commission.

Sec. 9. Minnesota Statutes 2022, section 9.031, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 10. Minnesota Statutes 2022, section 13.04, subdivision 4, is amended to read:

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

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

(c) Upon receiving the notification from the data subject, the responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct. If the challenged data are determined to be accurate or complete, the responsible authority shall inform the individual of the right to appeal the determination to the commissioner under this section. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

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

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

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

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

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

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

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

Sec. 11. Minnesota Statutes 2022, section 15.0597, subdivision 1, is amended to read:

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

(b) "Agency" means (1) a state board, commission, council, committee, authority, task force, including an advisory task force created under section 15.014 or 15.0593, a group created by executive order of the governor, or other similar multimember agency created by law and having statewide jurisdiction; and (2) the Metropolitan Council, metropolitan agency, Capitol Area Architectural and Planning Board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact.



(c) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency, or (2) a new, unfilled agency position. ~~Vacancy includes a position that is to be filled through appointment of a nonlegislator by a legislator or group of legislators;~~ Vacancy does not mean (1) a vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, ~~or~~ (2) a vacancy to be filled by a person required to have a specific title or position, (3) a vacancy that is to be filled through appointment of a legislator by a legislator or group of legislators, or (4) a position appointed by a private entity or individual, in the manner specified in the document creating the agency, unless otherwise provided.

(d) "Secretary" means the secretary of state.

(e) "Appointing authority" means the individual or entity with the specific authority to appoint open or direct appointment positions. This includes but is not limited to the governor, state agency commissioners, indigenous Tribal leaders, designated legislative leaders and local agency heads, persons who have been specifically delegated the authority to make those appointments, or private entities or persons as designated by the document creating the agency. Appointments should be evidenced by a document signed by the appointing authority's most senior official. Appointments that do not specify an appointing authority shall be made in the manner provided in section 4.04.

(f) "Direct appointments" refers to: (1) the appointment of members to an agency, pursuant to a process not subject to this section; and (2) those members of an agency appointed through a process not subject to this section. Direct appointments must be provided for specifically in the documents creating the agency, whether enabling law, executive order, commissioner's order, or otherwise.

Sec. 12. Minnesota Statutes 2022, section 15.0597, subdivision 4, is amended to read:

Subd. 4. **Notice of vacancies.** The chair of an existing agency, shall notify the secretary by electronic means of a vacancy scheduled to occur in the agency as a result of the expiration of membership terms at least 45 days before the vacancy occurs. The chair of an existing agency ~~shall give electronic notification to~~ must notify the secretary of each vacancy occurring as a result of newly created agency positions and of every other vacancy occurring for any reason other than the expiration of membership terms as soon as possible upon learning of the vacancy and in any case within 15 days after the occurrence of the vacancy. The chair may submit vacancy notices by posting seat openings on the secretary of state's boards and commissions website.

(b) If a vacancy is to be appointed by the governor, the chair must first notify the governor and receive permission to post the vacancy. Where a vacancy is created by resignation, the vacancy may not be posted until receipt and acceptance of the resignation of the incumbent as provided by section 351.01, subdivision 1, clause (2), is confirmed by the governor.

(c) The appointing authority for newly created agencies shall give electronic notification to the secretary of all vacancies in the new agency within 15 days after the creation of the agency. The secretary may require the submission of notices required by this subdivision by electronic means.

(d) The secretary shall publish monthly on the website of the secretary of state a list of all vacancies of which the secretary has been so notified. Only one notice of a vacancy shall be so published, unless the appointing authority rejects all applicants and requests the secretary to republish the notice of vacancy. One copy of the listing shall be made available at the office of the secretary to any interested person. The secretary shall distribute by mail or electronic means copies of the listings to requesting persons.

(e) The listing for all vacancies scheduled to occur in the month of January shall be published on the website of the secretary of state together with the compilation of agency data required to be published pursuant to subdivision 3.

(f) If a vacancy occurs within three months after an appointment is made to fill a regularly scheduled vacancy, the appointing authority may, upon notification by electronic means to the secretary, fill the vacancy by appointment from the list of persons submitting applications to fill the regularly scheduled vacancy.

Sec. 13. Minnesota Statutes 2022, section 15.0597, subdivision 5, is amended to read:

Subd. 5. **Nominations for vacancies.** Any person may make a self-nomination for appointment to an agency vacancy by completing an application on a form prepared and distributed by the secretary. The secretary may provide for the submission of the application by electronic means. Any person or group of persons may, on the prescribed application form, nominate another person to be appointed to a vacancy so long as the person so nominated consents on the application form to the nomination. The application form shall specify the nominee's name, mailing address, electronic mail address, telephone number, preferred agency position sought, a statement that the nominee satisfies any legally prescribed qualifications, ~~a statement whether the applicant has ever been convicted of a felony,~~ and any other information the nominating person feels would be helpful to the appointing authority. The nominating person has the option of indicating the nominee's sex, political party preference or lack thereof, status with regard to disability, race, veteran status, and national origin on the application form. The application form shall make the option known. If a person submits an application at the suggestion of an appointing authority, the person shall so indicate on the application form. Twenty-one days after publication of a vacancy on the website of the secretary of state pursuant to subdivision 4, the secretary shall submit electronic copies of all applications received for a position to the appointing authority charged with filling the vacancy. ~~If no applications have been received by the secretary for the vacant position by the date when electronic copies must be submitted to the appointing authority, the secretary shall so inform the appointing authority.~~ Applications received by the secretary shall be deemed to have expired one year after receipt of the application. An application for a particular agency position shall be deemed to be an application for all vacancies in that agency occurring prior to the expiration of the application and shall be public information.

Sec. 14. Minnesota Statutes 2022, section 15.0597, subdivision 6, is amended to read:

Subd. 6. **Appointments.** (a) In making an appointment to a vacant agency position, the appointing authority shall consider applications for positions in that agency supplied by the secretary. No appointing authority may appoint someone to a vacant agency position until ~~(1) ten~~ five days after receipt of the applications for positions in that agency from the secretary ~~or (2) receipt of notice from the secretary that no applications have been received for vacant positions in that agency as provided in subdivision 5.~~ At least five days before the date of appointment, the appointing authority shall issue a public announcement and inform the secretary by electronic means of the name of the person the appointing authority ~~intends to appoint~~ has appointed to fill the agency vacancy and the expiration date of that person's term.

(b) No person may serve in a position until the appointing authority has submitted either (1) a signed notice of appointment, or (2) the documents required by paragraph (e) to the secretary of state, and the term of the appointee may not commence on a date preceding the date of the signature on the notice of appointment or the paragraph (e) submission.

(c) An oath of office for each appointee to an agency must be submitted to the secretary of state under section 358.05.

(d) If the appointing authority intends to appoint a person other than one for whom an application was submitted pursuant to this section, the appointing authority shall complete an application form on behalf of the appointee and submit it to the secretary indicating on the application that it is submitted by the appointing authority.

(e) An appointing authority making a direct appointment must submit a letter to the secretary of state stating the name of the person appointed, the agency and the specific seat to which they are appointed, contact information, the date on which the term begins, and length of the term.

(f) No person may simultaneously occupy more than one position on the same agency board. Appointment or designation of a member as chair of an agency does not constitute a violation of this paragraph.

Sec. 15. Minnesota Statutes 2022, section 15.066, is amended by adding a subdivision to read:

Subd. 3. **Advice and consent time limit.** If the senate does not reject an appointment within 60 legislative days of the day of receipt of the letter of appointment by the president of the senate, the senate has consented to the appointment. No person shall serve as a permanent commissioner or acting commissioner for an agency after the senate has voted to refuse to consent to the person's appointment as permanent commissioner of that agency during the same senate term in which the senate refused its consent.

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

Sec. 16. Minnesota Statutes 2022, section 15A.0825, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

(3) a current employee of the legislature;

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

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

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

Sec. 17. Minnesota Statutes 2022, section 15A.0825, subdivision 2, is amended to read:

Subd. 2. ~~Initial appointment~~ **Appointments; convening authority; first meeting in odd-numbered year.** Appointing authorities must make their ~~initial~~ appointments ~~by January 2, 2017~~ after the first Monday in January and before January 15 in each odd-numbered year. ~~Appointing authorities who determine that a vacancy exists under subdivision 3, paragraph (b), must make an appointment to fill that vacancy by January 15 in each odd-numbered year.~~ The governor shall designate one member to convene and chair the first meeting of the council, ~~that must occur by February 15 of each odd-numbered year.~~ The first meeting must be before January 15, 2017. At its first meeting, the council must elect a chair from among its members. ~~Members that reside in an even-numbered congressional district serve a first term ending January 15, 2019. Members residing in an odd-numbered congressional district serve a first term ending January 15, 2021.~~

Sec. 18. Minnesota Statutes 2022, section 15A.0825, subdivision 3, is amended to read:

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

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

Sec. 19. Minnesota Statutes 2022, section 15A.0825, subdivision 4, is amended to read:

Subd. 4. **Appointments following redistricting.** Appointing authorities shall make appointments ~~within three months~~ after a congressional redistricting plan is adopted. Appointing authorities shall make appointments in accordance with the timing requirements in subdivision 2. Members that reside in an even-numbered district shall be appointed to a term of two years following redistricting. Members that reside in an odd-numbered district shall be appointed to a term of four years following redistricting.

Sec. 20. Minnesota Statutes 2022, section 16A.055, is amended by adding a subdivision to read:

Subd. 7. **Grant acceptance.** The commissioner may apply for and receive grants from any source for the purpose of fulfilling any of the duties of the department. All funds received under this subdivision are appropriated to the commissioner for the purposes for which the funds are received.

Sec. 21. Minnesota Statutes 2022, section 16A.15, subdivision 3, is amended to read:

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

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

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

Sec. 22. Minnesota Statutes 2022, section 16A.632, subdivision 2, is amended to read:

Subd. 2. **Standards.** (a) Article XI, section 5, clause (a), of the constitution states general obligation bonds may be issued to finance only the acquisition or betterment of state land, buildings, and improvements of a capital nature. In interpreting this and applying it to the purposes of the program contemplated in this section, the following standards are adopted for the disbursement of money from the capital asset preservation and replacement account:

(b) ~~No~~ An appropriation under this section may not be used to acquire new land, or buildings, or major new improvements will be acquired. These projects, including all capital expenditures required to permit their effective use for the intended purpose on completion, will be estimated and provided for individually through a direct appropriation for each project or to construct new buildings or additions.

(c) An expenditure will be made from the account only when it is a capital expenditure on a capital asset previously owned by the state, within the meaning of accepted accounting principles as applied to public expenditures. The commissioner of administration will consult with the commissioner of management and budget to the extent necessary to ensure this and will furnish the commissioner of management and budget a list of projects to be financed from the account in order of their priority. The commissioner shall also furnish each revision of the list. The legislature assumes that many provisions for preservation and replacement of portions of existing capital assets will constitute betterments and capital improvements within the meaning of the constitution and capital expenditures under correct accounting principles, and will be financed more efficiently and economically under the program than by direct appropriations for specific projects. However, the purpose of the program is to accumulate data showing how additional costs may be saved by appropriating money from the general fund for preservation measures, the necessity of which is predictable over short periods.

(d) The commissioner of administration will furnish instructions to agencies to apply for funding of capital expenditures for preservation and replacement from the account, will review applications, will make initial allocations among types of eligible projects enumerated below, will determine priorities, and will allocate money in priority order until the available appropriation has been committed. An appropriation under this section may not be used to make minor emergency repairs.

(e) Categories of projects considered likely to be most needed and appropriate for financing are the following:

(1) ~~unanticipated emergencies of all kinds, for which a relatively small amount should be initially reserved, replaced from money allocated to low priority projects, if possible, as emergencies occur, and used for stabilization rather than replacement if the cost would exhaust the account and should be specially appropriated~~ involving impacts to state-owned property;

(2) ~~major projects to remove~~ address life safety hazards, like for existing buildings and sites, including but not limited to security, replacement of mechanical and other building systems, building code violations, or structural defects, at costs not large enough to require major capital requests to the legislature;

(3) ~~elimination~~ removal or containment of hazardous substances like asbestos or PCBs;

(4) ~~moderate cost replacement~~ major projects to replace and repair of roofs, windows, tuckpointing, and structural members necessary to preserve the exterior and interior of existing buildings; and

(5) up to ten percent of an appropriation awarded under this section may be used for design costs for projects eligible to be funded from this account in anticipation of future funding from the account.

Sec. 23. Minnesota Statutes 2022, section 16B.307, subdivision 1, is amended to read:

Subdivision 1. **Standards.** (a) Article XI, section 5, clause (a), of the constitution requires that state general obligation bonds be issued to finance only the acquisition or betterment of public land, buildings, and other public improvements of a capital nature. Money appropriated for asset preservation, whether from state bond proceeds or from other revenue, is subject to the following additional limitations:

(b) An appropriation for asset preservation may not be used to acquire new land nor to acquire or construct new buildings, or additions to buildings, ~~or major new improvements.~~

(c) An appropriation for asset preservation may be used only for a capital expenditure on a capital asset previously owned by the state, within the meaning of generally accepted accounting principles as applied to public expenditures. The commissioner of administration will consult with the commissioner of management and budget to the extent necessary to ensure this and will furnish the commissioner of management and budget a list of projects to be financed from the account in order of their priority. The legislature assumes that many projects for preservation and replacement of portions of existing capital assets will constitute betterments and capital improvements within the meaning of the constitution and capital expenditures under generally accepted accounting principles, and will be financed more efficiently and economically under this section than by direct appropriations for specific projects.

(d) Categories of projects considered likely to be most needed and appropriate for asset preservation appropriations are the following:

(1) major projects to ~~remove~~ address life safety hazards, like for existing buildings and sites, including but not limited to security, building code violations, or structural defects. Notwithstanding paragraph (b), a project in this category may include an addition to an existing building if it is a required component of the hazard ~~removal~~ abatement project;

(2) projects to eliminate or contain hazardous substances like asbestos or lead paint;

(3) major projects to address accessibility and building code violations; replace or repair roofs, windows, tuckpointing, mechanical ~~or,~~ electrical, plumbing or other building systems, utility infrastructure, and tunnels; make site ~~renovations~~ improvements necessary to support building use; and repair structural components necessary to preserve the exterior and interior of existing buildings; and

(4) major projects to ~~renovate~~ repair parking structures facilities and surface lots.

(e) Up to ten percent of an appropriation subject to this section may be used for design costs for projects eligible to be funded under this section in anticipation of future asset preservation appropriations.

Sec. 24. Minnesota Statutes 2022, section 16B.33, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 25. Minnesota Statutes 2022, section 16B.33, subdivision 3, is amended to read:

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

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

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

Sec. 26. Minnesota Statutes 2022, section 16B.33, subdivision 3a, is amended to read:

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

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

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

Sec. 27. Minnesota Statutes 2022, section 16B.33, is amended by adding a subdivision to read:

Subd. 6. **Rate of inflation.** No later than December 31 of every fifth year starting in 2025, the commissioner shall determine the percentage increase in the rate of inflation, as measured by the Means Quarterly Construction Cost Index, during the four-year period preceding that year. The thresholds in subdivisions 3, paragraph (a); and 3a, paragraph (a), shall be increased by the percentage calculated by the commissioner to the nearest ten-thousandth dollar.

Sec. 28. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain the Office of Collaboration and Dispute Resolution within the Department of Administration. The office must:

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

(2) promote and utilize collaborative dispute resolution models and processes based on documented best practices to foster trust, relationships, mutual understanding, consensus-based resolutions, and wise and durable solutions, including but not limited to:

(i) using established criteria and procedures for identifying and assessing collaborative dispute resolution projects;

(ii) designing collaborative dispute resolution processes;

(iii) preparing and training participants; and

(iv) facilitating meetings and group processes using collaborative techniques and approaches;

(3) support collaboration and dispute resolution in the public and private sectors by providing technical assistance and information on best practices and new developments in dispute resolution fields;

(4) build capacity and educate the public and government entities on collaboration, dispute resolution approaches, and public engagement;

(5) promote the broad use of community mediation in the state; and

(6) ensure that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes.

Subd. 2. **Awarding grants to assist in resolution of disputes.** (a) The commissioner shall, to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes under subdivision 1, clause (6). The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.



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

(c) A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

(d) Grantees must report data required under chapter 494 to evaluate quality and outcomes.

Subd. 3. **Accepting funds.** The commissioner may apply for and receive money made available from federal, state, or other sources for the purposes of carrying out the mission of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision are appropriated to the commissioner for their intended purpose.

Sec. 29. **[16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT OPERATIONS; OFFICE CREATED.**

Subdivision 1. **Enterprise sustainability.** (a) The Office of Enterprise Sustainability is established to assist all state agencies in making measurable progress toward improving the sustainability of government operations by reducing the impact on the environment, controlling unnecessary waste of natural resources and public funds, and spurring innovation. The office shall create new tools and share best practices, assist state agencies to plan for and implement improvements, and monitor progress toward achieving intended outcomes. Specific duties include but are not limited to:

(1) managing a sustainability metrics and reporting system, including a public dashboard that allows Minnesotans to track progress and is updated annually;

(2) assisting agencies in developing and executing sustainability plans; and

(3) implementing the state building energy conservation improvement revolving loan in Minnesota Statutes, sections 16B.86 and 16B.87.

Subd. 2. **State agency responsibilities.** Each cabinet-level agency is required to participate in the sustainability effort by developing a sustainability plan and by making measurable progress toward improving associated sustainability outcomes. State agencies and boards that are not members of the cabinet shall take steps toward improving sustainability outcomes; however, they are not required to participate at the level of cabinet-level agencies.

Subd. 3. **Local governments.** The Office of Enterprise Sustainability shall make reasonable attempts to share tools and best practices with local governments.

Sec. 30. Minnesota Statutes 2022, section 16B.58, is amended by adding a subdivision to read:

Subd. 9. **Electric vehicle charging.** The commissioner shall require that a user of a charging station located on the State Capitol complex used to charge an electric vehicle pay an electric service fee as determined by the commissioner.

Sec. 31. Minnesota Statutes 2022, section 16C.10, subdivision 2, is amended to read:

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

Sec. 32. Minnesota Statutes 2022, section 16C.251, is amended to read:

**16C.251 BEST AND FINAL OFFER.**

A "best and final offer" solicitation process may not be used for building and construction contracts awarded based on competitive bids.

Sec. 33. Minnesota Statutes 2022, section 16C.32, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 34. Minnesota Statutes 2022, section 16C.36, is amended to read:

#### **16C.36 REORGANIZATION SERVICES UNDER MASTER CONTRACT.**

The commissioner of administration must make available under a master contract program a list of eligible contractors who can assist state agencies in using data analytics to:

(1) accomplish agency reorganization along service rather than functional lines in order to provide more efficient and effective service; and

(2) bring about internal reorganization of management functions in order to flatten the organizational structure by requiring that decisions are made closer to the service needed, eliminating redundancies, and optimizing the span of control ratios to public and private sector industry benchmarks.

~~The commissioner of administration must report to the legislature by January 15, 2013, and January 15, 2014, on state agency use of eligible contractors under this section, and on improvements in efficiency and effectiveness, including the contract oversight process, of state services as a result of services provided by contractors.~~

Sec. 35. Minnesota Statutes 2022, section 43A.01, subdivision 2, is amended to read:

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

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

Sec. 36. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to read:

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

Sec. 37. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to read:

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

Sec. 38. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to read:

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

Sec. 39. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to read:

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

Sec. 40. Minnesota Statutes 2022, section 43A.04, subdivision 1a, is amended to read:

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

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

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

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

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

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

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

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

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

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

Sec. 41. Minnesota Statutes 2022, section 43A.04, subdivision 4, is amended to read:

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

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

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

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

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

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

(5) procedures for pilots of the reengineered employee selection process. Employment provisions of this chapter, associated personnel rules adopted under subdivision 3, and administrative procedures established under clauses (1) and (3) may be waived for the purposes of these pilots. The pilots may affect the rights of and processes

available to members of the general public seeking employment in the classified service. The commissioner will provide public notice of any pilot directly affecting the rights of and processes available to the general public and make the administrative procedures available for comment to the general public, agencies, employees, and appropriate exclusive representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior to implementation. The public notice must be provided in an accessible digital format under section 16E.03. The process for providing comment shall include multiple formats to ensure equal access, including via telephone, digital content, and email.

Sec. 42. Minnesota Statutes 2022, section 43A.04, subdivision 7, is amended to read:

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

Sec. 43. Minnesota Statutes 2022, section 43A.06, subdivision 1, is amended to read:

Subdivision 1. **General.** (a) The commissioner shall perform the duties assigned to the commissioner by this section and sections 3.855; and 179A.01 to 179A.25 ~~and this section.~~

(b) The commissioner shall be the state labor negotiator for purposes of negotiating and administering agreements with exclusive representatives of employees and shall perform any other duties delegated by the commissioner subject to the limitations in paragraph (c).

(c) The Board of Trustees of the Minnesota State Colleges and Universities may exercise the powers under this section for employees included in the units provided in section 179A.10, subdivision 2, clauses (9), (10), and (11) of section 179A.10, subdivision 2, except with respect to sections 43A.22 to 43A.31, which shall continue to be the responsibility of the commissioner. The commissioner shall have the right to review and comment to the Minnesota State Colleges and Universities on the board's final proposals prior to exchange of final positions with the designated bargaining units as well as any requests for interest arbitration. The legislature encourages the Board of Trustees, in coordination with the commissioner of management and budget and the Board of Regents of the University of Minnesota, to endeavor in collective bargaining negotiations to seek fiscal balance recognizing the ability of the employer to fund the agreements or awards. ~~When submitting a proposed collective bargaining agreement to the Legislative Coordinating Commission and the legislature under section 3.855, subdivision 2, the Board of Trustees must use procedures and assumptions consistent with those used by the commissioner in calculating the costs of the proposed contract. The Legislative Coordinating Commission must, when considering a collective bargaining agreement or arbitration award submitted by the Board of Trustees, evaluate market conditions affecting the employees in the bargaining unit, equity with other bargaining units in the executive branch, and the ability of the trustees and the state to fund the agreement or award.~~

Sec. 44. Minnesota Statutes 2022, section 43A.09, is amended to read:

#### **43A.09 RECRUITMENT.**

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

Sec. 45. Minnesota Statutes 2022, section 43A.10, subdivision 2a, is amended to read:

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

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

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

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

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

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

Sec. 46. Minnesota Statutes 2022, section 43A.10, subdivision 7, is amended to read:

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

Sec. 47. Minnesota Statutes 2022, section 43A.14, is amended to read:

#### **43A.14 APPOINTMENTS.**

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

Sec. 48. Minnesota Statutes 2022, section 43A.15, subdivision 14, is amended to read:

Subd. 14. **700-hour on-the-job demonstration process and appointment experience.** (a) The commissioner shall establish consult with the Department of Employment and Economic Development's Vocational Rehabilitation Services and State Services for the Blind and other disability experts in establishing, reviewing, and modifying the qualifying procedures for applicants whose disabilities are of such a significant nature that the applicants are unable to demonstrate their abilities in the selection process. The qualifying procedures must consist of up to 700 hours of on-the-job trial work demonstration experience. Up to three persons with significant disabilities and their job coach may be allowed to demonstrate their job competence as a unit through the on the job trial work experience selection

~~procedure. This~~ The 700-hour on-the-job demonstration process must be limited to applicants for whom there is no reasonable accommodation in the selection process experience is an alternative, noncompetitive hiring process for qualified applicants with disabilities. All permanent executive branch classified positions are eligible for a 700-hour on-the-job demonstration experience and all permanent classified job postings must provide information regarding the on-the-job demonstration overview and certification process.

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

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

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

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

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

Sec. 49. Minnesota Statutes 2022, section 43A.15, is amended by adding a subdivision to read:

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

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

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

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

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

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

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

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



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

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

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

Sec. 50. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to read:

Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this subdivision, the term "law enforcement officers" means Minnesota State Patrol troopers, Bureau of Criminal Apprehension agents, special agents in the Gambling Enforcement Division of the Department of Public Safety, conservation officers, Department of Corrections fugitive specialists, and Department of Commerce insurance fraud specialists.

(b) When the commissioner of management and budget negotiates a collective bargaining agreement establishing compensation for law enforcement officers, the commissioner must use compensation based on compensation data from the most recent salary and benefits survey conducted pursuant to section 299D.03, subdivision 2a. It is the legislature's intent that the information in this study be used to compare salaries between the identified police departments and the State Patrol and to make appropriate increases to patrol trooper salaries.

**EFFECTIVE DATE; APPLICATION.** This section is effective the day following final enactment and expires January 1, 2032. This section applies to contracts entered into on or after the effective date but before January 1, 2032.

Sec. 51. Minnesota Statutes 2022, section 43A.18, subdivision 1, is amended to read:

Subdivision 1. **Collective bargaining agreements.** Except as provided in section 43A.01 and to the extent they are covered by a collective bargaining agreement, the compensation, terms and conditions of employment for all employees represented by an exclusive representative certified pursuant to chapter 179A shall be governed solely by the collective bargaining agreement executed by the parties ~~and approved by the legislature.~~

Sec. 52. Minnesota Statutes 2022, section 43A.18, subdivision 9, is amended to read:

~~Subd. 9. **Summary information on website.** Before the commissioner submits a proposed collective bargaining agreement, arbitration award, or compensation plan to the Legislative Coordinating Commission for review under section 3.855, the commissioner must post on a state website a summary of the proposed agreement, award, or plan. The summary must include the amount of and nature of proposed changes in employee compensation, the estimated cost to the state of proposed changes in employee compensation, and a description of proposed significant changes in policy. After approval of an agreement, award, or a plan by the Legislative Coordinating Commission, the commissioner must provide a link from the commissioner's summary to the full text of the agreement, award, or plan. The summary must remain on the website at least until the full legislature has approved the agreement, award, or plan. This section also applies to agreements, awards, and plans covering employees of the Minnesota State Colleges and Universities and to compensation plans that must be submitted to the Legislative Coordinating Commission by other executive appointing authorities. The Minnesota State Colleges and Universities and other executive appointing authorities must submit information to the commissioner, at a time and in a manner specified by the commissioner, so the commissioner can post information relating to these appointing authorities on the web as required by this section.~~

**EFFECTIVE DATE.** This section is effective July 1, 2023, for negotiated agreements and arbitration decisions effective after July 1, 2023.

Sec. 53. Minnesota Statutes 2022, section 43A.19, subdivision 1, is amended to read:

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

- (1) objectives, goals, and policies;
- (2) procedures, standards, and assumptions to be used by agencies in the preparation of agency affirmative action plans, including methods by which goals and timetables are established;
- (3) the analysis of separation patterns to determine the impact on protected group members; and
- (4) requirements for annual objectives and submission of affirmative action progress reports from heads of agencies.

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

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

- (1) the percentage of members of each protected class in the recruiting area population who have the necessary skills; and
  - (2) the availability for promotion or transfer of current employees who are members of protected classes.
- (c) The commissioner may use any of the following factors in addition to the factors required under paragraph (b):
- (1) the extent of unemployment of members of protected classes in the recruiting area population;
  - (2) the existence of training programs in needed skill areas offered by employing agencies and other institutions; and
  - (3) the expected number of available positions to be filled.

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

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

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

Sec. 54. Minnesota Statutes 2022, section 43A.191, is amended to read:

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

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

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

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

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

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

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

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

(3) provisions for funding reasonable accommodations; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) demonstrate a good faith effort to recruit protected group members by following an active recruitment plan;
- (2) implement a coordinated retention plan; and
- (3) have an established complaint resolution procedure.

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

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

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

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

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

Sec. 55. Minnesota Statutes 2022, section 43A.21, subdivision 1, is amended to read:

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

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

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

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

Sec. 56. Minnesota Statutes 2022, section 43A.21, subdivision 2, is amended to read:

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

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

(2) the state's affirmative action policy;

(3) equal opportunity employment; and

(4) digital accessibility standards.

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

Sec. 57. Minnesota Statutes 2022, section 43A.21, subdivision 3, is amended to read:

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

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

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

Sec. 58. Minnesota Statutes 2022, section 43A.21, is amended by adding a subdivision to read:

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

Sec. 59. Minnesota Statutes 2022, section 43A.36, subdivision 1, is amended to read:

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

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

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

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

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

Sec. 60. Minnesota Statutes 2022, section 43A.421, is amended to read:

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

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

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

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

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

#### **Sec. 61. [43A.431] AMERICANS WITH DISABILITIES ACT COORDINATORS.**

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

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

(2) workforce data analysis;

(3) disability employment laws and regulations; and

(4) strategy development for universal and inclusive workplaces.

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

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

Sec. 62. Minnesota Statutes 2022, section 137.0245, subdivision 2, is amended to read:

Subd. 2. **Membership.** The Regent Candidate Advisory Council shall consist of 24 members. Twelve members shall be appointed by the ~~Subcommittee on Committees of the Committee on Rules and Administration~~ majority leader of the senate. Twelve members shall be appointed by the speaker of the house. Each appointing authority must appoint one member who is a student enrolled in a degree program at the University of Minnesota at the time of appointment. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of any member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 shall govern the advisory council, except that:

(1) the members shall be appointed to six-year terms with one-third appointed each even-numbered year; and

(2) student members are appointed to two-year terms with two students appointed each even-numbered year.

A member may not serve more than two full terms.

Sec. 63. Minnesota Statutes 2022, section 137.0245, is amended by adding a subdivision to read:

Subd. 6. **Public meetings.** Meetings of the council or subcommittees of the council must be open to the public and are subject to section 3.055.

Sec. 64. Minnesota Statutes 2022, section 138.081, subdivision 3, is amended to read:

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

Sec. 65. Minnesota Statutes 2022, section 138.665, subdivision 2, is amended to read:

Subd. 2. **Mediation Consultation.** The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664 or listed on the National Register of Historic Places created by Public Law 89-665. Before carrying out any undertaking that will affect designated or listed properties, or funding or licensing an undertaking by other parties, the state department or agency shall consult



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

Sec. 66. Minnesota Statutes 2022, section 161.1419, subdivision 2, is amended to read:

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

- (1) one shall be appointed by the commissioner of transportation;
- (2) one shall be appointed by the commissioner of natural resources;
- (3) one shall be appointed by the director of Explore Minnesota Tourism;
- (4) one shall be appointed by the commissioner of agriculture;
- (5) one shall be appointed by the director of the Minnesota Historical Society;
- (6) two shall be members of the senate to be appointed by the Committee on Committees;
- (7) two shall be members of the house of representatives to be appointed by the speaker;
- (8) one shall be the secretary appointed pursuant to subdivision 3; and

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

- (i) Lake Itasca to but not including the city of Grand Rapids;
- (ii) Grand Rapids to but not including the city of Brainerd;
- (iii) Brainerd to but not including the city of Elk River;
- (iv) Elk River to but not including the city of Hastings; and
- (v) Hastings to the Iowa border.

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

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

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

Sec. 67. Minnesota Statutes 2022, section 179A.22, subdivision 4, is amended to read:

Subd. 4. **Agreements.** The commissioner of management and budget is authorized to enter into agreements with exclusive representatives as provided in section 43A.06, subdivisions 1, paragraph (b), and 3. The Board of Trustees of the Minnesota State Colleges and Universities is authorized to enter into agreements with exclusive representatives as provided in section 43A.06, subdivision 1, paragraph (c). The negotiated agreements and any related arbitration decision decisions must be submitted to the legislature to be accepted or rejected in accordance with this section and section 3.855 implemented by the commissioner of management and budget or the Board of Trustees of the Minnesota State Colleges and Universities respectively, following the approval of the tentative agreement by exclusive representatives.

Sec. 68. Minnesota Statutes 2022, section 351.01, subdivision 2, is amended to read:

Subd. 2. **When effective.** Except as provided by subdivision 3 or other express provision of law or charter to the contrary, a resignation is effective when it is received by the officer, body, or board authorized to receive it. In the case of a position appointed by the governor under section 15.0597, the resignation must be submitted to the governor.

Sec. 69. Minnesota Statutes 2022, section 357.17, is amended to read:

### **357.17 NOTARIES PUBLIC.**

(a) The maximum fees to be charged and collected by a notary public shall be as follows:

(1) for protest of nonpayment of note or bill of exchange or of nonacceptance of such bill; where protest is legally necessary, and copy thereof, \$5;

(2) for every other protest and copy, \$5;

(3) for making and serving every notice of nonpayment of note or nonacceptance of bill and copy thereof, \$5;

(4) for any affidavit or paper for which provision is not made herein, \$5 per folio, and \$1 per folio for copies;

(5) for each oath administered, \$5;

(6) for acknowledgments of deeds and for other services authorized by law, the legal fees allowed other officers for like services;

(7) for recording each instrument required by law to be recorded by the notary, \$5 per folio.

(b) A notary public may charge a fee for performing a marriage in excess of the fees in paragraph (a) if the notary is a member, director, or partner of an entity organized under the laws of this state.

Sec. 70. Minnesota Statutes 2022, section 359.04, is amended to read:

**359.04 POWERS.**

Every notary public so appointed, commissioned, and qualified shall have power throughout this state to administer all oaths required or authorized to be administered in this state; to take and certify all depositions to be used in any of the courts of this state; to take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and other instruments in writing or electronic records; to receive, make out, and record notarial protests; to perform civil marriages consistent with this chapter and chapter 517; and to perform online remote notarial acts in compliance with the requirements of sections 358.645 and 358.646.

Sec. 71. **[359.115] CIVIL MARRIAGE OFFICIANT.**

(a) A notary public shall have the power to solemnize civil marriages throughout the state if the notary public has filed a copy of the notary public's notary credentials with the local registrar of a county in this state. When a local registrar records notary credentials for a notary public, the local registrar shall provide a certificate of filing to the notary whose credentials are recorded. A notary public shall endorse and record the county where the notary public's credentials are recorded upon each certificate of civil marriage granted by the notary.

(b) A past or current Minnesota elected official shall have the power to solemnize a civil marriage throughout the state if the elected official has filed a copy of the elected official's certificate of election with the local registrar of a county in this state. When a local registrar records an elected official's credentials, the local registrar shall provide a certificate of filing that the elected official's credentials are recorded, and the elected official shall endorse and record the county where the elected official's credentials are recorded upon each certificate of civil marriage granted by the elected official.

Sec. 72. Minnesota Statutes 2022, section 364.021, is amended to read:

**364.021 PUBLIC AND PRIVATE EMPLOYMENT; CONSIDERATION OF CRIMINAL RECORDS.**

(a) A public or private employer may not inquire into or consider or require disclosure of the criminal record or criminal history of an applicant for employment until the applicant has been selected for an interview by the employer or, if there is not an interview, before a conditional offer of employment is made to the applicant.

(b) This section does not apply to the Department of Corrections or to employers who have a statutory duty to conduct a criminal history background check or otherwise take into consideration a potential employee's criminal history during the hiring process.

(c) This section does not prohibit an employer from notifying applicants that law or the employer's policy will disqualify an individual with a particular criminal history background from employment in particular positions.

(d) An appointing authority may not inquire into or consider or require disclosure of the criminal record or criminal history of an applicant for appointment to multimember agencies, including boards, commissions, agencies, committees, councils, authorities, advisory task forces, and advisory councils, on an application form until the applicant has been selected for an interview by the appointing authority or is otherwise selected as a final candidate for appointment.

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

Sec. 73. Minnesota Statutes 2022, section 364.06, subdivision 1, is amended to read:

Subdivision 1. **Public employers.** Any complaints or grievances concerning violations of sections 364.01 to 364.10 by public employers or violations of section 364.021 by public appointing authorities shall be processed and adjudicated in accordance with the procedures set forth in chapter 14, the Administrative Procedure Act.

Sec. 74. Minnesota Statutes 2022, section 507.0945, is amended to read:

**507.0945 ADMINISTRATION.**

(a) An Electronic Real Estate Recording Commission ~~administered by the Legislative Coordinating Commission~~ is created to evaluate and ~~must then may~~ adopt standards to implement sections 507.0941 to 507.0948.

(b) The Electronic Real Estate Recording Commission shall consist of the following:

(1) three members appointed by the Minnesota Association of County Officials who are county employees, including one from within the seven-county metropolitan area, one from outside the seven-county metropolitan area, and at least one of whom is a county recorder and at least one of whom is a registrar of titles;

(2) one member appointed by the Minnesota Land Title Association;

(3) one member who represents the Minnesota Bankers Association;

(4) one member who represents the Section of Real Property Law of the Minnesota State Bar Association;

(5) one nonvoting member who is appointed by the other members of the commission and an expert in the technological aspects of electronic real estate recording; and

(6) one member who is the state archivist appointed pursuant to section 138.17.

(c) Members of the Electronic Real Estate Recording Commission shall serve four-year terms, except that (1) the initial appointments of county employees shall be for two years and (2) the expert in the technological aspects of electronic real estate recording shall serve at the pleasure of a majority of the other members of the commission. All initial terms shall commence on July 1, 2008. Members shall serve until their successors are appointed. Any member may be reappointed for successive terms.

(d) The state archivist shall call the first meeting of the Electronic Real Estate Recording Commission. At the first meeting and biennially thereafter, the commission shall elect from its membership a chair and vice-chair to serve two-year terms. Meetings may be called by the chair or the vice-chair ~~or the director of the Legislative Coordinating Commission~~. Meetings shall be held as often as necessary, but at least once a year.

(e) A majority of the voting members of the Electronic Real Estate Recording Commission constitutes a quorum to do business, and a majority of a quorum may act in any matter within the jurisdiction of the commission.

(f) As soon as practicable and as needed thereafter, the Electronic Real Estate Recording Commission shall identify the information technology and any other expertise it requires and report its needs to the ~~Legislative Coordinating Commission~~. ~~The Electronic Real Estate Recording Commission also shall report any other expertise it needs to fulfill its responsibilities. The Legislative Coordinating Commission shall provide support services, including meeting space, as needed for the Electronic Real Estate Recording Commission to carry out its duties in an effective manner~~ committees of the house of representatives and the senate that have jurisdiction.

Sec. 75. Minnesota Statutes 2022, section 517.04, is amended to read:

**517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

Civil marriages may be solemnized throughout the state by an individual who has attained the age of 21 years and is a judge of a court of record, a retired judge of a court of record, a court administrator, a retired court administrator with the approval of the chief judge of the judicial district, a former court commissioner who is

employed by the court system or is acting pursuant to an order of the chief judge of the commissioner's judicial district, a notary authorized by the Office of the Secretary of State, a past or current Minnesota elected official authorized by section 359.115, the residential school superintendent of the Minnesota State Academy for the Deaf and the Minnesota State Academy for the Blind, a licensed or ordained minister of any religious denomination, or by any mode recognized in section 517.18. For purposes of this section, a court of record includes the Office of Administrative Hearings under section 14.48.

Sec. 76. Minnesota Statutes 2022, section 645.44, subdivision 5, as amended by Laws 2023, chapter 5, section 2, is amended to read:

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

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

(c) Any agreement between a public employer and an employee organization citing "Christopher Columbus Day" or "Columbus Day" shall be amended to cite "Indigenous Peoples Day."

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

Sec. 77. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

Citizens currently appointed to the Mississippi River Parkway Commission under Minnesota Statutes, section 161.1419, subdivision 2, for areas following the geographic segments along the Mississippi River, serve terms as follows:

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

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

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

(4) citizen member representing Elk River, to but not including the city of Hastings, for a term ending December 31, 2027; and

(5) citizen member representing Hastings, to the Iowa border, for a term ending December 31, 2027.

Sec. 78. **ADVISORY COMMITTEE ON SERVICE WORKER STANDARDS.**

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

Sec. 79. **REVISOR INSTRUCTION.**

In the next edition of Minnesota Statutes and Minnesota Rules and the online publication of Minnesota Statutes and Minnesota Rules, the revisor of statutes shall change references to "Christopher Columbus Day" or "Columbus Day" to "Indigenous Peoples Day" wherever the phrases appear in Minnesota Statutes and Minnesota Rules.

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

Sec. 80. **REPEALER.**

Subdivision 1. **Interagency transfer reports.** Minnesota Statutes 2022, section 15.0395, is repealed.

Subd. 2. **Office of Collaboration and Dispute Resolution.** Minnesota Statutes 2022, sections 16B.24, subdivision 13; 179.90; and 179.91, are repealed.

Subd. 3. **Trustee Candidate Advisory Council.** Minnesota Statutes 2022, section 136F.03, is repealed.

Sec. 81. **EFFECTIVE DATE; JUNETEENTH.**

Notwithstanding Minnesota Statutes, section 645.02, Laws 2023, chapter 5, sections 1 and 2, are effective June 19, 2023.

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

ARTICLE 2  
INFORMATION TECHNOLOGY AND CYBERSECURITY

Section 1. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to read:

Subd. 1a. **Definition.** (a) For purposes of this section, the following term has the meaning given.

(b) "Security records" means data, documents, recordings, or similar items that:

(1) were originally collected, created, received, maintained, or disseminated by a member of the commission during a closed meeting, or a closed portion of a meeting; and

(2) are security information as defined by section 13.37, subdivision 1, or otherwise pertain to cybersecurity briefings and reports, issues related to cybersecurity systems, deficiencies in or recommendations regarding cybersecurity services, infrastructure, or facilities, if disclosure of the records would pose a danger to or compromise cybersecurity infrastructure, facilities, procedures, or responses.

Sec. 2. Minnesota Statutes 2022, section 3.888, subdivision 5, is amended to read:

Subd. 5. **Meetings.** The commission must meet at least three times per calendar year. The meetings of the commission are subject to section 3.055, except that the commission may close a meeting when necessary to safeguard the state's cybersecurity. ~~The minutes, recordings, and documents from a closed meeting under this subdivision~~ Security records shall be maintained by the Legislative Coordinating Commission and shall not be made available to the public until at least eight years but no more than 20 years after the date of the closed meeting.

Sec. 3. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to read:

Subd. 5a. **Closed meetings procedures.** The commission must adopt procedures for conducting closed meetings before the commission's first closed meeting. At a minimum, the procedures must include:

(1) a requirement to provide notice to the public, when practicable, before each closed meeting of the commission's intent and authority to hold a closed meeting, or to hold a closed session during an otherwise open meeting;

(2) a requirement that the commission minimize the number of people present at a closed meeting to those necessary to conduct the meeting;

(3) a requirement that votes shall not be taken during a meeting, or a portion of a meeting, of the commission closed pursuant to this section;

(4) steps the commission must take if a commission member is alleged to have violated the confidentiality of a closed meeting; and

(5) guidance for the Legislative Coordinating Commission for the public release of security records following the eight-year record requirement in subdivision 5. The meetings of the Legislative Coordinating Commission under this subdivision are exempt from section 3.055 when necessary to safeguard the confidentiality of security records.

Sec. 4. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to read:

Subd. 5b. **Alleged member closed meeting confidentiality violations.** Notwithstanding any law to the contrary, if a complaint alleging a member violated the confidentiality of a closed meeting is brought to a legislative committee with jurisdiction over ethical conduct, the committee with jurisdiction over ethical conduct must preserve the confidentiality of the closed meeting at issue.

Sec. 5. Minnesota Statutes 2022, section 16E.01, subdivision 1a, is amended to read:

Subd. 1a. **Responsibilities.** The department shall provide oversight, leadership, and direction for information and telecommunications technology policy and the management, delivery, accessibility, and security of executive branch information and telecommunications technology systems and services in Minnesota. The department shall partner with executive branch state agencies to manage strategic investments in information and telecommunications technology systems and services to ensure sufficient access to and efficient delivery of accessible government services and to maximize benefits for the state government as an enterprise.

Sec. 6. Minnesota Statutes 2022, section 16E.01, is amended by adding a subdivision to read:

Subd. 1b. **Deputy; appointments.** The commissioner may appoint a deputy, assistant commissioners, and a confidential secretary. Each serves at the commissioner's pleasure in the unclassified service.

Sec. 7. Minnesota Statutes 2022, section 16E.01, subdivision 3, is amended to read:

Subd. 3. **Duties.** (a) The department shall:

(1) manage the efficient and effective use of available federal, state, local, and public-private resources to develop statewide information and telecommunications technology systems and services and its infrastructure;

(2) approve state agency and intergovernmental information and telecommunications technology systems and services development efforts involving state or intergovernmental funding, including federal funding, provide information to the legislature regarding projects reviewed, and recommend projects for inclusion in the governor's budget under section 16A.11;

(3) promote cooperation and collaboration among state and local governments in developing intergovernmental information and telecommunications technology systems and services;

(4) cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches, as requested;

~~(5) continue the development of North Star, the state's official comprehensive online service and information initiative;~~

~~(6)~~ (5) promote and coordinate public information access and network initiatives, consistent with chapter 13, to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

~~(7)~~ (6) manage and promote the regular and periodic reinvestment in the information and telecommunications technology systems and services infrastructure so that state and local government agencies can effectively and efficiently serve their customers;

~~(8)~~ (7) facilitate the cooperative development of and ensure compliance with standards and policies for information and telecommunications technology systems and services and electronic data practices and privacy within the executive branch;

~~(9)~~ (8) eliminate unnecessary duplication of existing information and telecommunications technology systems and services provided by state agencies;

~~(10)~~ (9) identify, sponsor, develop, and execute shared information and telecommunications technology projects and ongoing operations;

~~(11)~~ (10) ensure overall security of the state's information and technology systems and services; and

~~(12)~~ (11) manage and direct compliance with accessibility standards for informational technology, including hardware, software, websites, online forms, and online surveys.

(b) The chief information officer, in consultation with the commissioner of management and budget, must determine when it is cost-effective for agencies to develop and use shared information ~~and telecommunications~~ technology systems, platforms, and services for the delivery of ~~electronic~~ digital government services. The chief information officer may require agencies to use shared information and telecommunications technology systems and services. The chief information officer shall establish reimbursement rates in cooperation with the commissioner of management and budget to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of interagency agreements, or other means as allowed by law.



(c) A state agency that has an information and telecommunications technology project, whether funded as part of the biennial budget or by any other means, shall register with the department by submitting basic project startup documentation as specified by the chief information officer in both format and content. State agency project leaders, in accordance with policies and standards set forth by the chief information officer, must demonstrate that the project will be properly managed, provide updates to the project documentation as changes are proposed, and regularly report on the current status of the project on a schedule agreed to with the chief information officer. The chief information officer has the authority to define a project for the purposes of this chapter.

(d) The chief information officer shall monitor progress on any active information and telecommunications technology project with a total expected project cost of more than \$5,000,000 and report on the performance of the project in comparison with the plans for the project in terms of time, scope, and budget. The chief information officer may conduct an independent project audit of the project. The audit analysis and evaluation of the projects subject to paragraph (c) must be presented to agency executive sponsors, the project governance bodies, and the chief information officer. All reports and responses must become part of the project record.

(e) For any active information and telecommunications technology project with a total expected project cost of more than \$10,000,000, the state agency must perform an annual independent audit that conforms to published project audit principles adopted by the department.

(f) The chief information officer shall report by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the department regarding projects the department has reviewed under paragraph (a), clause (10). The report must include ~~the reasons for the determinations made in the review of each project and a description of its current status;~~

(1) each project in the IT portfolio whose status is either active or on hold;

(2) each project presented to the office for consultation in the time since the last report;

(3) the information technology cost associated with the project;

(4) the current status of the information technology project;

(5) the date the information technology project is expected to be completed; and

(6) the projected costs for ongoing support and maintenance after the project is complete.

Sec. 8. Minnesota Statutes 2022, section 16E.016, is amended to read:

**16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT.**

(a) The chief information officer is responsible for providing or entering into managed services contracts for the provision, improvement, ~~and~~ development, and lifecycle management of the following information technology systems and services to state agencies:

(1) state data centers;

(2) mainframes including system software;

(3) servers including system software;

(4) desktops including system software;

- (5) laptop computers including system software;
- (6) a data network including system software;
- (7) database, electronic mail, office systems, reporting, and other standard software tools;
- (8) business application software and related technical support services;
- (9) help desk for the components listed in clauses (1) to (8);
- (10) maintenance, problem resolution, and break-fix for the components listed in clauses (1) to (8);
- (11) regular upgrades ~~and~~, replacement, and lifecycle management for the components listed in clauses (1) to (8); and
- (12) network-connected output devices.

(b) All state agency employees whose work primarily involves functions specified in paragraph (a) are employees of the Department of Information Technology Services. This includes employees who directly perform the functions in paragraph (a), as well as employees whose work primarily involves managing, supervising, or providing administrative services or support services to employees who directly perform these functions. The chief information officer may assign employees of the department to perform work exclusively for another state agency.

(c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a state agency to obtain services specified in paragraph (a) through a contract with an outside vendor when the chief information officer and the agency head agree that a contract would provide best value, as defined in section 16C.02, under the service-level agreement. The chief information officer must require that agency contracts with outside vendors ensure that systems and services are compatible with standards established by the Department of Information Technology Services.

(d) The Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association, the State Board of Investment, the Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio Board are not state agencies for purposes of this section.

Sec. 9. Minnesota Statutes 2022, section 16E.03, subdivision 2, is amended to read:

Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

- (1) design a ~~master~~ strategic plan for information and telecommunications technology systems and services in the state and shall report on the plan to the governor and legislature at the beginning of each regular session;
- (2) coordinate, review, and approve all information and telecommunications technology projects and oversee the state's information and telecommunications technology systems and services;
- (3) establish and enforce compliance with standards for information and telecommunications technology systems and services that are cost-effective and support open systems environments and that are compatible with state, national, and international standards, including accessibility standards;
- (4) maintain a library of systems and programs developed by the state for use by agencies of government;

(5) direct and manage the shared operations of the state's information and telecommunications technology systems and services; and

(6) establish and enforce standards and ensure acquisition of hardware ~~and~~ software, and services necessary to protect data and systems in state agency networks connected to the Internet.

Sec. 10. Minnesota Statutes 2022, section 16E.03, subdivision 4a, is amended to read:

Subd. 4a. **Cloud computing services.** The project evaluation procedure required by subdivision 4 must include a review of cloud computing service options, including any security benefits and cost savings associated with purchasing those service options from a cloud computing service provider. When projects involve cloud computing services, the state chief information officer shall, in consultation with the Technology Advisory Council, establish metrics to assess the progress of any cloud computing project for each state agency.

Sec. 11. Minnesota Statutes 2022, section 16E.03, is amended by adding a subdivision to read:

Subd. 5a. **Cloud computing migration.** The report required by subdivision 5 must also detail the progress of cloud computing migration metrics established in subdivision 4a. Additionally, for each state agency, the report must include:

(1) an accounting of the agency's budget allocated for cloud computing projects;

(2) cost projections for any current or contemplated cloud computing projects as applicable;

(3) the timeline for completion of cloud computing projects;

(4) the name of each cloud provider retained by the agency, and the percentage of the agency's cloud projects allocated to that provider; and

(5) software as service offerings, identifying each offering and the cloud location.

Sec. 12. **REPEALER.**

Minnesota Statutes 2022, section 16E.0466, subdivision 2, is repealed.

### ARTICLE 3 LOCAL GOVERNMENT POLICY

Section 1. Minnesota Statutes 2022, section 13D.02, subdivision 1, is amended to read:

Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive technology so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;

(3) at least one member of the body is physically present at the regular meeting location;

(4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; and

(5) each location at which a member of the body is present is open and accessible to the public.

(b) A meeting satisfies the requirements of paragraph (a), although a member of the public body participates from a location that is not open or accessible to the public, if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:

(1) the member is serving in the military and is at a required drill, deployed, or on active duty; or

(2) the member has been advised by a health care professional against being in a public place for personal or family medical reasons. ~~This clause only applies when a state of emergency has been declared under section 12.31, and expires 60 days after the removal of the state of emergency.~~

Sec. 2. Minnesota Statutes 2022, section 118A.09, subdivision 1, is amended to read:

Subdivision 1. **Definition; qualifying government.** (a) "Qualifying government" means:

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

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

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

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

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

Sec. 3. Minnesota Statutes 2022, section 118A.09, subdivision 2, is amended to read:

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

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

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

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

Sec. 4. Minnesota Statutes 2022, section 118A.09, subdivision 3, is amended to read:

Subd. 3. **Funds.** (a) Qualifying governments may only invest under subdivision 2 according to the limitations in this subdivision. A qualifying government under subdivision 1, clause (1) or (2), may only invest its funds that are held for long-term capital plans authorized by the city council or county board, or long-term obligations of the

qualifying government. Long-term obligations of the qualifying government include long-term capital plan reserves, funds held to offset long-term environmental exposure, other postemployment benefit liabilities, compensated absences, and other long-term obligations established by applicable accounting standards.

(b) Qualifying governments under subdivision 1, clause (1) or (2), may invest up to 15 percent of the sum of:

- (1) unassigned cash;
- (2) cash equivalents;
- (3) deposits; and
- (4) investments.

~~This (c) The calculation in paragraph (b) must be based on the qualifying government's most recent audited statement of net position, which must be compliant and audited pursuant to governmental accounting and auditing standards. Once the amount invested reaches 15 percent of the sum of unassigned cash, cash equivalents, deposits, and investments, no further funds may be invested under this section; however, a qualifying government may continue to manage the funds previously invested under this section even if the total amount subsequently exceeds 15 percent of the sum of unassigned cash, cash equivalents, deposits, and investments.~~

~~(c) A qualified government under subdivision 1, clause (3), may invest up to the lesser of:~~

- ~~(1) 15 percent of the sum of its cash, cash equivalents, deposits, and investments; or~~
- ~~(2) 25 percent of its net assets as reported on the pool's most recent audited statement of net position, which must be compliant and audited pursuant to governmental accounting and auditing standards.~~

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

Sec. 5. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT AUTHORITY.**

Subdivision 1. Definition. For the purposes of this section, "qualifying government" means a self-insurance pool listed in section 471.982, subdivision 3.

Subd. 2. Additional investment authority. (a) A qualifying government may invest in the securities specified in section 11A.24, with the exception of specific investments authorized under section 11A.24, subdivision 6, paragraph (a), clauses (1) to (5).

(b) Investments authorized under this section are subject to the limitations under section 11A.24.

(c) A qualifying government may invest with the State Board of Investment subject to the terms and minimum amounts adopted by the State Board of Investment.

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

- (1) the governing body understands that investments under this section have a risk of loss; and
- (2) the governing body understands the type of funds that are being invested and the specific investment itself.

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

Sec. 6. **[134.114] RAMSEY COUNTY LIBRARY ADVISORY BOARD.**

Subdivision 1. **Appointment.** The Ramsey County Board of Commissioners shall direct, operate, and manage the suburban Ramsey County library system. The county board shall appoint seven members to a suburban Ramsey County Library Advisory Board. All members must reside in the suburban county library service area. The Ramsey County Library Advisory Board shall replace the existing Ramsey County Library Board upon the effective date of this section.

Subd. 2. **Powers and duties.** The Ramsey County Library Advisory Board shall provide advice and make recommendations on matters pertaining to county library services. The Ramsey County Library Advisory Board shall provide recommendations regarding integrated county service delivery that impacts or is enhanced by library services. The county board may delegate additional powers and duties to the Ramsey County Library Advisory Board.

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

Sec. 7. **[134.115] ANOKA COUNTY LIBRARY ADVISORY BOARD.**

Subdivision 1. **Appointment.** The Anoka County Board of Commissioners shall direct, operate, and manage the suburban Anoka County library system. The county board shall appoint seven members to a suburban Anoka County Library Advisory Board. All members must reside in the suburban county library service area. The Anoka County Library Advisory Board shall replace the existing Anoka County Library Board upon the effective date of this section.

Subd. 2. **Powers and duties.** The Anoka County Library Advisory Board shall provide advice and make recommendations on matters pertaining to county library services. The Anoka County Library Advisory Board shall provide recommendations regarding integrated county service delivery that impacts or is enhanced by library services. The county board may delegate additional powers and duties to the Anoka County Library Advisory Board.

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

Sec. 8. Minnesota Statutes 2022, section 383B.145, is amended by adding a subdivision to read:

Subd. 11. **Solicitations to small business enterprises or veteran-owned small businesses.** Notwithstanding the contract threshold of section 471.345, subdivision 4, a contract, as defined in section 471.345, subdivision 2, estimated not to exceed \$500,000 may be made pursuant to the provisions of section 471.345, subdivision 4, provided that a business that is directly solicited is certified as either: (1) a small business enterprise; or (2) a small business that is majority-owned and operated by a veteran or a service-disabled veteran.

Sec. 9. **[383B.1587] CONSTRUCTION MANAGER AT RISK.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this subdivision have the meanings given them.

(b) "Construction manager at risk" means a person who is selected by the county to act as a construction manager to manage the construction process, including but not limited to responsibility for the price, schedule, and workmanship of the construction performed according to the procedures in this section.

(c) "Construction manager at risk contract" means a contract for construction of a project between a construction manager at risk and the county, which shall include a guaranteed maximum price, construction schedule, and workmanship of the construction performed.

(d) "Guaranteed maximum price" means the maximum amount that a construction manager at risk is paid pursuant to a contract to perform a defined scope of work.

(e) "Guaranteed maximum price contract" means a contract under which a construction manager or subcontractor is paid on the basis of the actual cost to perform the work specified in the contract plus an amount for overhead and profit, the sum of which must not exceed the guaranteed maximum price in the contract.

(f) "Past performance" or "experience" does not include the exercise or assertion of a person's legal rights.

(g) "Person" means an individual, corporation, partnership, association, or other legal entity.

(h) "Project" means an undertaking to construct, alter, or enlarge a building, structure, or other improvement, except a highway or bridge, by or for the county.

(i) "Request for proposals" means the document or publication soliciting proposals for a construction manager at risk contract as provided in this section.

(j) "Request for qualifications" means the document or publication soliciting qualifications for a construction manager at risk contract as provided in this section.

(k) "Trade contract work" means labor, materials, or equipment furnished by contractors or vendors that are incorporated into the completed project or are major components of the means of construction. Work performed by trade contractors involves specific portions of the project, but not the entire project.

Subd. 2. **Authority.** Notwithstanding any other law to the contrary, the county may use a construction manager at risk method of project delivery and award a construction manager at risk contract based on the selection criteria described in this section.

Subd. 3. **Solicitation of qualifications.** (a) A request for qualifications must be prepared for each construction manager at risk contract as provided in this section. The request for qualifications must contain, at a minimum, the following elements:

(1) procedures for submitting qualifications, the criteria and subcriteria for evaluating the qualifications and the relative weight for each criteria and subcriteria, and the procedures for making awards in an open, competitive, and objective manner, applying a scoring or trade-off evaluation method, including a reference to the requirements of this section;

(2) the proposed terms and conditions for the contract;

(3) the desired qualifications of the construction manager at risk;

(4) the schedule for commencement and completion of the project;

(5) any applicable budget limits for the project;

(6) the requirements for insurance and statutorily required performance and payment bonds; and

(7) the identification and location of any other information in the possession or control of the county that the county determines is material, including surveys, soils reports, drawings or models of existing structures, environmental studies, photographs, or references to public records.

(b) The request for qualifications criteria must not impose unnecessary conditions beyond reasonable requirements to ensure maximum participation of construction managers at risk. The criteria must not consider the collective bargaining status of the construction manager at risk.

(c) The request for qualifications criteria may include a requirement that the proposer include the cost for the proposer's services.

(d) Notice of requests for qualifications must be advertised in a manner designated by the county.

**Subd. 4. Construction manager at risk selection process.** (a) In a construction manager at risk selection process, the following applies:

(1) upon determining to utilize a construction manager at risk for a project, the county shall create a selection committee composed of a minimum of three persons, at least one of whom has construction industry expertise; and

(2) the county shall establish procedures for determining the appropriate content of a request for qualifications, as provided in subdivision 3.

(b) In accordance with the criteria and procedures set forth in the request for qualifications, the selection committee shall evaluate the experience of a proposer as a construction manager at risk, including but not limited to capacity of key personnel, technical competence, capability to perform, past performance of the firm and its employees, safety record and compliance with state and federal law, availability to and familiarity with the project locale, and other appropriate facts submitted by the proposer in response to the request for qualifications.

(c) If the county receives fewer than three proposals from construction managers, the county may:

(1) proceed as described in paragraph (d);

(2) solicit new proposals;

(3) revise the request for qualifications and then solicit new proposals using the revised request for qualifications;

(4) select another allowed procurement method;

(5) proceed with a sole proposer if the county determines the construction manager at risk marketplace is limited and the benefit of issuing a new solicitation is not practicable; or

(6) reject all proposals.

(d) The selection committee shall review the qualification of each proposer. If there is more than one proposer, the selection committee shall create a short list of two to five proposers.

(e) The county shall issue a request for proposals requiring cost and other information as desired from the short-listed proposers.



(f) The selection committee may conduct formal interviews with the short-listed proposers but shall not disclose any proprietary or confidential information contained in one proposal to another proposer, and shall rank the proposers by applying a scoring or trade-off evaluation method. The scoring or trade-off evaluation method must be described in the request for proposals.

Subd. 5. **Construction manager at risk contract.** (a) The county shall conduct contract negotiations with the highest ranked proposer to reach agreement on the cost and terms of the contract. If an agreement cannot be reached with the highest ranked proposer, the county may begin negotiations with the next highest ranked proposer. The negotiation process continues until an agreement is reached with a proposer or the county rejects all proposals.

(b) The construction manager at risk shall competitively bid all trade contract work for the project from a list of qualified firms. The list of qualified firms may be limited to qualified Small Business Enterprise and/or Disadvantaged Business Enterprise (SBE/DBE) firms, subject to availability of such qualified SBE/DBE firms for the specific work. The list of qualified firms must be based on an open, competitive, and objective prequalification process in which the selection criteria, approved by the county, may include but is not limited to the firm's experience as a constructor, including capacity of key personnel, technical competence, capability to perform, past performance of the firm and its employees, safety record and compliance with state and federal law, availability to and familiarity with the project locale, SBE/DBE certification, and other considerations as defined by the construction manager at risk and the county. The construction manager at risk and the county shall jointly determine the composition of the list of qualified firms. With the county's approval, upon request, the construction manager at risk may also submit bids for trade contract work if the construction manager at risk does not participate in the county's review of the bids or selection decision.

(c) The construction manager at risk and the county shall enter into a guaranteed maximum price contract for the project.

Sec. 10. **[412.925] NATIVE LANDSCAPES.**

(a) A statutory city or home rule charter city shall allow an owner, authorized agent, or authorized occupant of any privately owned lands or premises to install and maintain a managed natural landscape. For purposes of this section, the following terms have the meanings given:

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

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

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

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

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

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

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

Sec. 11. Minnesota Statutes 2022, section 471.345, is amended by adding a subdivision to read:

Subd. 3b. **Contracts over \$175,000; construction manager at risk alternative.** As an alternative to the procurement methods described in subdivisions 3 and 3a, municipalities may award a contract for construction, alteration, repair, or maintenance work to a construction manager at risk as provided in section 471.463.

Sec. 12. **[471.463] CONSTRUCTION MANAGER AT RISK.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this subdivision have the meanings given unless the context indicates otherwise.

(b) "Construction manager at risk" means a person who is selected by a municipality to act as a construction manager to manage the construction process, including but not limited to responsibility for the price, schedule, and workmanship of the construction performed according to the procedures in this section.

(c) "Construction manager at risk contract" means a contract for construction of a project between a construction manager at risk and a municipality, which shall include a guaranteed maximum price, construction schedule, and workmanship of the construction performed.

(d) "Municipality" has the meaning given under section 471.345, subdivision 1.

Subd. 2. **Solicitation of qualifications.** (a) A municipality may accept written requests for proposals for a construction manager at risk for its project. The written request for proposals must include:

(1) a description of the project;

(2) the estimated cost of completing the project;

(3) a description of any special requirements or unique features of the proposed project; and

(4) other information which will assist the municipality in carrying out its duties and responsibilities set forth in this section.

(b) A municipality may include in the request for qualifications criteria a requirement that the proposer include the overhead and fee that the construction manager at risk proposes to charge for its services.

(c) A municipality shall prepare a request for qualifications for each construction manager at risk contract as provided in this section. The request for qualifications shall contain, at a minimum, the information described in section 16C.34, subdivision 1, paragraph (c), clauses (2) to (7) and (9), and any other information the municipality determines is material.

(d) Notice of requests for qualifications must be advertised in a manner designated by the municipality.

Subd. 3. **Construction manager at risk contract.** A municipality shall comply with the same procedures as the commissioner of administration under section 16C.34, subdivision 3, in construction manager at risk contracts.

Subd. 4. **Exception.** This section does not apply to contracts for construction, alteration, repair, or maintenance work on any street, road, bridge, or highway.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to municipal construction manager at risk contracts solicited on or after that date.

Sec. 13. **[471.585] MUNICIPAL HOTEL LICENSING.**

(a) A statutory or home rule charter city or a town may adopt an ordinance requiring hotels operating within the boundaries of the city or town to have a valid license issued by the city or town. A fee for a license under this section may not exceed \$150.

(b) An ordinance adopted under this section is limited to requiring compliance with state and local laws as a condition of licensure. No other licensing conditions or requirements are permitted.

(c) A city or town that has adopted an ordinance under this section may refuse to issue a license, or may revoke an existing license, if the hotel fails to comply with the conditions of the license.

Sec. 14. Minnesota Statutes 2022, section 473.606, subdivision 5, is amended to read:

Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation shall have the power to appoint engineers and other consultants, attorneys, and such other officers, agents, and employees as it may see fit, who shall perform such duties and receive such compensation as the corporation may determine ~~notwithstanding the provisions of section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The corporation must adopt an affirmative action plan, which shall be submitted to the appropriate agency or office of the state for review and approval. The plan must include a yearly progress report to the agency or office. Whenever the corporation performs any work within the limits of a city of the first class, or establishes a minimum wage for skilled or unskilled labor in the specifications or any contract for work within one of the cities, the rate of pay to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that city.

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

Sec. 15. Minnesota Statutes 2022, section 473.704, subdivision 3, is amended to read:

Subd. 3. **Director; ~~to be entomologist.~~** It may employ and fix the duties and compensation of a director who shall develop the control programs of the district and shall supervise its execution; ~~such director shall be an entomologist.~~

Sec. 16. **REQUIRING CITIES TO REPORT BUILDINGS THAT DO NOT HAVE SPRINKLER SYSTEMS.**

(a) A city of the first or second class shall provide to the state fire marshal a list by June 20, 2024, and an updated list by June 30, 2027, and June 30, 2032, of each residential building in the city that:

(1) has at least one story used for human occupancy that is 75 feet or more above the lowest level of fire department vehicle access;

(2) was not subject to a requirement to include a sprinkler system at the time the building was constructed; and

(3) has not been retrofitted with a sprinkler system.

(b) The state fire marshal shall submit the lists within 60 days of the due dates under paragraph (a) to the chairs and ranking minority members of the legislative committees with jurisdiction over the State Building Code and the State Fire Code.

Sec. 17. **REPEALER.**

(a) Minnesota Statutes 2022, section 383B.143, subdivisions 2 and 3, are repealed.

(b) Minnesota Statutes 2022, section 43A.17, subdivision 9, is repealed.

**EFFECTIVE DATE.** Paragraph (b) is effective the day following final enactment.

ARTICLE 4  
MUNICIPAL BUILDING COMMISSION DISSOLUTION

Section 1. **PREEMPTION.**

This article supersedes any other law, home rule charter provision, and city ordinance to the contrary.

Sec. 2. **DEFINITIONS.**

(a) For the purposes of this article, the terms defined in this section have the meanings given unless the context indicates otherwise.

(b) "City hall and courthouse" means the city hall building and courthouse owned by the city of Minneapolis and Hennepin County and under the care and control of the Municipal Building Commission pursuant to Minnesota Statutes, sections 383B.75 to 383B.754.

(c) "Dissolution date" means the day after the Municipal Building Commission, the city of Minneapolis, and Hennepin County fully execute the transactional documents.

(d) "Municipal Building Commission" means the entity created by Minnesota Statutes, section 383B.75.

(e) "Transactional documents" means the agreements and documents, including any real estate ownership structure or joint powers agreement under Minnesota Statutes, section 471.59, needed to effectuate the efficient dissolution of the Municipal Building Commission pursuant to this act.

Sec. 3. **TRANSFER OF ASSETS.**

Notwithstanding any other law to the contrary, the transaction documents shall provide for the transfer of all assets of the Municipal Building Commission, including but not limited to all furniture, fixtures, equipment, and other personal property of the Municipal Building Commission to the city of Minneapolis or other legal entity as necessary and appropriate for the use of the assets in the ongoing operation and management of the city hall and courthouse.

Sec. 4. **MUNICIPAL BUILDING COMMISSION DISSOLUTION.**

(a) Notwithstanding any other law or home rule charter provision to the contrary, the Municipal Building Commission and all its functions will be dissolved upon the dissolution date.

(b) The transactional documents must include how the city of Minneapolis and Hennepin County will manage the outstanding liabilities of the Municipal Building Commission that exist as of the dissolution date.

**Sec. 5. TRANSACTIONAL DOCUMENTS; AGREEMENTS.**

(a) The Municipal Building Commission, city of Minneapolis, and Hennepin County may execute transactional documents to effectuate the transfer of assets and dissolution provided for in this article.

(b) The Municipal Building Commission, city of Minneapolis, and the representatives of the Municipal Building Commission employees must reach an agreement addressing the impact of a dissolution on employees before fully executing the transactional documents.

(c) The Municipal Building Commission, city of Minneapolis, and Hennepin County must fully execute the transactional documents before the filing of a certificate of local approval of this article.

**Sec. 6. REPEALER.**

Minnesota Statutes 2022, sections 383B.75; 383B.751; 383B.752; 383B.753; and 383B.754, are repealed.

**Sec. 7. EFFECTIVE DATE.**

This article is effective the day after the governing body of the city of Minneapolis and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Delete the title and insert:

"A bill for an act relating to state government; designating the state fire museum; making provisions for legislative day, legislative reports, legislative provisions, Executive Council, data practices, state civil service, ADA coordinators, and notary; defining appointing authority; providing changes covering state agencies, legislative salary council, and MMB accounting system; clarifying capital asset preservation; establishing the Office of Collaboration and Dispute Resolution and the Office of Enterprise Sustainability; changing certain state procurement provisions; making changes to state personnel management; requiring provisions for disability recruitment, hiring, and advancement; requiring accessibility standards; changing Board of Regents provisions; changing provisions for civil marriages, holidays, Mississippi River Parkway Commission, certain closed meetings proceedings, and service worker standards; changing certain information technology and cybersecurity provisions; making local government provision changes; establishing the Ramsey County and Anoka County Library Advisory Boards; establishing the construction manager at risk method of project delivery; allowing managed natural landscapes; allowing municipal hotel licensing; requiring reporting of buildings that do not have sprinkler systems; implementing the Municipal Building Commission dissolution; requiring reports; amending Minnesota Statutes 2022, sections 3.011; 3.012; 3.195, subdivision 1; 3.303, subdivision 6; 3.855, subdivisions 2, 3, 5; 3.888, subdivision 5, by adding subdivisions; 9.031, subdivision 3; 13.04, subdivision 4; 13D.02, subdivision 1; 15.0597, subdivisions 1, 4, 5, 6; 15.066, by adding a subdivision; 15A.0825, subdivisions 1, 2, 3, 4; 16A.055, by adding a subdivision; 16A.15, subdivision 3; 16A.632, subdivision 2; 16B.307, subdivision 1; 16B.33, subdivisions 1, 3, 3a, by adding a subdivision; 16B.58, by adding a subdivision; 16C.10, subdivision 2; 16C.251; 16C.32, subdivision 1; 16C.36; 16E.01, subdivisions 1a, 3, by adding a subdivision; 16E.016; 16E.03, subdivisions 2, 4a, by adding a subdivision; 43A.01, subdivision 2; 43A.02, by adding subdivisions; 43A.04, subdivisions 1a, 4, 7; 43A.06, subdivision 1; 43A.09; 43A.10, subdivisions 2a, 7; 43A.14; 43A.15, subdivision 14, by adding a subdivision; 43A.17, by adding a subdivision; 43A.18, subdivisions 1, 9; 43A.19, subdivision 1; 43A.191; 43A.21, subdivisions 1, 2, 3, by adding a subdivision; 43A.36, subdivision 1; 43A.421; 118A.09, subdivisions 1, 2, 3; 137.0245, subdivision 2, by adding a subdivision; 138.081, subdivision 3; 138.665, subdivision 2; 161.1419, subdivision 2; 179A.22, subdivision 4; 351.01, subdivision 2; 357.17; 359.04; 364.021; 364.06, subdivision 1; 383B.145, by adding a subdivision; 471.345, by adding a subdivision; 473.606, subdivision 5; 473.704, subdivision 3; 507.0945; 517.04; 645.44, subdivision 5, as amended;

proposing coding for new law in Minnesota Statutes, chapters 1; 16B; 43A; 118A; 134; 359; 383B; 412; 471; repealing Minnesota Statutes 2022, sections 15.0395; 16B.24, subdivision 13; 16E.0466, subdivision 2; 43A.17, subdivision 9; 136F.03; 179.90; 179.91; 383B.143, subdivisions 2, 3; 383B.75; 383B.751; 383B.752; 383B.753; 383B.754."

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

The report was adopted.

Newton from the Committee on Veterans and Military Affairs Finance and Policy to which was referred:

H. F. No. 1937, A bill for an act relating to state government; establishing a budget for the Department of Military Affairs and the Department of Veterans Affairs; modifying veterans bonus program and Minnesota GI bill program provisions; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 197.79, subdivisions 1, 2, by adding a subdivision; 197.791, subdivisions 5, 6, 7; Laws 2021, First Special Session chapter 12, article 1, section 37, subdivisions 1, 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
MILITARY AFFAIRS AND VETERANS AFFAIRS

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 "2024" and "2025" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2024</u></b>	<b><u>2025</u></b>
Sec. 2. <b><u>MILITARY AFFAIRS</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$45,317,000</u></b>	<b><u>\$28,009,000</u></b>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions. The base is \$27,987,000 in fiscal year 2026 and \$28,007,000 in fiscal year 2027 and each year thereafter.</u>		
Subd. 2. <b><u>Maintenance of Training Facilities</u></b>	<u>9,951,000</u>	<u>10,064,000</u>
Subd. 3. <b><u>General Support</u></b>	<u>22,125,000</u>	<u>4,703,000</u>

The base is \$4,723,000 in fiscal year 2026 and \$4,742,000 in fiscal year 2027 and each year thereafter.

(a) **MN Cyber Coordination Cell (C3)**. \$320,000 the first year and \$328,000 the second year are for administrative and payroll costs to create and operate a Cyber Coordination Cell in the Minnesota National Guard. The base is \$337,000 in fiscal year 2026 and \$345,000 in fiscal year 2027 and each year thereafter.

(b) **Holistic Health and Fitness (H2F)**. \$417,000 the first year and \$426,000 the second year are for administrative and payroll costs to create and operate Holistic Health and Fitness (H2F) initiatives across the Minnesota Army National Guard. The base is \$437,000 in fiscal year 2026 and \$448,000 in fiscal year 2027 and each year thereafter.

Subd. 4. **Enlistment Incentives**

12,939,000

12,939,000

The appropriations in this subdivision are available until June 30, 2027.

If the amount for fiscal year 2024 is insufficient, the amount for 2025 is available in fiscal year 2024. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

Subd. 5. **Emergency Services**

302,000

303,000

**Sustain Domestic Operations Communication Capabilities.** \$302,000 the first year and \$303,000 the second year are for ongoing replacement of communications systems to support domestic operations when ordered into state service by the governor. The base is \$261,000 in fiscal year 2026 and \$262,000 in fiscal year 2027.

Sec. 3. **VETERANS AFFAIRS**

Subdivision 1. **Total Appropriation**

**\$164,233,000**

**\$130,093,000**

The amounts that may be spent for each purpose are specified in the following subdivisions. The base is \$122,077,000 in fiscal year 2026 and \$123,159,000 in fiscal year 2027 and each year thereafter.

Subd. 2. **Veterans Programs and Services**

75,194,000

29,548,000

The amounts that may be spent for each purpose are specified in the following subdivisions. The base is \$28,949,000 in fiscal year 2026 and \$28,976,000 in fiscal year 2027.

(a) **State's Veterans Cemeteries.** \$2,818,000 the first year and \$2,847,000 the second year are for the operation of the state's veterans cemeteries. The base is \$2,878,000 in fiscal year 2026 and \$2,912,000 in fiscal year 2027.

(b) **Veterans Service Organizations.** \$500,000 each year is for grants to the following congressionally chartered veterans service organizations as designated by the commissioner: Disabled American Veterans, Military Order of the Purple Heart, the American Legion, Veterans of Foreign Wars, Vietnam Veterans of America, AMVETS, and Paralyzed Veterans of America. This funding must be allocated in direct proportion to the funding currently being provided by the commissioner to these organizations.

(c) **Honor Guards.** \$200,000 each year is for compensation for honor guards at the funerals of veterans under Minnesota Statutes, section 197.231.

(d) **Minnesota GI Bill.** \$200,000 each year is for the costs of administering the Minnesota GI Bill postsecondary educational benefits, on-the-job training, and apprenticeship program under Minnesota Statutes, section 197.791.

(e) **Gold Star Program.** \$100,000 each year is for administering the Gold Star Program for surviving family members of deceased veterans.

(f) **County Veterans Service Office.** \$1,550,000 each year is for funding the County Veterans Service Office grant program under Minnesota Statutes, section 197.608.

(g) **Camp Bliss.** \$150,000 each year is for a grant to Camp Bliss as provided for in section 6. The base for this appropriation in fiscal year 2026 and each year thereafter is \$75,000.

(h) **Veterans on the Lake.** \$50,000 each year is for a grant to Veterans on the Lake for expenses related to retreats for Minnesota veterans, including therapy, transportation, and activities customized for veterans. These are onetime appropriations.

(i) **Veteran Resilience Project.** \$400,000 each year is for a grant to the veteran resilience project. Grant funds must be used to make eye movement desensitization and reprocessing therapy available to veterans, veterans' spouses, current military service members, and current military service members' spouses who are suffering from posttraumatic stress disorder and trauma. To be eligible for services, a prospective client must be a resident of the state or assigned to a permanent duty station in the state pursuant to their military service. The base for this appropriation in fiscal year 2026 and each year thereafter is \$200,000.

The veteran resilience project must report to the commissioner of veterans affairs and the chairs and ranking minority members of the legislative committees with jurisdiction over veterans affairs policy and finance by January 15 of each year on the program.



The report must include an overview of the program's budget, a detailed explanation of program expenditures, the number of veterans and service members served by the program, and a list and explanation of the services provided to program participants.

(j) **Minnesota Military and Veterans Museum.** \$300,000 each year is for a grant to the Minnesota Military and Veterans Museum for museum staff to provide direct services to veterans and their families. These are onetime appropriations.

(k) **Every Third Saturday.** \$100,000 each year is for a grant to Every Third Saturday to provide veterans with emergency assistance and internships. Every Third Saturday must report to the commissioner of veterans affairs and the chairs and ranking minority members of the legislative committees with jurisdiction over veterans affairs policy and finance no later than September 1, 2024, and by September 1 of each subsequent year. Each report must include, at a minimum, a detailed explanation of how the grant money was used and the number of veterans served by the program. These are onetime appropriations.

(l) **Minnesota Military Museum at Camp Ripley.** \$17,769,000 the first year is for the design and construction of the Minnesota military museum at Camp Ripley. This appropriation is in addition to the appropriation made in Laws 2020, Fifth Special Session chapter 3, article 1, section 14, subdivision 6, for the same purposes. This is a onetime appropriation and is available until June 30, 2027.

(m) **CORE Program.** \$950,000 each year is for the Counseling and Case Management Outreach Referral and Education (CORE) program.

(n) **LinkVet Call Center.** \$373,000 each year is for the operation of the state's LinkVet Call Center.

(o) **Recently Separated Veterans Program.** \$190,000 the first year and \$170,000 the second year are for the operation of the recently separated veterans program. The commissioner of veterans affairs may use Department of Defense and other veteran data that were provided with an appropriate disclosure to assist with connecting veterans to resources and new programming. The commissioner may use money for personnel, research, marketing, technology solutions, and professional or technical contracts.

(p) **Homeless Veterans and SOAR Program.** \$770,000 each year is to operate the homeless veteran registry and homeless programs and to assist veterans, former service members, and their dependents with obtaining federal benefits through the Social Security Administration. The commissioner of veterans affairs may use money for personnel, training, research, marketing, and professional or technical contracts.

(q) **Minnesota Assistance Council for Veterans.** \$3,582,000 the first year and \$946,000 the second year are for grants to the Minnesota Assistance Council for Veterans to provide assistance throughout Minnesota to veterans and their families who are homeless or in danger of homelessness, including assistance with:

(1) supportive services to maintain housing;

(2) employment;

(3) legal issues;

(4) housing and housing-related costs;

(5) transportation;

(6) the acquisition and creation of permanent supportive housing; and

(7) property management of permanent supportive housing.

Of these amounts, \$2,582,000 the first year is for the establishment of permanent supportive housing options for homeless veterans and former service members. This is a onetime appropriation and is available until June 30, 2026. \$250,000 the first year is for the direct veteran assistance grant. This is a onetime appropriation. Any unencumbered balance remaining in this subdivision in the first year for grants to the Minnesota Assistance Council for Veterans does not cancel and is available for the second year. The base is \$946,000 in fiscal year 2026 and each year thereafter. Assistance authorized under this paragraph must be provided only to a veteran who has resided in Minnesota for 30 days prior to the veteran's application for assistance and according to other guidelines established by the commissioner. To avoid duplication of services, the commissioner must ensure that this assistance is coordinated with all other available programs for veterans.

(r) **Veterans Bonus Program.** \$22,000,000 the first year is for service bonuses to Post-9/11 Veterans and Gold Star families under Minnesota Statutes, section 197.79. This is a onetime appropriation and is available until June 30, 2024.

(s) **Veteran Homelessness Initiative.** \$4,311,000 the first year and \$1,311,000 the second year are for an initiative to prevent and end veteran homelessness.

Subd. 3. **Veterans Health Care**

89,039,000

100,545,000

(a) The base for this appropriation in fiscal year 2026 is \$93,135,000 and \$94,183,000 in fiscal year 2027 and each year thereafter.

(b) \$88,189,000 the first year and \$99,695,000 the second year may be transferred to a veterans homes special revenue account in the special revenue fund in the same manner as other receipts are deposited according to Minnesota Statutes, section 198.34, and are appropriated to the commissioner of veterans affairs for the operation of veterans homes facilities and programs. The base for this transfer is \$92,285,000 in fiscal year 2026 and \$93,333,000 in fiscal year 2027.

(c) The department shall seek opportunities to maximize federal reimbursements of Medicare-eligible expenses and provide annual reports to the commissioner of management and budget on the federal Medicare reimbursements that are received. Contingent upon future federal Medicare receipts, reductions to the veterans homes' general fund appropriation may be made.

(d) \$300,000 the first year and \$300,000 the second year are for the department to staff Veteran Community Health Navigators in community-based hospitals.

Sec. 4. Laws 2021, First Special Session chapter 12, article 1, section 37, subdivision 2, is amended to read:

Subd. 2. **Veterans Programs and Services**

27,073,000

22,153,000

(a) **CORE Program.** \$750,000 each year is for the Counseling and Case Management Outreach Referral and Education (CORE) program.

(b) **Veterans Service Organizations.** \$353,000 each year is for grants to the following congressionally chartered veterans service organizations as designated by the commissioner: Disabled American Veterans, Military Order of the Purple Heart, the American Legion, Veterans of Foreign Wars, Vietnam Veterans of America, AMVETS, and Paralyzed Veterans of America. This funding must be allocated in direct proportion to the funding currently being provided by the commissioner to these organizations.

(c) **Minnesota Assistance Council for Veterans.** \$750,000 each year is for a grant to the Minnesota Assistance Council for Veterans to provide assistance throughout Minnesota to veterans and their families who are homeless or in danger of homelessness, including assistance with the following:

- (1) utilities;
- (2) employment; and
- (3) legal issues.

The assistance authorized under this paragraph must be made only to veterans who have resided in Minnesota for 30 days prior to application for assistance and according to other guidelines established by the commissioner. In order to avoid duplication of services, the commissioner must ensure that this assistance is coordinated with all other available programs for veterans.

(d) **State's Veterans Cemeteries.** \$6,172,000 the first year and \$1,672,000 the second year are for the state's veterans cemeteries. Of these amounts, \$4,500,000 the first year is to construct and equip the new veterans cemetery in Redwood Falls.

(e) **Honor Guards.** \$200,000 each year is for compensation for honor guards at the funerals of veterans under Minnesota Statutes, section 197.231.

(f) **Minnesota GI Bill.** \$200,000 each year is for the costs of administering the Minnesota GI Bill postsecondary educational benefits, on-the-job training, and apprenticeship program under Minnesota Statutes, section 197.791.

(g) **Gold Star Program.** \$100,000 each year is for administering the Gold Star Program for surviving family members of deceased veterans.

(h) **County Veterans Service Office.** \$1,100,000 each year is for funding the County Veterans Service Office grant program under Minnesota Statutes, section 197.608.

(i) **Veteran Homelessness Initiative.** \$3,165,000 each year is for an initiative to prevent and end veteran homelessness. The commissioner of veterans affairs may provide housing vouchers and other services to alleviate homelessness among veterans and former service members in Minnesota. The commissioner may contract for program administration and may establish a vacancy reserve fund. The base for this appropriation in fiscal year 2024 and each year thereafter is \$1,311,000.

(j) **Camp Bliss.** \$75,000 each year is for a grant to Independent Lifestyles, Inc. for expenses related to retreats for veterans at Camp Bliss in Walker, Minnesota, including therapy, transportation, and activities customized for veterans.

(k) **Veterans On The Lake.** \$50,000 in the first year is for a grant to Veterans on the Lake for expenses related to retreats for veterans, including therapy, transportation, and activities customized for veterans.

(l) **Veterans Resilience Project.** \$400,000 each year is for a grant to the veterans resilience project. Grant funds must be used to make eye movement desensitization and reprocessing therapy

available to veterans ~~and veterans' spouses~~, current military service members, ~~and current military service members' spouses~~ who are suffering from posttraumatic stress disorder and trauma. The base for this appropriation in fiscal year 2024 and each year thereafter is \$200,000.

The veterans resilience project must report to the commissioner of veterans affairs and the chairs and ranking minority members of the legislative committees with jurisdiction over veterans affairs policy and finance by January 15 of each year on the program. The report must include an overview of the program's budget, a detailed explanation of program expenditures, the number of veterans and service members served by the program, and a list and explanation of the services provided to program participants.

(m) **9/11 Task Force.** \$500,000 the first year is for the Advisory Task Force on 9/11 and Global War on Terrorism Remembrance. The task force must collect, memorialize, and publish stories of Minnesotans' service in the Global War on Terrorism and impacts on their dependents. The task force must host a remembrance program in September 2021. This is a onetime appropriation.

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

Sec. 5. **CANCELLATION; FISCAL YEAR 2023.**

\$3,000,000 of the fiscal year 2023 general fund appropriation under Laws 2021, First Special Session chapter 12, article 1, section 37, subdivision 2, paragraph (i), is canceled to the general fund on June 30, 2023.

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

Sec. 6. **CAMP BLISS GRANT PROGRAM.**

Subdivision 1. **Grant program; eligibility; reimbursement requirements.** (a) The commissioner of veterans affairs shall issue a grant to Independent Lifestyles, Inc., for expenses related to retreats for eligible veterans and their family members at Camp Bliss in the city of Walker.

(b) The grant recipient may use grant money to provide therapy, transportation, and activities customized for eligible veterans and their family members.

(c) The commissioner must reimburse the grant recipient at least \$850 for each eligible veteran or family member who the commissioner verifies attended the camp and received services from the grant recipient. The commissioner shall disburse money to the grant recipient for up to two visits per year to the camp for each eligible veteran or family member.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Eligible veteran" means a Minnesota resident who is either:

(1) a former armed forces service member who has a DD-214 or other official document from the official military personnel file of the veteran that describes the honorable service of the veteran; or

(2) a current armed forces member, whether serving in the active or reserve component.

(c) "Family member" means an eligible veteran's spouse, domestic partner, and children.

ARTICLE 2  
VETERANS AFFAIRS STATUTORY CHANGES

Section 1. Minnesota Statutes 2022, section 190.19, subdivision 2a, is amended to read:

Subd. 2a. **Uses; veterans.** (a) Money appropriated to the Department of Veterans Affairs from the Minnesota "Support Our Troops" account may be used for:

- (1) grants to veterans service organizations;
- (2) outreach to underserved veterans;
- (3) providing services and programs for veterans and their families;
- (4) transfers to the vehicle services account for Gold Star license plates under section 168.1253;
- (5) grants of up to \$100,000 to any organization approved by the commissioner of veterans affairs for the purpose of supporting and improving the lives of veterans and their families;
- (6) grants to an eligible foundation; and
- (7) the agency's uncompensated burial costs for eligible dependents to whom the commissioner grants a no-fee ~~or reduced fee~~ burial in the state's veteran cemeteries pursuant to section 197.236, subdivision 9, ~~paragraph (b).~~

(b) For purposes of this subdivision, "eligible foundation" includes any organization that:

- (1) is a tax-exempt organization under section 501(c) of the Internal Revenue Code; and
- (2) is a nonprofit corporation under chapter 317A and the organization's articles of incorporation specify that a purpose of the organization includes: (i) providing assistance to veterans and their families; or (ii) enhancing the lives of veterans and their families.

Sec. 2. Minnesota Statutes 2022, section 197.236, subdivision 9, is amended to read:

Subd. 9. **Burial fees prohibited.** ~~(a) The commissioner of veterans affairs shall establish a fee schedule, which may be adjusted from time to time, for the interment of eligible spouses and dependent children. The fees shall cover as nearly as practicable the actual costs of interment, excluding the value of the plot.~~

~~(b) Upon application, the commissioner may waive or reduce the burial fee for an indigent eligible person. The commissioner shall develop a policy, eligibility standards, and application form for requests to waive or reduce the burial fee to indigent eligible applicants.~~

~~(c) No plot or interment fees may be charged for the burial of service members who die on active duty or eligible veterans, as defined in United States Code, title 38, section 101, paragraph (2) eligible persons under subdivision 8.~~

Sec. 3. Minnesota Statutes 2022, section 197.79, subdivision 1, is amended to read:

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

(a) "Applicant" means a veteran or a veteran's guardian, conservator, or personal representative or a beneficiary or a beneficiary's guardian, conservator, or personal representative who has filed an application with the commissioner for a bonus under this section.

(b) "Application" means a request for a bonus payment by a veteran, a veteran's beneficiary, or a veteran's guardian, conservator, or personal representative through submission of written information on a form designed by the commissioner for this purpose.

(c) "Beneficiary" means in relation to a deceased veteran and in the order named:

(1) the surviving spouse, if not remarried;

(2) the children of the veteran, if there is no surviving spouse or the surviving spouse has remarried;

(3) the veteran's surviving parent or parents;

(4) the veteran's surviving sibling or siblings; or

(5) the veteran's estate.

(d) "Commissioner" means the commissioner of the Department of Veterans Affairs.

(e) "Department" means the Department of Veterans Affairs.

(f) "Eligibility period for the bonus" means the period from September 11, 2001, to August 30, 2021.

(g) "Guardian" or "conservator" means the legally appointed representative of a minor or incapacitated beneficiary or veteran, the chief officer of a hospital or institution in which the incapacitated veteran is placed if the officer is authorized to accept money for the benefit of the minor or incapacitated veteran, the person determined by the commissioner to be the person who is legally charged with the responsibility for the care of the minor or incapacitated beneficiary or veteran, or the person determined by the commissioner to be the person who has assumed the responsibility for the care of the minor or incapacitated beneficiary or veteran.

(h) "Honorable service" means honorable federal service in the United States armed forces, as evidenced by:

(1) an honorable discharge;

(2) a general discharge under honorable conditions;

(3) in the case of an officer, a certificate of honorable service; or

(4) in the case of an applicant who is currently serving in active duty in the United States armed forces, a certificate from an appropriate service authority that the applicant's service to date has been honorable.

(i) "Incapacitated person" means an individual who, for reasons other than being a minor, lacks sufficient understanding or the capacity to make personal decisions and who is unable to meet the individual's own personal needs for medical care, nutrition, clothing, shelter, or safety even when assisted by appropriate technology or supported decision making.

(j) "Resident veteran" means a veteran who served in active duty in the United States armed forces at any time during the eligibility period for the bonus, and who also:

(1) has been separated or discharged from the United States armed forces, ~~and whose home of record at the time of entry into active duty in the United States armed forces, as indicated on the person's form DD-214 or other documents the commissioner may authorize, is the state of Minnesota and who resides in Minnesota at the time of~~

application with the intention of residing in the state and not for any temporary purpose. An applicant may verify a residence address by presenting a valid state driver's license; a state identification card; a voter registration card; a rent receipt; a statement by the landlord, apartment manager, or homeowner verifying that the individual is residing at the address; or other form of verification approved by the commissioner; or

(2) is currently serving in the United States armed forces, and has a certificate from an appropriate service authority stating that the person: (i) served in active duty in the United States armed forces at any time during the eligibility period for the bonus; and (ii) has Minnesota listed as the veteran's home of record in the veteran's official military personnel file.

(k) "Service connected" means caused by an injury or disease incurred or aggravated while on active duty, as determined by the United States Department of Veterans Affairs.

(l) "Veteran" has the meaning given in section 197.447 and does not include a member of the National Guard or the reserve components of the United States armed forces ordered to active duty for the sole purpose of training. Veteran also includes a person who is providing honorable service on active duty in the United States armed forces and has not been separated or discharged.

Sec. 4. Minnesota Statutes 2022, section 197.79, subdivision 2, is amended to read:

Subd. 2. **Bonus amount.** (a) For a resident veteran who provided honorable service in the United States armed forces at any time during the eligibility period for the bonus, the bonus amount is:

(1) \$600, if the veteran did not receive the Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, ~~or~~ Afghanistan Campaign Medal, or Inherent Resolve Campaign Medal during the eligibility period for the bonus;

(2) \$1200, if the veteran received the Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, ~~or~~ Afghanistan Campaign Medal, or Inherent Resolve Campaign Medal during the eligibility period for the bonus; or

(3) \$2,000, if the veteran was eligible for the Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, ~~or~~ Afghanistan Campaign Medal, or Inherent Resolve Campaign Medal during the eligibility period for the bonus, and died during that time period as a direct result of a service connected injury, disease, or condition.

(b) In the case of a deceased veteran, the commissioner shall pay the bonus to the veteran's beneficiary.

Sec. 5. Minnesota Statutes 2022, section 197.79, is amended by adding a subdivision to read:

Subd. 11. **Reapplication allowed.** Notwithstanding any law to the contrary, an eligible veteran who previously applied for a bonus under this section may reapply if the veteran either was denied a bonus or is entitled to receive a larger bonus than was originally awarded based on the amendments to this section contained in this act.

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

Sec. 6. Minnesota Statutes 2022, section 197.791, subdivision 5, is amended to read:

Subd. 5. **Educational assistance.** (a) On approval by the commissioner of eligibility for the program, the applicant shall be awarded, on a funds-available basis, the educational assistance under the program for use at any time according to program rules at any eligible institution.



(b) The amount of educational assistance in any semester or term for an eligible person must be determined by subtracting from the eligible person's cost of attendance the amount the person received or was eligible to receive in that semester or term from:

- (1) the federal Pell Grant;
- (2) the state grant program under section 136A.121; and

(3) any federal military or veterans educational benefits including but not limited to the Montgomery GI Bill, GI Bill Kicker, the federal tuition assistance program, vocational rehabilitation benefits, and any other federal benefits associated with the person's status as a veteran, except veterans disability payments from the United States Department of Veterans Affairs.

(c) The amount of educational assistance for any eligible person who is a ~~full-time~~ student must not exceed the following:

- (1) ~~\$3,000~~ \$6,000 per state fiscal year; and
- (2) ~~\$10,000~~ \$15,000 in a lifetime.

~~(d) For a part time student, the amount of educational assistance must not exceed \$500 per semester or term of enrollment. For the purpose of this paragraph, a part time undergraduate student is a student taking fewer than 12 credits or the equivalent for a semester or term of enrollment and a part time graduate student is a student considered part time by the eligible institution the graduate student is attending. The minimum award for undergraduate and graduate students is \$50 per term.~~

Sec. 7. Minnesota Statutes 2022, section 197.791, subdivision 6, is amended to read:

**Subd. 6. Apprenticeship and on-the-job training.** (a) The commissioner, in consultation with the commissioners of employment and economic development and labor and industry, shall develop and implement an apprenticeship and on-the-job training program to administer a portion of the Minnesota GI Bill program to pay benefit amounts to eligible persons, as provided in this subdivision.

(b) An "eligible employer" means an employer operating a qualifying apprenticeship or on-the-job training program that has been approved by the commissioner.

(c) A person is eligible for apprenticeship and on-the-job training assistance under this subdivision if the person is:

(1) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

(2) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

(3) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

(4) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended.

(d) The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following:

(1) \$3,000 per fiscal year for apprenticeship expenses;

(2) \$3,000 per fiscal year for on-the-job training;

(3) \$1,000 for a job placement credit payable to an eligible employer upon hiring and completion of six consecutive months' employment of a person receiving assistance under this subdivision; and

(4) \$1,000 for a job placement credit payable to an eligible employer after a person receiving assistance under this subdivision has been employed by the eligible employer for at least 12 consecutive months as a full-time employee.

(e) No more than \$5,000 in aggregate benefits under this subdivision may be paid to or on behalf of an individual in one fiscal year.

(f) If an eligible person receives benefits under subdivision 5 or 5b, the eligible person's aggregate benefits under this subdivision and subdivisions 5 and 5b must not exceed ~~\$10,000~~ \$15,000 in the eligible person's lifetime.

(g) Assistance for apprenticeship expenses and on-the-job training is available for qualifying programs, which must, at a minimum, meet the following criteria:

(1) the training must be with an eligible employer;

(2) the training must be documented and reported;

(3) the training must reasonably be expected to lead to an entry-level position; and

(4) the position must require at least six months of training to become fully trained.

Sec. 8. Minnesota Statutes 2022, section 197.791, subdivision 7, is amended to read:

**Subd. 7. Additional professional or educational benefits.** (a) The commissioner shall develop and implement a program to administer a portion of the Minnesota GI Bill program to pay additional benefit amounts to eligible persons as provided under this subdivision.

(b) A person is eligible for additional benefits under this subdivision if the person is:

(1) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

(2) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

(3) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

(4) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended.

(c) The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following amounts:

(1) \$3,000 per state fiscal year; and

(2) ~~\$10,000~~ \$15,000 in a lifetime.

(d) If an eligible person receives benefits under subdivision 5 or 5a, the eligible person's aggregate benefits under this subdivision and subdivisions 5 and 5a must not exceed ~~\$10,000~~ \$15,000 in the eligible person's lifetime.

(e) A person eligible under this subdivision may use the benefit amounts for the following purposes:

(1) licensing or certification tests, the successful completion of which demonstrates an individual's possession of the knowledge or skill required to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession, provided that the tests and the licensing or credentialing organizations or entities that offer the tests are approved by the commissioner;

(2) tests for admission to institutions of higher learning or graduate schools;

(3) national tests providing an opportunity for course credit at institutions of higher learning;

(4) a preparatory course for a test that is required or used for admission to an institution of higher education or a graduate program; and

(5) any fee associated with the pursuit of a professional or educational objective specified in clauses (1) to (4)."

Correct the title numbers accordingly

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

The report was adopted.

Lillie from the Committee on Legacy Finance to which was referred:

H. F. No. 1999, A bill for an act relating to state government; appropriating money from clean water, parks and trails, and arts and cultural heritage funds.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
OUTDOOR HERITAGE FUND

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 outdoor heritage fund for the fiscal year indicated for each purpose. The "first year" is fiscal year 2024. The "second year" is fiscal year 2025. The "biennium" is fiscal years 2024 and 2025. The appropriations in this article are onetime appropriations.

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**  
2024                      2025

**Sec. 2. OUTDOOR HERITAGE FUND**

**Subdivision 1. Total Appropriation**

**\$171,135,000**                      **\$655,000**

This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.

**Subd. 2. Prairies**

31,917,000                      -0-

**(a) Minnesota Prairie Recovery Program, Phase XIII**

\$3,856,000 the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire land in fee and restore and enhance native prairie, grasslands, wetlands, and savanna. Subject to the evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. Annual income statements and balance sheets for income and expenses from land acquired with this appropriation must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days after the close of The Nature Conservancy's fiscal year. A list of proposed land acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan and must be consistent with the priorities identified in the *Minnesota Prairie Conservation Plan*.

**(b) Martin County DNR WMA Acquisition, Phase VII**

\$2,137,000 the first year is to the commissioner of natural resources for agreements to acquire land in fee and restore and enhance strategic prairie grassland, wetland, and other wildlife habitat in Martin and Watonwan Counties for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8, as follows: \$1,670,000 to Fox Lake Conservation League Inc.; \$421,000 to Ducks Unlimited; and \$46,000 to The Conservation Fund. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(c) RIM Grasslands Reserve, Phase V**

\$2,747,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and to restore and enhance grassland habitat under Minnesota Statutes, sections 103F.501 to 103F.531. Of this amount, up to \$46,000 is

for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(d) Prairie Chicken Habitat Partnership of the Southern Red River Valley, Phase IX**

\$4,400,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever, in cooperation with the Minnesota Prairie Chicken Society, to acquire land in fee and restore and enhance lands in the southern Red River Valley for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. Subject to the evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(e) Working Lands for Habitat**

\$2,709,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements that allow long-term grazing while also protecting wildlife habitat and water quality under Minnesota Statutes, sections 103F.501 to 103F.531. Grazing plans must be developed before grazing is allowed. Of this amount, up to \$46,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(f) Accelerating the Wildlife Management Area Program, Phase XV**

\$5,216,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore and enhance lands for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to the evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(g) Accelerating the USFWS Habitat Conservation Easement Program, Phase IV**

\$5,077,000 the first year is to the commissioner of natural resources for agreements to restore and enhance wetland and prairie habitat on habitat easements of the United States Fish and

Wildlife Service as follows: \$3,391,000 to Ducks Unlimited and \$1,686,000 to Pheasants Forever. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(h) DNR Grassland Enhancement, Phase XV**

\$3,003,000 the first year is to the commissioner of natural resources to accelerate the restoration and enhancement of prairies, grasslands, and savannas in wildlife management areas, in scientific and natural areas, in aquatic management areas, on lands in the native prairie bank, in bluff prairies on state forest land in southeastern Minnesota, and in waterfowl production areas and refuge lands of the United States Fish and Wildlife Service. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(i) Enhanced Public Land - Grasslands, Phase VI**

\$2,772,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to enhance and restore grassland and wetland habitat on public lands. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**Subd. 3. Forests**

6,569,000

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**(a) Hardwood Hills Habitat Conservation Program**

\$1,894,000 the first year is to the commissioner of natural resources for agreements to acquire permanent conservation easements and restore and enhance forest habitats in the hardwood hills ecological section of west-central Minnesota as follows: \$175,000 to St. John's University and \$1,719,000 to Minnesota Land Trust. \$168,000 of the amount to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(b) Camp Ripley Sentinel Landscape Protection Program ACUB, Phase XI**

\$2,133,000 the first year is to the Board of Water and Soil Resources, in cooperation with the Morrison County Soil and Water Conservation District, to acquire permanent conservation easements and restore and enhance forest wildlife habitat within the boundaries of the Minnesota National Guard Camp Ripley Sentinel Landscape and Army Compatible Use Buffer. Up to \$111,000 to the Board of Water and Soil Resources is to establish

a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(c) Protecting and Enhancing Public Land Forest Habitats by Strategically Acquiring Private Land Inholdings**

\$1,046,000 the first year is to the commissioner of natural resources for an agreement with the Ruffed Grouse Society to protect and enhance forest habitats by strategically acquiring private forest land inholdings to provide better public forest management, reduce fragmentation, and provide public access. A list of proposed acquisitions and enhancements must be provided as part of the required accomplishment plan.

**(d) DNR Forest Habitat Enhancement, Phase III**

\$1,496,000 the first year is to the commissioner of natural resources to restore and enhance forest wildlife habitats on public lands throughout Minnesota. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

Subd. 4. **Wetlands**

33,469,000

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**(a) RIM Wetlands - Restoring the Most Productive Habitat in Minnesota, Phase XII**

\$4,122,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to \$72,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(b) Shallow Lake and Wetland Protection and Restoration Program, Phase XII**

\$7,061,000 the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to restore and enhance prairie lands, wetlands, and land that buffers shallow lakes. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(c) Wetland Habitat Protection and Restoration Program, Phase VIII**

\$3,012,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and restore and enhance prairie, wetland, and other habitat on permanently protected conservation

easements in high-priority wetland habitat complexes in the prairie, forest/prairie transition, and forest regions. Of this amount, up to \$168,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(d) Accelerating the Waterfowl Production Area Acquisition Program, Phase XIV**

\$5,231,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever, in cooperation with the United States Fish and Wildlife Service, to acquire land in fee and restore and enhance wetlands and grasslands to be designated and managed as waterfowl production areas in Minnesota. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(e) Wetland Enhancement in the Big Woods**

\$619,000 the first year is to the commissioner of natural resources for an agreement with Scott-Le Sueur Waterfowlers to restore and enhance wetlands in Scott and Rice Counties. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(f) Living Shallow Lakes and Wetlands Enhancement and Restoration Initiative, Phase IX**

\$6,634,000 the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to restore and enhance shallow lakes, wetlands, and grasslands on public lands and wetlands and grasslands under permanent conservation easement for wildlife management. A list of proposed shallow-lake enhancements and wetland restorations must be provided as part of the required accomplishment plan.

**(g) Voyageurs National Park Wetland Restoration Project, Phase III**

\$1,153,000 the first year is to the commissioner of natural resources for an agreement with the National Park Service to restore and enhance wetland and lacustrine habitat in Voyageurs National Park. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(h) Accelerated Shallow Lakes and Wetland Enhancement, Phase XV**

\$3,695,000 the first year is to the commissioner of natural resources to enhance and restore shallow lakes and wetland habitat statewide. A list of proposed shallow lake and wetland restorations and enhancements must be provided as part of the required accomplishment plan.



**(i) Bone Lake South Wetland Acquisition**

\$1,942,000 the first year is to the commissioner of natural resources for an agreement with the Comfort Lake-Forest Lake Watershed District to acquire in fee and restore and enhance lands for wildlife and water quality purposes in the Bone Lake watershed. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**Subd. 5. Habitats**97,349,000-0-**(a) Hennepin County Habitat Conservation Program, Phase III**

\$4,649,000 the first year is to the commissioner of natural resources for agreements to acquire permanent conservation easements and to restore and enhance wildlife habitat in Hennepin County as follows: \$1,687,000 to Hennepin County and \$2,962,000 to Minnesota Land Trust. \$216,000 of the amount to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(b) Anoka Sand Plain Habitat Conservation, Phase VIII**

\$3,269,000 the first year is to the commissioner of natural resources for agreements to acquire permanent conservation easements and to restore and enhance wildlife habitat on public lands and easements in the Anoka Sand Plain ecoregion and intersecting minor watersheds as follows: \$802,000 to the Anoka Conservation District; \$839,000 to Great River Greening; \$175,000 to the National Wild Turkey Federation; \$280,000 to Sherburne County; and \$1,173,000 to Minnesota Land Trust. \$144,000 of the amount to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(c) Accelerating Habitat Conservation in Southwest Minnesota, Phase II**

\$3,071,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance high-quality wildlife habitat in southwest Minnesota. Of this amount, up to \$168,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and

subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(d) Buffalo-Red River Watershed District Stream Habitat Program, Phase III**

\$3,748,000 the first year is to acquire permanent conservation easements and restore and enhance aquatic and upland habitat associated with the Red River and Buffalo River watersheds. Of this amount, \$2,250,000 is to the commissioner of natural resources for an agreement with the Buffalo-Red River Watershed District and \$1,498,000 is to the Board of Water and Soil Resources. \$102,000 of the amount to the Board of Water and Soil Resources is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions and restorations must be included as part of the required accomplishment plan.

**(e) Southeast Minnesota Protection and Restoration, Phase XI**

\$3,675,000 the first year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance wildlife habitat on public lands and permanent conservation easements in southeast Minnesota as follows: \$1,311,000 to The Nature Conservancy; \$942,000 to Trust for Public Land; and \$1,422,000 to Minnesota Land Trust. \$168,000 of the amount to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(f) Protecting Minnesota's Lakes of Outstanding Biological Significance, Phase II**

\$3,648,000 the first year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance lakes of outstanding biological significance in northeast and north-central Minnesota. Of this amount, \$1,507,000 is to Northern Waters Land Trust and \$2,141,000 is to Minnesota Land Trust. \$192,000 of the amount to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(g) Fisheries Habitat Protection on Strategic North-Central Minnesota Lakes, Phase IX**

\$3,719,000 the first year is to the commissioner of natural resources for agreements to acquire land in fee and in permanent conservation easements and to restore and enhance wildlife habitat to sustain healthy fish habitat on coldwater lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties as follows: \$1,777,000 to Northern Waters Land Trust and \$1,942,000 to Minnesota Land Trust. Up to \$168,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of acquisitions must be provided as part of the required accomplishment plan.

**(h) DNR Wildlife Management Area and Scientific and Natural Area Acquisition, Phase XV**

\$2,340,000 the first year is to the commissioner of natural resources to acquire in fee and restore and enhance lands for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5. Subject to the evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(i) DNR Trout Stream Conservation Easements, Phase III**

\$1,043,000 the first year is to the commissioner of natural resources to acquire land in permanent conservation easements to protect trout-stream aquatic habitat. Of this amount, up to \$120,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the required accomplishment plan.

**(j) Metro Big Rivers, Phase XIII**

\$15,339,000 the first year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance natural habitat systems associated with the Mississippi, Minnesota, and St. Croix Rivers and their tributaries in the metropolitan area as follows: \$700,000 to Minnesota Valley Trust; \$540,000 to Friends of the Mississippi River; \$928,000 to Great River Greening; \$11,171,000 to Trust for Public Land; and \$2,000,000 to Minnesota Land Trust.

Up to \$192,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(k) St. Croix Watershed Habitat Protection and Restoration, Phase IV**

\$13,306,000 the first year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance natural habitat systems in the St. Croix River watershed as follows: \$11,171,000 to Trust for Public Land; \$105,000 to Wild Rivers Conservancy; and \$2,030,000 to Minnesota Land Trust. Up to \$168,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(l) Shell Rock River Watershed Habitat Restoration Program, Phase XII**

\$2,198,000 the first year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire land in fee and to restore and enhance habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(m) Integrating Habitat and Clean Water, Phase II**

\$3,269,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and restore and enhance wildlife habitat identified in One Watershed, One Plan for stacked benefit to wildlife and clean water. Up to \$85,000 of the amount is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(n) Cannon River Watershed Habitat Restoration and Protection Program, Phase XII**

\$2,981,000 the first year is to the commissioner of natural resources for agreements to acquire lands in fee and restore and enhance wildlife habitat in the Cannon River watershed as follows: \$119,000 to Clean River Partners; \$994,000 to Great River Greening; and \$1,868,000 to Trust for Public Land. A list of proposed land acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(o) Enhance Metro and Southeast Minnesota Trout Stream Habitats, Phase II**

\$1,690,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore and enhance habitat for trout and other species in and along coldwater rivers, lakes, and streams in the metro and southeast regions of Minnesota. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(p) Lake Nokomis Shoreline Enhancements for Turtles and Pollinators, Phase II**

\$755,000 the first year is to the commissioner of natural resources for an agreement with the Minneapolis Park and Recreation Board to enhance shoreline and upland habitat on Lake Nokomis. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(q) Upper Sioux Community Habitat Restoration**

\$966,000 the first year is to the commissioner of natural resources for an agreement with the Upper Sioux Community to restore and enhance oak savanna, forest, prairie, and other wildlife habitats on Tribal lands. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(r) Rum River Corridor Fish and Wildlife Habitat Enhancement, Phase II**

\$1,699,000 the first year is to the commissioner of natural resources for an agreement with the Anoka County Soil and Water Conservation District to restore and enhance upland and riverine habitat in the Rum River corridor. A list of proposed enhancements and restorations must be provided as part of the required accomplishment plan.

**(s) Restoring and Enhancing Minnesota's Important Bird Areas in the St. Croix River Valley**

\$1,034,000 the first year is to the commissioner of natural resources for an agreement with Audubon Minnesota to restore and enhance wildlife habitat in important bird areas and other priority wildlife areas in the St. Croix River Valley. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(t) DNR St. Louis River Restoration Initiative, Phase X**

\$2,596,000 the first year is to the commissioner of natural resources to restore and enhance priority aquatic, riparian, and forest habitats in the St. Louis River estuary. Of this amount, up to

\$140,000 is for an agreement with Minnesota Land Trust. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(u) DNR Aquatic Habitat Restoration and Enhancement, Phase XI**

\$4,122,000 the first year is to the commissioner of natural resources to restore and enhance aquatic habitat in degraded streams and aquatic management areas and to facilitate fish passage. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(v) DNR Roving Crew, Phase II**

\$8,732,000 the first year is to the commissioner of natural resources to restore and enhance fish and wildlife habitat on permanently protected lands throughout Minnesota using the roving crew program of the Department of Natural Resources. A list of restoration and enhancement projects must be provided as part of the required accomplishment plan.

**(w) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat, Phase XV**

\$9,500,000 the first year is to the commissioner of natural resources for a program to provide competitive matching grants of up to \$500,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, at least \$2,500,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater and at least \$3,000,000 is for grants to applicants that have not previously applied for money from the outdoor heritage fund. Grants must not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants must not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$1,000,000. Of the total appropriation, \$450,000 may be spent for personnel costs, outreach and support to first-time applicants, and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner must provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources must, when evaluating projects of equal value, give priority to organizations that have a history of receiving, or a charter to receive, private contributions for local conservation or habitat projects. All restoration or enhancement

projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2026. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner must provide notice of the grant program in the summary of game and fish law prepared under Minnesota Statutes, section 97A.051, subdivision 2.

**Subd. 6. Administration**

1,831,000

655,000

**(a) Contract Management**

\$336,000 the first year is to the commissioner of natural resources for contract management duties assigned in this section. The commissioner must provide an accomplishment plan in the form specified by the Lessard-Sams Outdoor Heritage Council on expending this appropriation. The accomplishment plan must include a copy of the grant contract template and reimbursement manual. No money may be expended before the Lessard-Sams Outdoor Heritage Council approves the accomplishment plan. Money appropriated in this paragraph is available until June 30, 2025.

**(b) Legislative Coordinating Commission**

\$634,000 the first year and \$651,000 the second year are to the Legislative Coordinating Commission for administrative expenses of the Lessard-Sams Outdoor Heritage Council and for compensating and reimbursing expenses of council members. This appropriation is available until June 30, 2025. Minnesota Statutes, section 16A.281, applies to this appropriation.

**(c) Technical Evaluation Panel**

\$190,000 the first year is to the commissioner of natural resources for a technical evaluation panel to conduct up to 25 restoration and enhancement evaluations under Minnesota Statutes, section 97A.056, subdivision 10. This appropriation is available until June 30, 2025.

**(d) Core Functions in Partner-Led OHF Land Acquisitions**

\$668,000 the first year is to the commissioner of natural resources to administer the initial development, restoration, and enhancement of fee title acquisitions funded through the outdoor heritage fund.

Money may be used for land acquisition costs incurred by the department as part of conveying parcels to the Department of Natural Resources and for initial development activities on fee title acquisitions. This appropriation is available until June 30, 2026.

**(e) Legacy Website**

\$3,000 the first year and \$4,000 the second year are to the Legislative Coordinating Commission for the website required under Minnesota Statutes, section 3.303, subdivision 10.

**Subd. 7. Availability of Appropriation**

(a) Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Money appropriated to acquire land in fee title may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

(b) Money appropriated in this section is available as follows:

(1) money appropriated to acquire real property is available until June 30, 2027;

(2) money appropriated to restore and enhance land acquired with an appropriation in this article is available for four years after the acquisition date with a maximum end date of June 30, 2031;

(3) money appropriated to restore and enhance other land is available until June 30, 2028;

(4) notwithstanding clauses (1) to (3), money appropriated for a project that receives at least 15 percent of its funding from federal funds is available until a date sufficient to match the availability of federal funding to a maximum of six years if the federal funding was confirmed and included in the original approved draft accomplishment plan; and

(5) money appropriated for other projects is available until the end of the fiscal year in which it is appropriated.

**Subd. 8. Payment Conditions and Capital Equipment Expenditures**

All agreements referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures



directly related to each appropriation's purpose made on or after July 1, 2023, or the date of accomplishment plan approval, whichever is later, are eligible for reimbursement unless otherwise provided in this section. For purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund, an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice or binding agreement with the landowner and the recipient attests that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash-flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items over \$10,000 must be itemized in and approved as part of the accomplishment plan.

**Subd. 9. Mapping**

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded under this section, must provide geographic information to the Lessard-Sams Outdoor Heritage Council to map any lands that are acquired in fee with money appropriated in this section and open to public taking of fish and game. The commissioner of natural resources must include the lands acquired in fee with money appropriated in this section on maps showing public recreation opportunities. Maps must include information on and acknowledgment of the outdoor heritage fund, including a notation of any restrictions.

**Subd. 10. Opportunities for Youth**

(a) Each direct recipient of money appropriated in this section and each recipient of a grant awarded pursuant to this section must contact the commissioner of natural resources in writing to determine whether opportunities to coordinate with recipients of grants under Minnesota Statutes, section 84.976, or other opportunities providing training and education to racially, ethnically, and economically diverse youth in the practical implementation of conservation practices that protect, restore, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife are available when implementing the projects funded in this section.

(b) Each direct recipient of money appropriated in this section and each recipient of a grant awarded pursuant to this section must contact Conservation Corps Minnesota in writing and consider use of their restoration and enhancement services.

(c) A copy of the written contacts required under this subdivision must be filed with the Lessard-Sams Outdoor Heritage Council within 15 days of execution.

**Subd. 11. Carryforward**

(a) The availability of the appropriation under Laws 2016, chapter 172, article 1, section 2, subdivision 5, paragraph (j), Roseau Lake Rehabilitation, is extended to June 30, 2024.

(b) The availability of the appropriation under Laws 2017, chapter 91, article 1, section 2, subdivision 2, paragraph (g), Reinvest in Minnesota (RIM) Buffers for Wildlife and Water - Phase VII, is extended to June 30, 2025.

(c) The availability of the appropriation under Laws 2018, chapter 208, article 1, section 2, subdivision 5, paragraph (i), Lower Mississippi River Habitat Partnership - Phase IV, is extended to June 30, 2027.

(d) The availability of the appropriation under Laws 2018, chapter 208, section 2, subdivision 5, paragraph (n), Buffalo River Watershed Stream Habitat Program, is extended to June 30, 2025.

(e) The availability of the appropriation under Laws 2020, chapter 104, article 1, section 2, subdivision 5, paragraph (a), Protecting Coldwater Fisheries on Minnesota's North Shore, is extended to June 30, 2025.

(f) The availability of the appropriation under Laws 2020, chapter 104, article 1, section 2, subdivision 5, paragraph (h), Hennepin County Habitat Conservation Program - Phase II, is extended to June 30, 2025.

(g) The availability of the appropriation under Laws 2022, chapter 77, article 1, section 2, subdivision 6, paragraph (a), Contract Management, is extended to June 30, 2024.

(h) The availability of the appropriation under Laws 2022, chapter 77, article 1, section 2, subdivision 6, paragraph (b), Technical Evaluation Panel, is extended to June 30, 2024.

**EFFECTIVE DATE.** Subdivision 11 is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2022, section 97A.056, subdivision 2, is amended to read:

Subd. 2. **Lessard-Sams Outdoor Heritage Council.** (a) The Lessard-Sams Outdoor Heritage Council of 12 members is created in the legislative branch, consisting of:

(1) two public members appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration;

(2) two public members appointed by the speaker of the house;

(3) four public members appointed by the governor;

(4) two members of the senate appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration; and

(5) two members of the house of representatives appointed by the speaker of the house.

(b) Members appointed under paragraph (a) must not be registered lobbyists. In making appointments, the governor, senate Subcommittee on Committees of the Committee on Rules and Administration, and the speaker of the house shall consider geographic balance, gender, age, ethnicity, and varying interests including hunting and fishing. The governor's appointments to the council are subject to the advice and consent of the senate.

(c) Public members appointed under paragraph (a) shall have practical experience or expertise or demonstrated knowledge in the science, policy, or practice of restoring, protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife.

(d) Legislative members appointed under paragraph (a) shall include the chairs of the legislative committees with jurisdiction over environment and natural resources finance or their designee, one member from the minority party of the senate, and one member from the minority party of the house of representatives.

(e) Public members serve four-year terms. Appointed legislative members serve at the pleasure of the appointing authority. Public and legislative members continue to serve until their successors are appointed. Public members shall be initially appointed according to the following schedule of terms:

(1) two public members appointed by the governor for a term ending the first Monday in January 2011;

(2) one public member appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration for a term ending the first Monday in January 2011;

(3) one public member appointed by the speaker of the house for a term ending the first Monday in January 2011;

(4) two public members appointed by the governor for a term ending the first Monday in January 2013;

(5) one public member appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration for a term ending the first Monday in January 2013; and

(6) one public member appointed by the speaker of the house for a term ending the first Monday in January 2013.

(f) Terms, compensation, and removal of public members are as provided in section 15.0575, except that a public member may be compensated at the rate of up to \$125 a day. A vacancy on the council may be filled by the appointing authority for the remainder of the unexpired term.

(g) Members shall elect a chair, vice-chair, secretary, and other officers as determined by the council. The chair may convene meetings as necessary to conduct the duties prescribed by this section.

(h) The Legislative Coordinating Commission may appoint nonpartisan staff and contract with consultants as necessary to support the functions of the council. The council has final approval authority for the hiring of a candidate for executive director. Up to one percent of the money appropriated from the fund may be used to pay for administrative expenses of the council and for compensation and expense reimbursement of council members.

Sec. 4. Minnesota Statutes 2022, section 97A.056, subdivision 11, is amended to read:

Subd. 11. **Recipient requirements.** (a) A state agency or other recipient of a direct appropriation from the outdoor heritage fund must compile and submit all information for funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative

Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the website required under section 3.303, subdivision 10, as soon as it becomes available.

(b) When practicable, a direct recipient of an appropriation from the outdoor heritage fund shall prominently display on the recipient's website home page the legacy logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the website must direct the person to a web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission website required under section 3.303, subdivision 10.

(c) Future eligibility for money from the outdoor heritage fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of money from the outdoor heritage fund has not complied with the laws, rules, or regulations in this section or other laws applicable to the recipient, the recipient must be listed in an annual report to the legislative committees with jurisdiction over the legacy funds. The list must be publicly available. The legislative auditor shall remove a recipient from the list upon determination that the recipient is in compliance. A recipient on the list is not eligible for future funding from the outdoor heritage fund until the recipient demonstrates compliance to the legislative auditor.

(d) A project or program receiving funding from the outdoor heritage fund must include an assessment of whether the funding celebrates cultural diversity or reaches diverse communities in Minnesota.

Sec. 5. Minnesota Statutes 2022, section 97A.056, subdivision 22, is amended to read:

Subd. 22. **Revenues.** (a) A recipient must disclose to the Lessard-Sams Outdoor Heritage Council and the commissioner all revenues that are received by the recipient before the availability of the appropriation ends and that are generated from activities on land acquired in fee title or easement, restored, or enhanced with money from the outdoor heritage fund. The revenues must be disclosed to the council and commissioner no later than ~~60~~ 90 days after the availability of the appropriation ends.

(b) For all revenues disclosed under paragraph (a), a recipient must:

(1) use the revenues to protect, restore, or enhance wetlands, prairies, forests, or habitat for fish, game, or wildlife according to the appropriation purposes and the approved accomplishment plan;

(2) use the revenues for other purposes as approved in the accomplishment plan by the Lessard-Sams Outdoor Heritage Council; or

(3) transfer the revenues to the outdoor heritage fund no later than ~~60~~ 90 days after the availability of the appropriation ends, unless otherwise approved by the council.

(c) Paragraph (b), clause (3), does not apply to the state and its departments and agencies.

Sec. 6. Laws 2020, chapter 104, article 1, section 2, subdivision 5, as amended by Laws 2021, First Special Session chapter 1, article 1, section 4, is amended to read:

Subd. 5. **Habitats**

-0-

55,429,000

**(a) Protecting Coldwater Fisheries on Minnesota's North Shore**

\$1,809,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance

wildlife habitat in priority coldwater tributaries to Lake Superior. Of this amount, up to ~~\$144,000~~ \$240,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(b) Metro Big Rivers - Phase X**

\$6,473,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance natural habitat systems associated with the Mississippi, Minnesota, and St. Croix Rivers and their tributaries in the metropolitan area. Of this amount, \$801,000 is to Minnesota Valley National Wildlife Refuge Trust Inc., \$300,000 is to Friends of the Mississippi River, \$366,000 is to Great River Greening, \$3,406,000 is to The Trust for Public Land, and \$1,600,000 is to Minnesota Land Trust. Up to \$144,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(c) Resilient Habitat for Heritage Brook Trout**

\$2,266,000 the second year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance habitat in targeted watersheds of southeast Minnesota to improve heritage brook trout and coldwater communities. Of this amount, \$350,000 is to The Nature Conservancy, \$258,000 is to Trout Unlimited, \$857,000 is to The Trust for Public Land, and \$801,000 is to Minnesota Land Trust. Up to \$96,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(d) Fisheries Habitat Protection on Strategic North Central Minnesota Lakes - Phase VI**

\$2,814,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance wildlife habitat to sustain healthy fish habitat on coldwater lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties. Of this amount, \$883,000 is to Northern Waters Land Trust and \$1,931,000 is to Minnesota Land Trust. Up to \$192,000 to Minnesota Land Trust is to

establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of acquisitions must be provided as part of the required accomplishment plan.

**(e) Accelerating Habitat Conservation in Southwest Minnesota**

\$3,044,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance high-quality wildlife habitat in southwest Minnesota. Of this amount, up to \$144,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(f) Targeted RIM Easement Program to Individual Parcel: Pine and Leech Watersheds - Phase I**

\$2,458,000 the second year is to the Board of Water and Soil Resources to acquire and restore permanent conservation easements of high-quality forest, wetland, and shoreline habitat. Of this amount, \$164,000 is for an agreement with the Crow Wing County Soil and Water Conservation District. Up to \$97,000 of the total amount is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(g) Mississippi Headwaters Habitat Corridor Project - Phase V**

\$3,695,000 the second year is to acquire lands in fee and conservation easement and restore wildlife habitat in the Mississippi headwaters as follows:

(1) \$2,177,000 is to the commissioner of natural resources for agreements as follows: \$69,000 to the Mississippi Headwaters Board and \$2,108,000 to The Trust for Public Land; and

(2) \$1,518,000 is to the Board of Water and Soil Resources, of which up to \$175,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17.

A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(h) Hennepin County Habitat Conservation Program - Phase II**

\$3,155,000 the second year is to the commissioner of natural resources for agreements with Hennepin County, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and to restore and enhance habitats in Hennepin County as follows: \$446,000 to Hennepin County and \$2,709,000 to Minnesota Land Trust. Up to \$264,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(i) Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase XII**

\$1,474,000 the second year is to the commissioner of natural resources for an agreement with Trout Unlimited to restore and enhance habitat for trout and other species in and along coldwater rivers, lakes, and streams in Minnesota. A list of proposed land acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(j) DNR Aquatic Habitat Restoration and Enhancement - Phase III**

\$3,790,000 the second year is to the commissioner of natural resources to restore and enhance aquatic habitat in degraded streams and aquatic management areas and to facilitate fish passage. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(k) St. Louis River Restoration Initiative - Phase VII**

\$2,280,000 the second year is to the commissioner of natural resources to restore priority aquatic and riparian habitats in the St. Louis River estuary. A list of proposed restorations must be provided as part of the required accomplishment plan.

**(l) Knife River Habitat Rehabilitation - Phase V**

\$700,000 the second year is to the commissioner of natural resources for an agreement with Zeitgeist, a nonprofit corporation, in cooperation with the Lake Superior Steelhead Association, to restore and enhance trout habitat in the Knife River watershed. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(m) Shell Rock River Watershed Habitat Restoration Program - Phase IX**

\$1,918,000 the second year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire lands in fee and to restore and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed

acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(n) Rum River Wildlife and Fish Habitat Enhancement Using Bioengineered Bank Stabilization**

\$816,000 the second year is to the commissioner of natural resources for an agreement with the Anoka County Soil and Water Conservation District to restore and enhance riverine habitat in the Rum River using eco-sensitive, habitat-building, and bioengineering approaches. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(o) Roseau River Habitat Restoration**

\$3,036,000 the second year is to the commissioner of natural resources for an agreement with the Roseau River Watershed District to restore and enhance riverine habitat in the Roseau River and the Roseau River Wildlife Management Area.

**(p) Sauk River Watershed Habitat Protection and Restoration - Phase II**

\$3,926,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance wildlife habitat in the Sauk River watershed as follows: \$430,000 to the Sauk River Watershed District, \$2,073,000 to Pheasants Forever, and \$1,423,000 to Minnesota Land Trust. Up to \$168,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of acquisitions must be provided as part of the required accomplishment plan.

**(q) Southeast Wetland Restoration**

\$1,351,000 the second year is to the commissioner of natural resources for an agreement with the city of Mankato to acquire land in fee in the city of Mankato for wetland and grassland restoration. A list of acquisitions must be provided as part of the required accomplishment plan.

**(r) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat - Phase XII**

\$10,424,000 the second year is to the commissioner of natural resources for a program to provide competitive matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount,



at least \$3,250,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or more. Grants must not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants must not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of the total appropriation, \$475,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner must provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources must, when evaluating projects of equal value, give priority to organizations that have a history of receiving, or a charter to receive, private contributions for local conservation or habitat projects. For grant requests to acquire land in fee or a conservation easement, the commissioner must give priority to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement or public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2024. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner must provide notice of the grant program in the summary of game and fish law prepared under Minnesota Statutes, section 97A.051, subdivision 2.

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

## ARTICLE 2 CLEAN WATER FUND

### Section 1. **CLEAN WATER FUND 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 clean water fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2024" and "2025" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. These are onetime appropriations.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2024</u></b>	<b><u>2025</u></b>

Sec. 2. **CLEAN WATER FUND**

Subdivision 1. **Total Appropriation**

**\$158,897,000**

**\$158,499,000**

This appropriation is from the clean water fund. The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. **Availability of Appropriation**

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget *MMB Guidance to Agencies on Legacy Fund Expenditure*. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2024 appropriations are available until June 30, 2025, and fiscal year 2025 appropriations are available until June 30, 2026. If a project receives federal funds, the period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. **Disability Access**

Where appropriate, grant recipients of clean water funds, in consultation with the Council on Disability and other appropriate governor-appointed disability councils, boards, committees, and commissions, should make progress toward providing people with disabilities greater access to programs, print publications, and digital media related to the programs the recipient funds using appropriations made in this article.

Subd. 4. **Increasing Diversity in Environmental Careers**

Agencies should work to provide opportunities that encourage a diversity of students to pursue careers in environment and natural resources when implementing appropriations in this article.

Sec. 3. **DEPARTMENT OF AGRICULTURE**

**\$20,839,000**

**\$20,839,000**

(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess

pesticide use practices. This appropriation is available until June 30, 2028.

(b) \$3,000,000 the first year and \$3,000,000 the second year are for monitoring and evaluating trends in the concentration of nitrate in groundwater; promoting, developing, and evaluating regional and crop-specific nutrient best management practices, cover crops, and other vegetative cover; assessing adoption of best management practices and other recommended practices; education and technical support from University of Minnesota Extension; grants to support agricultural demonstration and implementation activities, including research activities at the Rosholt Research Farm; and other actions to protect groundwater from degradation from nitrate. This appropriation is available until June 30, 2028.

(c) \$4,799,000 the first year and \$4,799,000 the second year are for the agriculture best management practices loan program. Any unencumbered balance at the end of the second year must be added to the corpus of the loan fund.

(d) \$1,500,000 the first year and \$1,500,000 the second year are for technical assistance; research, demonstration, and promotion projects on properly implementing best management practices and vegetative cover; and more-precise information on nonpoint contributions to impaired waters and for grants to support on-farm demonstration of agricultural practices. This appropriation is available until June 30, 2028.

(e) \$40,000 the first year and \$40,000 the second year are for maintenance of the Minnesota Water Research Digital Library. Costs for information technology development or support for the digital library may be paid to the Office of MN.IT Services. This appropriation is available until June 30, 2028.

(f) \$3,500,000 the first year and \$3,500,000 the second year are to implement the Minnesota agricultural water quality certification program statewide. This appropriation is available until June 30, 2028.

(g) \$150,000 the first year and \$150,000 the second year are for a regional irrigation water quality specialist through University of Minnesota Extension. This appropriation is available until June 30, 2028.

(h) \$3,000,000 the first year and \$3,000,000 the second year are for grants to the Board of Regents of the University of Minnesota to fund the Forever Green agriculture initiative and to protect the state's natural resources while increasing the efficiency, profitability, and productivity of Minnesota farmers by incorporating perennial and winter-annual crops into existing agricultural practices. This appropriation is available until June 30, 2028.

(i) \$500,000 the first year and \$500,000 the second year are for testing drinking-water wells for pesticides and establishing a mitigation program for water treatment of contaminated wells. This appropriation is available until June 30, 2028.

(j) \$1,750,000 the first year and \$1,750,000 the second year are for conservation equipment assistance grants to purchase equipment or items to retrofit existing equipment that has climate and water quality benefits. This appropriation is available until June 30, 2028.

(k) \$1,500,000 the first year and \$1,500,000 the second year are for expanding the existing state weather station and soil temperature network to provide accurate and timely weather data to optimize the timing of irrigation, fertilizer, pesticide, and manure applications and support land management decisions. This appropriation is available until June 30, 2028.

(l) \$750,000 the first year and \$750,000 the second year are for grants for research and demonstration sites and projects to evaluate, develop, demonstrate, and promote regional and animal-specific recommendations for manure crediting and to develop or revise manure best management practices through University of Minnesota Extension. This appropriation is available until June 30, 2028.

Sec. 4. **POLLUTION CONTROL AGENCY**

**\$24,187,000**

**\$24,188,000**

(a) \$9,050,000 the first year and \$9,050,000 the second year are for completing needed statewide assessments of surface water quality and trends according to Minnesota Statutes, chapter 114D.

(b) \$6,350,000 the first year and \$6,350,000 the second year are to update watershed restoration and protection strategies, which include total maximum daily load (TMDL) studies and TMDL implementation plans according to Minnesota Statutes, chapter 114D, for waters on the impaired waters list approved by the United States Environmental Protection Agency.

(c) \$1,000,000 the first year and \$1,000,000 the second year are for groundwater assessment, including enhancing the ambient monitoring network, modeling, evaluating trends.

(d) \$750,000 the first year and \$750,000 the second year are for implementing the St. Louis River System Area of Concern remedial action plan.

(e) \$1,500,000 the first year and \$1,500,000 the second year are for national pollutant discharge elimination system wastewater and stormwater TMDL implementation efforts.

(f) \$3,550,000 the first year and \$3,550,000 the second year are for enhancing the county-level delivery systems for subsurface sewage treatment system (SSTS) activities necessary to implement Minnesota Statutes, sections 115.55 and 115.56, for protecting groundwater. This appropriation includes base grants for all counties with SSTS programs. Counties that receive base grants must report the number of properties with noncompliant systems upgraded through an SSTS replacement, connection to a centralized sewer system, or other means, including property abandonment or buyout. Counties also must report the number of existing SSTS compliance inspections conducted in areas under county jurisdiction. The required reports must be part of the established annual reporting for SSTS programs. Of this amount, at least \$900,000 each year is available to counties for grants to low-income landowners to address systems that pose an imminent threat to public health or safety or fail to protect groundwater. A county receiving a grant under this paragraph must submit a report to the agency listing the projects funded, including an account of the expenditures.

(g) \$650,000 the first year and \$650,000 the second year are for activities and grants that reduce chloride pollution.

(h) \$337,000 the first year and \$338,000 the second year are to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1.

(i) \$1,000,000 the first year and \$1,000,000 the second year are for a grant program for sanitary sewer projects that are included in the draft or any updated *Voyageurs National Park Clean Water Project Comprehensive Plan* to restore the water quality of waters in Voyageurs National Park. Grants must be awarded to local government units for projects approved by the Voyageurs National Park Clean Water Joint Powers Board and must be matched by at least 25 percent from sources other than the clean water fund.

(j) Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations in this section are available until June 30, 2028.

Sec. 5. **DEPARTMENT OF NATURAL RESOURCES**

**\$12,780,000**

**\$12,780,000**

(a) \$2,550,000 the first year and \$2,550,000 the second year are for streamflow monitoring.

(b) \$1,450,000 the first year and \$1,450,000 the second year are for lake Index of Biological Integrity (IBI) assessments.

(c) \$455,000 the first year and \$455,000 the second year are for assessing mercury and other fish contaminants, including PFAS compounds, and monitoring to track the status of impaired waters over time.

(d) \$2,150,000 the first year and \$2,150,000 the second year are for developing targeted, science-based watershed restoration and protection strategies and for technical assistance for local governments.

(e) \$2,000,000 the first year and \$2,000,000 the second year are for water-supply planning, aquifer protection, and monitoring activities and analysis.

(f) \$1,600,000 the first year and \$1,600,000 the second year are for technical assistance to support local implementation of nonpoint source restoration and protection activities and targeted forest stewardship for water quality.

(g) \$650,000 the first year and \$650,000 the second year are for applied research and tools, including maintaining and updating spatial data for watershed boundaries, streams, and water bodies and integrating high-resolution digital elevation data and for assessing the effectiveness of forestry best management practices for water quality.

(h) \$25,000 the first year and \$25,000 the second year are for maintaining and updating buffer maps and for technical guidance on interpreting buffer maps for local units of government implementing buffer requirements. Maps must be provided to local units of government and made available to landowners on the Department of Natural Resources website.

(i) \$100,000 the first year and \$100,000 the second year are for accelerating completion of or updates to county geologic atlases and supplementing water chemistry or chemical movement studies.

(j) \$300,000 the first year and \$300,000 the second year are for increasing native freshwater mussel production capacity and restoring and monitoring freshwater mussel restoration efforts.

(k) \$500,000 the first year and \$500,000 the second year are for implementing water storage projects on state-administered land to enhance water quality and ecological benefits.

(l) \$1,000,000 the first year and \$1,000,000 the second year are for providing technical and financial assistance for county and local governments to replace failing or ineffective culverts using modern designs that restore floodplain connectivity, biological connectivity, and channel stability. This appropriation is available for up to two additional years.

Sec. 6. **BOARD OF WATER AND SOIL RESOURCES**

**\$78,064,000**

**\$78,063,000**

(a) \$39,500,000 the first year and \$39,500,000 the second year are for grants to implement state-approved watershed-based plans. The grants may be used to implement projects or programs that

protect, enhance, and restore surface water quality in lakes, rivers, and streams; protect groundwater from degradation; and protect drinking water sources. Projects must be identified in a comprehensive watershed plan developed under the One Watershed, One Plan program and seven-county metropolitan groundwater or surface water management frameworks as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D. Grant recipients must identify a nonstate match and may use other legacy funds to supplement projects funded under this paragraph. This appropriation may be used for:

(1) implementing state-approved plans, including within the following watershed planning areas: Bois de Sioux - Mustinka, Buffalo-Red River, Cannon River, Cedar - Wapsipinicon, Chippewa River, Clearwater River, Cottonwood-Middle Minnesota, Crow Wing River, Des Moines River, Greater Zumbro River, Hawk Creek - Middle Minnesota, Kettle and Upper St. Croix, Lac qui Parle-Yellow Bank, Lake of the Woods, Lake Superior North, Le Sueur River, Leech Lake River, Long Prairie River, Lower Minnesota River East, Lower Minnesota River West, Lower St. Croix River, Middle-Snake-Tamarac Rivers, Mississippi River Brainerd, Mississippi River Headwaters, Mississippi River St. Cloud, Mississippi River Winona/La Crescent, Missouri River Basin, Nemadji River, North Fork Crow River, Otter Tail, Pine River, Pomme de Terre River, Rainy-Rapid River, Rainy River Headwaters - Vermilion River, Rainy River-Rainy Lake/Lower Rainy River, Red Lake River, Redeye River, Root River, Roseau River, Rum River, Sand Hill River, Sauk River, Shell Rock and Winnebago River, Snake River, South Fork of the Crow River, St. Louis River, Thief River, Two Rivers Plus, Upper and Lower Red Lake, Upper Minnesota River, Upper Mississippi - Grand Rapids, Watonwan River, Wild Rice - Marsh, and Yellow Medicine River;

(2) seven-county metropolitan groundwater or surface water management frameworks; and

(3) other comprehensive watershed management plan planning areas that have a board-approved and local-government-adopted plan as authorized in Minnesota Statutes, section 103B.801.

The board must establish eligibility criteria and determine whether a planning area is ready to proceed and has the nonstate match committed.

(b) \$8,500,000 the first year and \$8,500,000 the second year are for grants to local government units to protect and restore surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system projects and

stream bank, stream channel, shoreline restoration, and ravine stabilization projects. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans, watershed restoration and protection strategies (WRAPS), or local water management plans or their equivalents. Up to 20 percent of this appropriation is available for land-treatment projects and practices that benefit drinking water.

(c) \$5,500,000 the first year and \$5,500,000 the second year are for accelerated implementation, local resource protection, enhancement grants, statewide analytical targeting or technology tools that fill an identified gap, program enhancements for technical assistance, citizen and community outreach, compliance, and training and certification.

(d) \$1,250,000 the first year and \$1,250,000 the second year are:

(1) to provide state oversight and accountability, evaluate and communicate results, provide implementation tools, and measure the value of conservation program implementation by local governments; and

(2) to prepare, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, and submit to the legislature by March 1 each even-numbered year a biennial report detailing the recipients and projects funded and the results accomplished under this section.

(e) \$2,000,000 the first year and \$2,000,000 the second year are to provide assistance, oversight, and grants for supporting local governments in implementing and complying with riparian protection and excessive soil loss requirements.

(f) \$2,500,000 the first year and \$2,500,000 the second year are for a working lands floodplain program and to purchase, restore, or preserve riparian land and floodplains adjacent to lakes, rivers, streams, and tributaries, by conservation easements or contracts to keep water on the land, to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase protection and recharge for groundwater. Up to \$200,000 is for deposit in a conservation easement stewardship account established according to Minnesota Statutes, section 103B.103.

(g) \$2,500,000 the first year and \$2,500,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d), or for grants to local units of government for fee title acquisition to permanently protect groundwater supply sources



on wellhead protection areas or for otherwise ensuring long-term protection of groundwater supply sources as described under alternative management tools in the Department of Agriculture *Minnesota Nitrogen Fertilizer Management Plan*, including using low-nitrogen cropping systems or implementing nitrogen fertilizer best management practices. Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health, where drinking water protection plans have identified specific activities that will achieve long-term protection, and on lands with expiring conservation reserve program contracts. Up to \$200,000 is for deposit in a conservation easement stewardship account established according to Minnesota Statutes, section 103B.103.

(h) \$100,000 the first year and \$100,000 the second year are for a technical evaluation panel to conduct restoration evaluations under Minnesota Statutes, section 114D.50, subdivision 6.

(i) \$1,750,000 the first year and \$1,750,000 the second year are for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, section 103B.801.

(j) \$1,000,000 the first year and \$1,000,000 the second year are for technical assistance and grants for the conservation drainage program, in consultation with the Drainage Work Group, coordinated under Minnesota Statutes, section 103B.101, subdivision 13, and including projects to improve multipurpose water management under Minnesota Statutes, section 103E.015.

(k) \$1,500,000 the first year and \$1,500,000 the second year are to purchase permanent conservation easements to protect lands adjacent to public waters that have good water quality but that are threatened with degradation. Up to \$150,000 is for deposit in a conservation easement stewardship account established according to Minnesota Statutes, section 103B.103.

(l) \$425,000 the first year and \$425,000 the second year are for grants or contracts for a program to systematically collect data and produce county, watershed, and statewide estimates of soil erosion caused by water and wind, along with tracking adoption of conservation measures, including cover crops, to address erosion. This appropriation may be used for grants to or contracts with the University of Minnesota to complete this work.

(m) \$500,000 the first year and \$500,000 the second year are for developing and implementing a water legacy grant program to expand partnerships for clean water.

(n) \$5,000,000 the first year and \$5,000,000 the second year are for permanent conservation easements to protect and restore wetlands and associated uplands. Up to \$300,000 is for deposit in a conservation easement stewardship account established according to Minnesota Statutes, section 103B.103.

(o) \$6,039,000 the first year and \$6,038,000 the second year are for financial and technical assistance to enhance adoption of cover crops and other soil health practices to achieve water quality or drinking water benefits. The board may use grants to local governments and agreements with the United States Department of Agriculture, AgCentric at Minnesota State Center for Excellence, and other practitioners and partners to accomplish this work. Up to \$450,000 is for an agreement with the University of Minnesota Office for Soil Health for applied research and education on Minnesota's agroecosystems and soil health management systems. This appropriation may be extended to leverage available federal funds.

(p) The board must contract for delivery of services with Conservation Corps Minnesota for restoration, maintenance, training, and other activities under this section for up to \$850,000 the first year and up to \$850,000 the second year.

(q) The board may shift grant, implementation, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority activities identified by the board consistent with local water management plans.

(r) The board must require grantees to specify the outcomes that will be achieved by the grants.

(s) The appropriations in this section are available until June 30, 2028, except grant or easement funds are available for five years after the date a grant or other agreement is executed. Returned grant funds must be regranted consistent with the purposes of this section.

Sec. 7. **DEPARTMENT OF HEALTH**

**\$11,296,000**

**\$11,904,000**

(a) \$4,746,000 the first year and \$5,354,000 the second year are for developing health risk limits for contaminants found or anticipated to be found in Minnesota drinking water, to certify private laboratories to conduct analyses for these contaminants, and to increase the capacity of the department's laboratory to analyze for these contaminants.

(b) \$1,500,000 the first year and \$1,500,000 the second year are for ensuring safe drinking water for private well users, including studying the occurrence and magnitude of contaminants in private wells; developing guidance and conducting outreach and education about well testing and mitigation; awarding grants to local governments; and designing voluntary interventions to reduce health risks to private well owners.

(c) \$3,750,000 the first year and \$3,750,000 the second year are for protecting sources of drinking water, including planning, implementation, and surveillance activities and grants to local governments and public water systems.

(d) \$750,000 the first year and \$750,000 the second year are to develop and deliver groundwater restoration and protection strategies on a watershed scale for use in local comprehensive water planning efforts, to provide resources to local governments for activities that protect sources of drinking water, and to enhance approaches that improve the capacity of local governmental units to protect and restore groundwater resources.

(e) \$250,000 the first year and \$250,000 the second year are to develop public health policies and an action plan to address threats to safe drinking water, including development of a statewide plan for protecting drinking water that incorporates select recommendations from the University of Minnesota's *Future of Drinking Water* report.

(f) \$300,000 the first year and \$300,000 the second year are for developing a statewide recreational water portal that includes an inventory of public beaches and information about local monitoring results and closures and that provides information about preventing illness and recreational water stewardship.

(g) Unless otherwise specified, the appropriations in this section are available until June 30, 2027.

Sec. 8. **METROPOLITAN COUNCIL**

**\$1,875,000**

**\$1,875,000**

(a) \$1,125,000 the first year and \$1,125,000 the second year are to implement projects that address emerging threats to the drinking water supply; provide cost-effective regional solutions; leverage interjurisdictional coordination; support local implementation of water supply reliability projects; support the growing needs of community water suppliers facing challenges, including PFAS, radium, manganese, and selenium contamination, groundwater appropriation limitations, system reliability and resilience, and increased regional growth; and prevent degradation of groundwater resources in the metropolitan area. These projects provide communities with:

(1) potential solutions to leverage regional water use by using surface water, stormwater, wastewater, and groundwater;

(2) an analysis of infrastructure requirements for different alternatives;

(3) development of planning-level cost estimates, including capital costs and operating costs;

(4) identification of funding mechanisms and an equitable cost-sharing structure for regionally beneficial water supply development projects; and

(5) development of subregional groundwater models and strategies.

(b) \$750,000 the first year and \$750,000 the second year are for the water demand reduction grants to assist municipalities in the metropolitan area with implementing water demand reduction measures to ensure the reliability and protection of drinking water supplies.

Sec. 9. **UNIVERSITY OF MINNESOTA**

**\$1,500,000**

**\$1,500,000**

(a) \$500,000 the first year and \$500,000 the second year are for developing Part A of county geologic atlases. This appropriation is available until June 30, 2030.

(b) \$1,000,000 the first year and \$1,000,000 the second year are for a program to evaluate performance and technology transfer for stormwater best management practices, to evaluate best management performance and effectiveness to support meeting total maximum daily loads, to develop standards and incorporate state-of-the-art guidance using minimal impact design standards as the model, and to implement a system to transfer knowledge and technology across local government, industry, and regulatory sectors. This appropriation is available until June 30, 2030.

Sec. 10. **LEGISLATURE**

**\$6,000**

**\$-0-**

\$6,000 the first year is for the Legislative Coordinating Commission for the website required under Minnesota Statutes, section 3.303, subdivision 10.

Sec. 11. **PUBLIC FACILITIES AUTHORITY**

**\$8,350,000**

**\$8,350,000**

(a) \$8,250,000 the first year and \$8,250,000 the second year are for the point source implementation grants program under Minnesota Statutes, section 446A.073. This appropriation is available until June 30, 2030.

(b) \$100,000 the first year and \$100,000 the second year are for small community wastewater treatment grants and loans under Minnesota Statutes, section 446A.075. This appropriation is available until June 30, 2030.

(c) If there is any uncommitted money at the end of each fiscal year under paragraph (a) or (b), the Public Facilities Authority may transfer the remaining funds to eligible projects under any of the programs listed in this section according to a project's priority rank on the Pollution Control Agency's project priority list.

Sec. 12. Minnesota Statutes 2022, section 114D.20, subdivision 2, is amended to read:

Subd. 2. **Goals for implementation.** The following goals must guide the implementation of this chapter:

(1) to identify impaired waters in accordance with federal TMDL requirements and to ensure continuing evaluation of surface waters for impairments;

(2) to submit TMDLs to the United States Environmental Protection Agency in a timely manner in accordance with federal TMDL requirements;

(3) to inform and support strategies for implementing restoration and protection activities ~~in a reasonable time period~~ with the goal that all waters will have achieved the designated uses applicable to those waters by 2040;

(4) to systematically evaluate waters, to provide assistance and incentives to prevent waters from becoming impaired, and to improve the quality of waters that are listed as impaired;

(5) to promptly seek the delisting of waters from the impaired waters list when those waters are shown to achieve the designated uses applicable to the waters;

(6) to achieve compliance with federal Clean Water Act requirements in Minnesota;

(7) to support effective measures to prevent the degradation of groundwater according to the groundwater degradation prevention goal under section 103H.001; and

(8) to support effective measures to restore degraded groundwater.

Sec. 13. Minnesota Statutes 2022, section 114D.30, subdivision 4, is amended to read:

Subd. 4. **Terms; compensation; removal.** The terms of members representing the state agencies and the Metropolitan Council are four years and are coterminous with the governor. The terms of other nonlegislative members of the council shall be as provided in section 15.059, subdivision 2. Members may serve until their successors are appointed and qualify. Compensation and removal of nonlegislative council members is as provided in section 15.059, subdivisions 3 and 4, except that a nonlegislative member may be compensated at the rate of up to \$125 a day. Compensation of legislative members is as determined by the appointing authority. The Pollution Control Agency may reimburse legislative members for expenses. A vacancy on the council may be filled by the appointing authority provided in subdivision 1 for the remainder of the unexpired term.

Sec. 14. Minnesota Statutes 2022, section 114D.30, subdivision 6, is amended to read:

Subd. 6. **Recommended appropriations.** (a) The Clean Water Council ~~shall recommend~~ must submit recommendations to the ~~governor and the legislature~~ on how money from the clean water fund should be appropriated for the purposes stated in article XI, section 15, of the Minnesota Constitution and section 114D.50.

(b) The council's recommendations must:

(1) be to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation and ensure that at least five percent of the clean water fund is spent only to protect drinking water sources;

(2) be consistent with the purposes, policies, goals, and priorities in this chapter; and

(3) allocate adequate support and resources to identify degraded groundwater and impaired waters, develop TMDLs, implement restoration of groundwater and impaired waters, and provide assistance and incentives to prevent groundwater and surface waters from becoming degraded or impaired and improve the quality of surface waters which are listed as impaired but have no approved TMDL.

(c) The council must recommend methods of ensuring that awards of grants, loans, or other funds from the clean water fund specify the outcomes to be achieved as a result of the funding and specify standards to hold the recipient accountable for achieving the desired outcomes. Expenditures from the fund must be appropriated by law.

Sec. 15. Minnesota Statutes 2022, section 114D.30, subdivision 7, is amended to read:

Subd. 7. **Reports to legislature.** ~~(a) By January 15 each odd-numbered year, the council must submit a report to the legislature on that includes:~~

(1) a summary of the activities for which money has been or will be spent for in the current biennium, previous fiscal year;

(2) the activities for which money is recommended to recommendations required under subdivision 6 for how money in the clean water fund should be spent in the next biennium, fiscal year, including recommended legislative bill language; and

(3) the impact on economic development of the implementation of efforts to protect and restore groundwater and the impaired waters program.

~~(b) By January 15 each even-numbered year, the council may submit to the legislature supplemental recommendations on the manner in which money from the clean water fund should be appropriated in the next fiscal year.~~

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to recommendations for fiscal year 2026 and beyond.

Sec. 16. Minnesota Statutes 2022, section 114D.50, subdivision 4, is amended to read:

Subd. 4. **Expenditures; accountability.** (a) A project receiving funding from the clean water fund must meet or exceed the constitutional requirements to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater and drinking water from degradation. Priority may be given to projects that meet more than one of these requirements. A project receiving funding from the clean water fund shall include measurable outcomes, as defined in section 3.303, subdivision 10, ~~and~~ a plan for measuring and evaluating the results; and an assessment of whether the funding celebrates cultural diversity or reaches diverse communities in Minnesota. A project must be consistent with current science and incorporate state-of-the-art technology.

(b) Money from the clean water fund shall be expended to balance the benefits across all regions and residents of the state.

(c) A state agency or other recipient of a direct appropriation from the clean water fund must compile and submit all information for proposed and funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the website required under section 3.303, subdivision 10, as soon as it becomes available. Information classified as not public under section 13D.05, subdivision 3, paragraph (d), is not required to be placed on the website.

(d) Grants funded by the clean water fund must be implemented according to section 16B.98 and must account for all expenditures. Proposals must specify a process for any regranting envisioned. Priority for grant proposals must be given to proposals involving grants that will be competitively awarded.

(e) Money from the clean water fund may only be spent on projects that benefit Minnesota waters.

(f) When practicable, a direct recipient of an appropriation from the clean water fund shall prominently display on the recipient's website home page the legacy logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the website must direct the person to a web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission website required under section 3.303, subdivision 10.

(g) Future eligibility for money from the clean water fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of money from the clean water fund has not complied with the laws, rules, or regulations in this section or other laws applicable to the recipient, the recipient must be listed in an annual report to the legislative committees with jurisdiction over the legacy funds. The list must be publicly available. The legislative auditor shall remove a recipient from the list upon determination that the recipient is in compliance. A recipient on the list is not eligible for future funding from the clean water fund until the recipient demonstrates compliance to the legislative auditor.

(h) Money from the clean water fund may be used to leverage federal funds through execution of formal project partnership agreements with federal agencies consistent with respective federal agency partnership agreement requirements.

(i) Any state agency or organization requesting a direct appropriation from the clean water fund must inform the Clean Water Council and the house of representatives and senate committees having jurisdiction over the clean water fund, at the time the request for funding is made, whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

#### Sec. 17. **CLEAN WATER FUND APPROPRIATION EXTENSIONS.**

Subdivision 1. Department of Health; contamination in private wells. The availability of the appropriation from the clean water fund to the commissioner of health under Laws 2019, First Special Session chapter 2, article 2, section 8, paragraph (d), is extended to June 30, 2024.

Subd. 2. Department of Health; water reuse implementation. The availability of the appropriation from the clean water fund to the commissioner of health under Laws 2019, First Special Session chapter 2, article 2, section 8, paragraph (g), is extended to June 30, 2024.

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

### ARTICLE 3 PARKS AND TRAILS FUND

#### Section 1. **PARKS AND TRAILS FUND 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 parks and trails fund and are available for the fiscal years indicated for each purpose. The figures "2024" and "2025" used in this article mean that the appropriations listed

under the figure are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. These are onetime appropriations.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2024</u></b>	<b><u>2025</u></b>

Sec. 2. **PARKS AND TRAILS**

Subdivision 1. **Total Appropriation**

**\$72,155,000**

**\$64,455,000**

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

Subd. 2. **Availability of Appropriation**

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget *MMB Guidance to Agencies on Legacy Fund Expenditure*. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2024 appropriations are available until June 30, 2026, and fiscal year 2025 appropriations are available until June 30, 2027. If a project receives federal funds, the period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. **Disability Access**

Where appropriate, grant recipients of parks and trails funds, in consultation with the Council on Disability and other appropriate governor-appointed disability councils, boards, committees, and commissions, should make progress toward providing people with disabilities greater access to programs, print publications, and digital media related to the programs the recipient funds using appropriations made in this article.

Subd. 4. **Energy and Water Conservation**

Grant recipients of parks and trails funds should prioritize water and energy conservation technology and the use of renewable energy for construction and building projects funded with an appropriation made in this article.

Sec. 3. **DEPARTMENT OF NATURAL RESOURCES**

**\$43,580,000**

**\$38,931,000**

(a) \$28,572,000 the first year and \$25,524,000 the second year are for state parks, recreation areas, and trails to:



(1) connect people to the outdoors;

(2) acquire land and create opportunities;

(3) maintain existing holdings; and

(4) improve cooperation by coordinating with partners to implement the 25-year long-range parks and trails legacy plan.

(b) The commissioner may spend money appropriated under paragraph (a) on I Can! programs, including but not limited to programs designed to provide underserved youth and youth who identify as lesbian, gay, bisexual, transgender, and queer the opportunity to experience the outdoors with similar peers.

(c) \$14,286,000 the first year and \$12,762,000 the second year are for grants for parks and trails of regional significance outside the seven-county metropolitan area under Minnesota Statutes, section 85.535. The grants awarded under this paragraph must be based on the lists of recommended projects submitted to the legislative committees under Minnesota Statutes, section 85.536, subdivision 10, from the Greater Minnesota Regional Parks and Trails Commission established under Minnesota Statutes, section 85.536. Grants funded under this paragraph must support parks and trails of regional or statewide significance that meet the applicable definitions and criteria for regional parks and trails contained in the *Greater Minnesota Regional Parks and Trails Strategic Plan* adopted by the Greater Minnesota Regional Parks and Trails Commission on April 22, 2015. Grant recipients identified under this paragraph must submit a grant application to the commissioner of natural resources. Up to 2.5 percent of the appropriation may be used by the commissioner for the actual cost of issuing and monitoring the grants for the commission. Of the amount appropriated, \$475,000 the first year and \$475,000 the second year are for the Greater Minnesota Regional Parks and Trails Commission to carry out its duties under Minnesota Statutes, section 85.536, including the continued development of a statewide system plan for regional parks and trails outside the seven-county metropolitan area.

(d) By January 15, 2024, the Greater Minnesota Regional Parks and Trails Commission must submit a list of projects that contains the commission's recommendations for funding from the parks and trails fund for fiscal year 2025 to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources and the parks and trails fund.

(e) By January 15, 2024, the Greater Minnesota Regional Parks and Trails Commission must submit a report that contains the commission's criteria for funding from the parks and trails fund.

including the criteria used to determine if a park or trail is of regional significance, to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources and the parks and trails fund.

(f) \$722,000 the first year and \$645,000 the second year are for coordination and projects between the department, the Metropolitan Council, and the Greater Minnesota Regional Parks and Trails Commission; enhanced web-based information for park and trail users; and support of activities of the Parks and Trails Legacy Advisory Committee.

(g) The commissioner must contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for at least \$850,000 the first year and \$850,000 the second year.

(h) Grant recipients of an appropriation under this section must give consideration to contracting with Conservation Corps Minnesota for restoration, maintenance, and other activities.

(i) In addition to the requirements under paragraph (g), the commissioner should work to provide other opportunities that encourage a diversity of students to pursue careers in environment and natural resources when implementing appropriations in this section.

Sec. 4. **METROPOLITAN COUNCIL**

**\$28,572,000**

**\$25,524,000**

(a) \$28,572,000 the first year and \$25,524,000 the second year are for distribution according to Minnesota Statutes, section 85.53, subdivision 3.

(b) Money appropriated under this section and distributed to implementing agencies must be used only to fund the list of projects approved by the elected representatives of each of the metropolitan parks implementing agencies. Projects funded by the money appropriated under this section must be substantially consistent with the project descriptions and dollar amounts approved by each elected body. Any money remaining after completing the listed projects may be spent by the implementing agencies on projects to support parks and trails.

(c) Grant agreements entered into by the Metropolitan Council and recipients of money appropriated under this section must ensure that the money is used to supplement and not substitute for traditional sources of funding.

(d) The implementing agencies receiving appropriations under this section must give consideration to contracting with Conservation Corps Minnesota for restoration, maintenance, and other activities.

Sec. 5. **LEGISLATURE****\$3,000****\$-0-**

\$3,000 the first year is for the Legislative Coordinating Commission for the website required under Minnesota Statutes, section 3.303, subdivision 10.

Sec. 6. Minnesota Statutes 2022, section 85.53, subdivision 2, is amended to read:

Subd. 2. **Expenditures; accountability.** (a) A project or program receiving funding from the parks and trails fund must meet or exceed the constitutional requirement to support parks and trails of regional or statewide significance. A project or program receiving funding from the parks and trails fund must include measurable outcomes, as defined in section 3.303, subdivision 10, ~~and~~; a plan for measuring and evaluating the results; and an assessment of whether the funding celebrates cultural diversity or reaches diverse communities in Minnesota. A project or program must be consistent with current science and incorporate state-of-the-art technology, except when the project or program is a portrayal or restoration of historical significance.

(b) Money from the parks and trails fund shall be expended to balance the benefits across all regions and residents of the state.

(c) A state agency or other recipient of a direct appropriation from the parks and trails fund must compile and submit all information for funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the website required under section 3.303, subdivision 10, as soon as it becomes available.

(d) Grants funded by the parks and trails fund must be implemented according to section 16B.98 and must account for all expenditures. Proposals must specify a process for any regranting envisioned. Priority for grant proposals must be given to proposals involving grants that will be competitively awarded.

(e) Money from the parks and trails fund may only be spent on projects located in Minnesota.

(f) When practicable, a direct recipient of an appropriation from the parks and trails fund shall prominently display on the recipient's website home page the legacy logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the website must direct the person to a web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission website required under section 3.303, subdivision 10.

(g) Future eligibility for money from the parks and trails fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of money from the parks and trails fund has not complied with the laws, rules, or regulations in this section or other laws applicable to the recipient, the recipient must be listed in an annual report to the legislative committees with jurisdiction over the legacy funds. The list must be publicly available. The legislative auditor shall remove a recipient from the list upon determination that the recipient is in compliance. A recipient on the list is not eligible for future funding from the parks and trails fund until the recipient demonstrates compliance to the legislative auditor.

(h) Any state agency or organization requesting a direct appropriation from the parks and trails fund must inform the house of representatives and senate committees having jurisdiction over the parks and trails fund, at the time the request for funding is made, whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

Sec. 7. Minnesota Statutes 2022, section 85.53, is amended by adding a subdivision to read:

Subd. 7. **Free park days.** An implementing agency, county, or city that charges an entrance fee or requires a vehicle permit must provide free access to all its parks at least four days each calendar year in order to be eligible for money appropriated from the parks and trails fund. The implementing agency, county, or city must publicly announce the date when entrance will be free at least 30 days in advance of the date it occurs.

Sec. 8. Minnesota Statutes 2022, section 85.536, subdivision 1, is amended to read:

Subdivision 1. **Establishment; purpose.** The Greater Minnesota Regional Parks and Trails Commission is created to undertake system planning and provide recommendations to the legislature for grants funded by the parks and trails fund to counties ~~and~~ cities, and Tribal governments outside of the seven-county metropolitan area for parks and trails of regional significance.

Sec. 9. Minnesota Statutes 2022, section 85.536, subdivision 2, is amended to read:

Subd. 2. **Commission.** The commission shall include 13 members appointed by the governor with two members from each of the regional parks and trails districts determined under subdivision 5 and one member at large. Membership terms, compensation, and removal of members and filling of vacancies are as provided in section 15.0575, except that a commission member may be compensated at the rate of up to \$125 a day.

Sec. 10. **PARKS AND TRAILS FUND APPROPRIATION EXTENSIONS.**

Subdivision 1. **Beaver Island Regional Trail; city of St. Cloud.** The availability of the grant to the city of St. Cloud for the Beaver Island Regional Trail construction and restoration project from the parks and trails fund appropriation under Laws 2019, First Special Session chapter 2, article 3, section 3, paragraph (b), is extended to June 30, 2024.

Subd. 2. **Robinson Park; city of Sandstone.** The portions of the appropriations from the parks and trails fund in Laws 2019, First Special Session chapter 2, article 3, section 3, paragraph (b), and Laws 2021, First Special Session chapter 1, article 3, section 3, paragraph (b), that were granted to the city of Sandstone for the Robinson Park project are available until June 30, 2025.

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

Sec. 11. **EXPANDING ACCESS TO PARKS AND TRAILS FUND GRANTS IN GREATER MINNESOTA; REPORT.**

By January 15, 2024, the commissioner of natural resources, in cooperation with the Greater Minnesota Regional Parks and Trails Commission, must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the parks and trails fund with recommendations for expanding eligibility of parks and trails fund grants under Minnesota Statutes, section 85.536, to Tribal governments and for expanding cooperation with nonprofit organizations, including any necessary statutory changes.

#### ARTICLE 4 ARTS AND CULTURAL HERITAGE FUND

Section 1. **ARTS AND CULTURAL HERITAGE FUND APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the entities and for the purposes specified in this article. The appropriations are from the arts and cultural heritage fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15, except that

any unencumbered balance remaining under this article from the first year does not cancel but is available in the second year. The figures "2024" and "2025" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2024, and June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. All appropriations in this article are onetime.

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**

**2024** **2025**

Sec. 2. **ARTS AND CULTURAL HERITAGE**

Subdivision 1. **Total Appropriation**

**\$106,118,000**

**\$88,928,000**

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

Subd. 2. **Availability of Appropriation**

Money appropriated in this article must not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must not be spent on institutional overhead charges that are not directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget *MMB Guidance to Agencies on Legacy Fund Expenditure*. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2024 appropriations are available until June 30, 2025, and fiscal year 2025 appropriations are available until June 30, 2026. Water and energy conservation technology and the use of renewable energy should be priorities for construction and building projects funded through this appropriation. If a project receives federal funds, the period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. **Minnesota State Arts Board**

**50,835,000**

**45,836,000**

(a) The amounts in this subdivision are appropriated to the Minnesota State Arts Board for arts, arts education, arts preservation, and arts access. Grant agreements entered into by the Minnesota State Arts Board and other recipients of appropriations in this subdivision must ensure that these funds are used to supplement and not substitute for traditional sources of funding. Each grant program established in this appropriation must be separately administered from other state appropriations for program planning and outcome measurements, but may take into consideration other state resources awarded in the selection of applicants and grant award size.

**(b) Arts and Arts Access Initiatives**

\$18,500,000 the first year and \$18,561,000 the second year are to support Minnesota artists and arts organizations in creating, producing, and presenting high-quality arts activities; to preserve, maintain, and interpret art forms and works of art so that they are accessible to Minnesota audiences; to overcome barriers to accessing high-quality arts activities; and to instill the arts into the community and public life in this state. Grants provided under this paragraph must prioritize artists and arts organizations that plan to present art from communities that have been historically underrepresented in the arts or that improve access to the programs and projects for groups, including youth and historically underserved communities, that have struggled to access arts programming in the past.

Of this amount, \$50,000 each year must be used to fund:

(1) free-access days for Minnesota citizens to access art institutions and to provide grants to organizations and individual artists who will provide completely free public art events throughout the state, including grants for transportation and accessibility grants to broaden the audience of arts programming; and

(2) free admission for children to art, music, cultural, and dance programs, including transportation and accessibility grants to broaden the audience for arts programming.

**(c) Arts Education**

\$5,978,000 the first year and \$5,978,000 the second year are for high-quality, age-appropriate arts education for Minnesotans of all ages to develop knowledge, skills, and understanding of the arts. Priority in the award of grants under this paragraph must be given to providing educational opportunities to underserved communities with grants for organizations or entities providing opportunities to K-12 students throughout the state for arts education, including access to arts instruction, arts programming, museums, and arts presentations.

**(d) Arts and Cultural Heritage**

\$2,000,000 the first year and \$2,000,000 the second year are for events and activities that represent, preserve, and maintain the diverse cultural arts traditions, including folk and traditional artists and art organizations, represented in this state.

**(e) Significant Public Arts Installations**

\$5,000,000 the first year is for grants for up to three organizations or local governments for the design, land development, land transfer fees, and production costs of a significant and publicly

accessible art project celebrating Minnesota arts and cultural heritage and providing a unique public art experience through art installation, including sculpture and design. The projects funded by this paragraph must have a matching grant and must include in the grant agreement terms for the future ownership, maintenance, taxes, and associated costs for the art project and project site. The projects funded by this paragraph must have a permanent sign indicating the project was funded through the arts and cultural heritage fund.

**(f) Administrative Costs**

\$936,000 each year is for administering grant programs, delivering technical services, providing fiscal oversight for the statewide system, and ensuring accountability in fiscal years 2024 and 2025.

**(g) Regional Arts Councils**

\$18,334,000 the first year and \$18,334,000 the second year are for grants to the regional arts councils. One-fourth of this amount is to establish, continue, improve, and expand grants for organizations and educational institutions to improve and expand access for youth to artistic instruction and arts programming and for the participation of youth in the arts.

(h) Any unencumbered balance remaining under this subdivision the first year does not cancel but is available the second year.

**Subd. 4. Minnesota Historical Society**

17,808,000

19,692,000

(a) The amounts in this subdivision are appropriated to the governing board of the Minnesota Historical Society to preserve and enhance access to Minnesota's history and its cultural and historical resources. Grant agreements entered into by the Minnesota Historical Society and other recipients of appropriations in this subdivision must ensure that these funds are used to supplement and not substitute for traditional sources of funding. Funds directly appropriated to the Minnesota Historical Society must be used to supplement and not substitute for traditional sources of funding. The appropriations in this subdivision are onetime, and any unencumbered balance remaining under this subdivision in the first year does not cancel but is available for the second year. Notwithstanding Minnesota Statutes, section 16A.28, for historic preservation projects that improve historic structures, the amounts are available until June 30, 2027. The Minnesota Historical Society or grant recipients of the Minnesota Historical Society using arts and cultural heritage funds under this subdivision must give consideration to Conservation Corps Minnesota and Northern Bedrock Historic Preservation Corps, or an organization carrying out similar work, for projects with the potential to need historic preservation services.

**(b) Historical Grants and Programs****(1) Statewide Historic and Cultural Grants**

\$7,150,000 the first year and \$7,850,000 the second year are for statewide historic and cultural grants to local, county, regional, or other historical or cultural organizations or for activities to preserve significant historic and cultural resources. Money must be distributed through a competitive grant process. The Minnesota Historical Society must administer the money using established grant mechanisms with assistance from the advisory committee created under Laws 2009, chapter 172, article 4, section 2, subdivision 4, paragraph (b), item (ii).

**(2) Statewide History Programs**

\$7,600,000 the first year and \$7,900,000 the second year are for historic and cultural programs and purposes related to the heritage of the state.

Of this amount, \$400,000 the first year is for grants to organizations or local governments that own buildings or structures that are considered historically significant to their local communities to improve access to the buildings or structures, to preserve the buildings or structures, or to enhance the use of the buildings or structures, including improving access to museums, music halls, opera houses, libraries, and sites celebrating diverse cultures and heritages throughout the state. Grant funding not encumbered in the first year is available for statewide history programs in the second year.

Of this amount, \$50,000 the first year and \$50,000 the second year are for the production and distribution of "Making Minnesota" on Minnesota's natural resources, legacy, culture, and history, to be made available free of cost.

**(3) History Partnerships**

\$2,183,000 the first year and \$3,067,000 the second year are for history partnerships involving multiple organizations, which may include the Minnesota Historical Society, to preserve and enhance access to Minnesota's history and cultural heritage in all regions of the state.

**(4) Statewide Survey of Historical and Archaeological Sites**

\$500,000 the first year and \$500,000 the second year are for one or more contracts to be competitively awarded to conduct statewide surveys or investigations of Minnesota's sites of historical, archeological, and cultural significance. Results of the surveys or investigations must be published in a searchable form and



available to the public cost free. The Minnesota Historical Society, the Office of the State Archeologist, the Indian Affairs Council, and the State Historic Preservation Office must each appoint a representative to an oversight board to select contractors and direct the conduct of the surveys or investigations. The oversight board must consult with the Departments of Transportation and Natural Resources.

(5) Digital Library

\$375,000 the first year and \$375,000 the second year are for a digital library project to preserve, digitize, and share Minnesota images, documents, and historical materials. The Minnesota Historical Society must cooperate with the Minitex interlibrary loan system and must jointly share this appropriation for these purposes.

**Subd. 5. Department of Education**

3,000,000

2,750,000

(a) \$2,750,000 each year is appropriated to the commissioner of education for grants to the 12 Minnesota regional library systems to provide educational opportunities in the arts, history, literary arts, and cultural heritage of Minnesota. When possible, funding under this subdivision should be used to promote and share the work of Minnesota authors, including authors from diverse backgrounds. This money must be allocated using the formulas in Minnesota Statutes, section 134.355, subdivisions 3 to 5, with the remaining 25 percent to be distributed to all qualifying systems in an amount proportionate to the number of qualifying system entities in each system. For purposes of this subdivision, "qualifying system entity" means a public library, a regional library system, a regional library system headquarters, a county, or an outreach service program. This money may be used to sponsor programs provided by regional libraries or to provide grants to local arts and cultural heritage programs for programs in partnership with regional libraries. This money must be distributed in ten equal payments per year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2025, as grants or contracts in this subdivision are available until June 30, 2026.

(b) \$250,000 the first year is appropriated to the commissioner of education for a water safety grant program. The commissioner of education must allocate grants to eligible applicants. Eligible applicants include nonprofit organizations and city and county parks and recreation programs providing swimming lessons to youth. Eligible applicants are not required to partner with other entities. Grant funds must primarily be used to provide scholarships to low-income and at-risk children for swimming lessons. Up to 15 percent of the grant funds may also be used to hire water safety instructors or lifeguards or train water safety instructors or lifeguards in nationally recognized water safety practices and instruction.

**Subd. 6. Department of Administration**12,450,00012,300,000

(a) The amounts in this subdivision are appropriated to the commissioner of administration for grants to the named organizations for the purposes specified in this subdivision. The commissioner of administration may use a portion of this appropriation for costs that are directly related to and necessary for the administration of grants in this subdivision.

(b) Grant agreements entered into by the commissioner and recipients of appropriations under this subdivision must ensure that money appropriated in this subdivision is used to supplement and not substitute for traditional sources of funding.

**(c) Minnesota Public Radio**

\$2,100,000 each year is for Minnesota Public Radio to create programming and expand news service on Minnesota's cultural heritage and history.

**(d) Association of Minnesota Public Educational Radio Stations**

\$2,100,000 the first year and \$2,100,000 the second year are to the Association of Minnesota Public Educational Radio Stations for production and acquisition grants in accordance with Minnesota Statutes, section 129D.19.

**(e) Public Television**

\$4,500,000 each year is to the Minnesota Public Television Association for production and acquisition grants according to Minnesota Statutes, section 129D.18. A portion of this funding may be used for producing television related to Minnesota military and veterans' history and unique immigration stories from around the state.

**(f) Wilderness Inquiry**

\$500,000 the first year and \$600,000 the second year are to Wilderness Inquiry to preserve Minnesota's outdoor history, culture, and heritage by connecting Minnesota youth to natural resources.

**(g) Como Park Zoo**

\$1,750,000 each year is to the Como Park Zoo and Conservatory for program development that features educational programs and habitat enhancement, special exhibits, music appreciation programs, and historical garden access and preservation.

**(h) Science Museum of Minnesota**

\$850,000 each year is to the Science Museum of Minnesota for arts, arts education, and arts access and to preserve Minnesota's history and cultural heritage, including student and teacher outreach, statewide educational initiatives, and community-based exhibits that preserve Minnesota's history and cultural heritage.

**(i) Appetite for Change**

\$200,000 the first year is to the nonprofit Appetite for Change for the Community Cooks programming, which will preserve the cultural heritage of growing and cooking food in Minnesota.

**(j) Lake Superior Zoo**

\$150,000 each year is to the Lake Superior Zoo to develop educational exhibits and programs.

**(k) Great Lakes Aquarium**

\$250,000 each year is to the Lake Superior Center Authority to prepare, fabricate, and install a hands-on exhibit with interactive learning components to educate Minnesotans on the history of the natural landscape of the state.

**(l) State Band**

\$50,000 the first year is to the Minnesota state band to provide free concerts throughout the state.

**Subd. 7. Minnesota Zoo**2,000,0002,000,000

The amounts in this subdivision are appropriated to the Minnesota Zoological Board for programs at and development of the Minnesota Zoological Garden and to provide access and education related to programs on the cultural heritage of Minnesota.

**Subd. 8. Minnesota Humanities Center**17,321,0003,650,000

(a) The amounts in this subdivision are appropriated to the Board of Directors of the Minnesota Humanities Center for the purposes specified in this subdivision. The Minnesota Humanities Center may use up to 5.5 percent of the appropriations for the administration of these funds and to cover the cost of administering, planning, evaluating, and reporting these grants. The Minnesota Humanities Center must develop a written plan to issue the grants under this subdivision and must submit the plan for review and approval by the commissioner of administration. The written plan must require the Minnesota Humanities Center to create and adhere to grant policies that are similar to those established according to Minnesota Statutes, section 16B.97, subdivision 4, paragraph (a), clause (1).

The grant agreement must specify the repercussions for failing to comply with the grant agreement.

**(b) Programs and Purposes**

\$2,000,000 each year is for statewide humanities programs and to support and expand outreach, partnerships, and humanities programming with organizations and individuals throughout the state, including but not limited to programming related to veterans and the military experience, professional development opportunities for educators, and programming celebrating, representing, and reflecting upon the heritage of diverse Minnesota communities that have been historically underserved.

**(c) Children's Museum Grants**

\$1,695,000 the first year and \$1,650,000 the second year are for grants to children's museums for arts and cultural exhibits and related educational outreach programs. Grants under this paragraph may include hands-on exhibits related to the history and cultural impact of science, medicine, and STEM developments for youth in Minnesota.

Of this amount:

(1) \$695,000 the first year and \$650,000 the second year are for grants to children's museums to be distributed through a competitive grant process for children's museums that have an operating budget greater than \$2,000,000. Priority must be given to youth education, new exhibits development, outreach to underserved and diverse communities, and programming that celebrates cultural diversity. The Minnesota Humanities Center must administer these funds using established grant mechanisms; and

(2) \$1,000,000 each year is for grants to children's museums to be distributed through a competitive grant process for children's museums that have an operating budget of \$2,000,000 or less. Priority must be given to youth education, new exhibits development, outreach to underserved and diverse communities, and programming that celebrates cultural diversity. The Minnesota Humanities Center must administer these funds using established grant mechanisms.

**(d) Community Identity and Heritage Grant Program; Administration and Capacity-Building Grants**

(1) \$75,000 the first year is for outreach and education on the humanities center grant program with a focus on reaching diverse community organizations and providing assistance with grant opportunities, qualifications, and reporting requirements, and specifically providing technical assistance and a nontraditional application process to improve access to grant funding for diverse communities.

(2) \$1,500,000 the first year is for capacity-building grants to organizations working with and promoting the culture of underserved communities to assist with:

(i) training and assisting staff on grant writing and grant reporting;

(ii) the costs of consultation and training from experts in nonprofit management; and

(iii) capacity-building and fundraising capabilities for smaller organizations.

(3) \$11,621,000 the first year is for a competitive grant program to provide grants to organizations or individuals working to create, celebrate, and teach the art, culture, and heritage of diverse Minnesota communities, including but not limited to Asian and Pacific Island communities, the Somali diaspora and other African immigrant communities, Indigenous communities with a focus on the 11 Tribes in Minnesota, the African American community, the Latinx community, the LGBTQIA+ community, and other underrepresented cultural groups, including communities of Black, Indigenous, and people of color, to celebrate the cultural diversity of Minnesota. At least \$2,000,000 of the grant funding in this clause must be for grants greater than \$150,000. An individual or organization that receives a grant under this clause must do at least one of the following:

(i) preserve and honor the cultural heritage of Minnesota;

(ii) provide education and student outreach on cultural diversity;

(iii) support the development of culturally diverse humanities programming, including arts programming, by individuals and organizations; or

(iv) empower communities in building identity and culture, including preserving and honoring communities whose Indigenous cultures are endangered or disappearing.

(4) Of the amount in clause (3), \$25,000 the first year is available for emergency grants to respond to urgent community needs to organizations otherwise qualified to receive grants under clause (3). Grants under this clause should be designed to be awarded on a rolling basis based on emerging needs to assist communities responding to major events and to facilitate the process of grieving, encourage healing, create memorials, or assist in recovery of the community. This amount is available through the second year and any amount not expended by October 15 of the second year may be used for general programming costs or grants under this paragraph.

**(e) Civics Grants Program**

\$400,000 the first year is for grants to support programs and organizations providing civics education for youth on law, democracy, government, and debate and to conduct civics education programs.

**(f) Fiscal Accountability Study**

\$30,000 the first year is for a study on fiscal sponsorship and fiscal oversight to study and report on best practices in grant making to nonprofit organizations. This funding is available in the second year, and the study may be conducted by an entity hired by the Board of Directors of the Minnesota Humanities Center.

**Subd. 9. Indian Affairs Council**2,300,0002,300,000

\$850,000 each year is to provide grants to Minnesota Tribal Nations to preserve Dakota and Ojibwe Indian language and to foster education programs and services for Dakota and Ojibwe language.

\$650,000 each year is for grants to Dakota and Ojibwe language-immersion educational institutions.

\$600,000 each year is to provide grants to preserve the Dakota and Ojibwe Indian language through support of projects and services and to support educational programs and immersion efforts in Dakota and Ojibwe language.

\$50,000 each year is for a Dakota and Ojibwe Indian language working group coordinated by the Indian Affairs Council.

\$150,000 each year is for the Indian Affairs Council to carry out responsibilities under Minnesota Statutes, section 307.08, to comply with Public Law 101-601, the Native American Graves Protection and Repatriation Act.

**Subd. 10. Department of Agriculture**400,000400,000

The amounts in this subdivision are appropriated to the commissioner of agriculture for grants to county agricultural societies to enhance arts access and education and to preserve and promote Minnesota's history and cultural heritage as embodied in its county fairs. The grants may be distributed in equal amounts to each of the county fairs that submitted an application. The grants are in addition to the aid distribution to county agricultural societies under Minnesota Statutes, section 38.02. The commissioner of agriculture must develop grant-making criteria and guidance for expending money under this subdivision to provide funding for projects and events that provide access to the arts or the state's agricultural, historical, and cultural heritage. The commissioner must seek input from all interested parties. Money not used in the first year may be used in the second year.

**Subd. 11. Legislative Coordinating Commission**4,000-0-

The amount in this subdivision is appropriated to the Legislative Coordinating Commission to maintain the website required under Minnesota Statutes, section 3.303, subdivision 10.

**Subd. 12. Legacy Arts and Cultural Heritage Access Days**

A portion of all funding from the arts and cultural heritage fund appropriations in this section must be used by grantees to improve access to programs, exhibits, and events that traditionally have a fee for entry. Grantees are encouraged to provide access to all community members using free programming days and to distribute free or reduced-cost tickets to improve access to all households throughout the state to increase participation in arts, history, and cultural programs that may be inaccessible due to cost. Grantees may partner with nonprofits that provide low- or no-cost access to arts and cultural heritage events and provide open access to free or reduced-cost programming to all economically disadvantaged households. All grantees should work to promote and advertise the ability to attend programs, exhibits, and events through free-access days for all Minnesotans and free or reduced-cost ticketing programs and provide instructions on how these programs work.

Sec. 3. Minnesota Statutes 2022, section 129D.17, is amended by adding a subdivision to read:

Subd. 6. **Report.** Each fiscal agent who receives funding from the arts and cultural heritage fund in a biennial budget must submit a report by February 15 the next odd-numbered year to the chairs and ranking minority members of the legislative committees with jurisdiction over the legacy arts and cultural heritage fund. Each report must cover the two years prior to the report and include:

- (1) an accounting of funding that has been distributed;
- (2) an accounting of funding not yet expended;
- (3) summary information on programs supported by the funding;
- (4) summary information on competitive grant programs, when offered; and
- (5) grant information for grants provided to individuals, entities, or organizations, including whether the programs or projects awarded funding have been completed."

Delete the title and insert:

"A bill for an act relating to state government; appropriating money from outdoor heritage, clean water, parks and trails, and arts and cultural heritage funds; modifying prior appropriations; modifying provisions related to outdoor heritage fund and parks and trails fund; modifying Clean Water Legacy Act; requiring reports; amending Minnesota Statutes 2022, sections 85.53, subdivision 2, by adding a subdivision; 85.536, subdivisions 1, 2; 97A.056, subdivisions 2, 11, 22; 114D.20, subdivision 2; 114D.30, subdivisions 4, 6, 7; 114D.50, subdivision 4; 129D.17, by adding a subdivision; Laws 2020, chapter 104, article 1, section 2, subdivision 5, as amended."

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

The report was adopted.

Klevorn from the Committee on State and Local Government Finance and Policy to which was referred:

H. F. No. 2677, A bill for an act relating to the Metropolitan Council; requiring greenhouse gas emissions benchmarks; requiring capacity expansion impact assessment for certain projects; requiring a climate action plan as a part of comprehensive plan content; requiring a land use study and report to the legislature by the council; appropriating money; amending Minnesota Statutes 2022, sections 174.01, by adding a subdivision; 174.03, subdivision 1a; 473.859, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 161.

Reported the same back with the following amendments:

Page 1, line 15, delete "in"

Page 1, line 16, delete everything before "must"

Page 1, line 21, delete "decennial" and insert "four-year"

Page 1, line 22, delete "and" and insert ", which: (i) must provide for an allocation"

Page 1 line 23, delete ", which" and insert "; (ii) must account for differences in the feasibility and extent of emissions reductions across forms of land use and across regions of the state; and (iii)"

Page 2, line 3, delete "July 1, 2024" and insert "February 1, 2025"

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2022, section 473.146, subdivision 1, is amended to read:

Subdivision 1. **Requirement.** The council shall adopt a long-range comprehensive policy plan for transportation, climate action, and wastewater treatment. The plans must substantially conform to all policy statements, purposes, goals, standards, and maps in the development guide developed and adopted by the council under this chapter. Each policy plan must include, to the extent appropriate to the functions, services, and systems covered, the following:

(1) forecasts of changes in the general levels and distribution of population, households, employment, land uses, and other relevant matters, for the metropolitan area and appropriate subareas;

(2) a statement of issues, problems, needs, and opportunities with respect to the functions, services, and systems covered;

(3) a statement of the council's goals, objectives, and priorities with respect to the functions, services, and systems covered, addressing areas and populations to be served, the levels, distribution, and staging of services; a general description of the facility systems required to support the services; the estimated cost of improvements required to achieve the council's goals for the regional systems, including an analysis of what portion of the funding for each improvement is proposed to come from the state, Metropolitan Council levies, and cities, counties, and towns in the metropolitan area, respectively, and other similar matters;

(4) a statement of policies to effectuate the council's goals, objectives, and priorities;

(5) a statement of the fiscal implications of the council's plan, including a statement of: (i) the resources available under existing fiscal policy; (ii) the adequacy of resources under existing fiscal policy and any shortfalls and unattended needs; (iii) additional resources, if any, that are or may be required to effectuate the council's goals, objectives, and priorities; and (iv) any changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that the council has recommended or may recommend;



(6) a statement of the relationship of the policy plan to other policy plans and chapters of the Metropolitan Development Guide;

(7) a statement of the relationships to local comprehensive plans prepared under sections 473.851 to 473.871; ~~and~~

(8) additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the metropolitan agency and function covered by the policy plan; and

(9) forecasts pertaining to greenhouse gas emissions that are generated from activity that occurs within local jurisdictions, including from transportation, land use, energy use, solid waste, livestock, and agriculture, and the estimated impact of strategies that reduce or naturally sequester greenhouse gas emissions across sectors.

**EFFECTIVE DATE; APPLICATION.** This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 3. Minnesota Statutes 2022, section 473.146, is amended by adding a subdivision to read:

**Subd. 5. Development guide: climate action.** The climate action chapter must include policies that describe how metropolitan system plans, as defined under section 473.852, subdivision 8, meet greenhouse gas emissions-reduction goals established by the state under section 216H.02, subdivision 1, and transportation targets established by the commissioner of transportation, including vehicle miles traveled reduction targets established in the statewide multimodal transportation plan under section 174.03, subdivision 1a.

**EFFECTIVE DATE; APPLICATION.** This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 4. Minnesota Statutes 2022, section 473.859, is amended by adding a subdivision to read:

**Subd. 7. Climate action plan.** The council must specify how the information in section 473.146, subdivision 5, must be incorporated into comprehensive plan content.

**EFFECTIVE DATE; APPLICATION.** This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Page 4, line 8, delete "HIGHWAY CAPACITY" and insert "NEXT GENERATION TRANSPORTATION"

Page 4, line 9, delete "CAPACITY EXPANSION" and insert "TRANSPORTATION GREENHOUSE GAS EMISSIONS"

Page 6, delete lines 1 and 2 and insert:

"(1) the total greenhouse gas emissions reduction from the mitigation actions, after accounting for the greenhouse gas emissions otherwise resulting from the capacity expansion project, is consistent with meeting the benchmarks and targets specified under subdivision 2, paragraph (a), clauses (1) and (2); and"

Page 6, delete lines 29 and 30 and insert:

"(3) the mitigation is localized as provided in paragraph (e); and"

Page 7, after line 2, insert:

"(e) The area or corridor of a mitigation action must be localized in the following priority order:

(1) within or associated with at least one of the communities impacted by the capacity expansion project;

(2) if there is not a reasonably feasible location under clause (1), in the region of the capacity expansion project; or

(3) if there is not a reasonably feasible location under clause (1) or (2), on a statewide basis.

(f) The commissioner must include an explanation regarding the feasibility and rationale for each mitigation action located under paragraph (e), clauses (2) and (3)."

Page 7, line 10, delete "July 1, 2024" and insert "February 1, 2025"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Transportation Finance and Policy.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 36, 917 and 1826 were read for the second time.

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Daudt and Dotseth introduced:

H. F. No. 3161, A bill for an act relating to insurance; health; changing claim payment exceptions; amending Minnesota Statutes 2022, section 62Q.75, subdivision 4.

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

Lee, K.; Pérez-Vega; Hussein; Pinto; Her and Hollins introduced:

H. F. No. 3162, A bill for an act relating to taxation; providing special tax increment financing authority to the city of St. Paul; amending Laws 2008, chapter 366, article 5, section 36, subdivisions 1, 3, as amended.

The bill was read for the first time and referred to the Committee on Taxes.

Hansen, R., introduced:

H. F. No. 3163, A bill for an act relating to capital investment; appropriating money for construction of a new multiuse water, engineering, and utilities facility in the city of Cottage Grove.

The bill was read for the first time and referred to the Committee on Capital Investment.

Myers introduced:

H. F. No. 3164, A bill for an act relating to capital investment; appropriating money for reconstruction of roads in the city of Long Lake; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Bierman introduced:

H. F. No. 3165, A bill for an act relating to health; establishing grants and a contract for activities to sustain school-based health centers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Gomez introduced:

H. F. No. 3166, A bill for an act relating to public safety; appropriating money for Minnesota SafeStreets.

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

Harder, Nash, Joy, Nadeau, Koznick and Fogelman introduced:

H. F. No. 3167, A bill for an act relating to state government; requiring a reduction in appropriations for positions that have been unfilled for at least 180 days; requiring a report.

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

Nash, Dotseth and Mekeland introduced:

H. F. No. 3168, A bill for an act relating to housing; limiting regulations on certain residential development; proposing coding for new law in Minnesota Statutes, chapter 462.

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

Grossell introduced:

H. F. No. 3169, A bill for an act relating to local taxes; authorizing Lake of the Woods County to impose a special lodging tax.

The bill was read for the first time and referred to the Committee on Taxes.

Pfarr introduced:

H. F. No. 3170, A bill for an act relating to capital investment; appropriating money for public safety facilities in the city of Montgomery; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Burkel introduced:

H. F. No. 3171, A bill for an act relating to taxation; modifying property taxes and individual income taxes; modifying the first-tier valuation limit for agricultural homestead properties; increasing tier limits for homestead resort properties; modifying the homestead market value exclusion; reducing the state general levy; allowing an unlimited Social Security subtraction; decreasing income tax rates; establishing a temporary refundable child credit; providing a direct payment to individuals; appropriating money; amending Minnesota Statutes 2022, sections 273.11, subdivision 23; 273.13, subdivisions 22, 35; 275.025, subdivision 1; 290.0132, subdivision 26; 290.06, subdivisions 2c, as amended, 2d.

The bill was read for the first time and referred to the Committee on Taxes.

Reyer introduced:

H. F. No. 3172, A bill for an act relating to capital investment; appropriating money for a grant to WE WIN Institute, Inc. to acquire and improve property in the city of Minneapolis.

The bill was read for the first time and referred to the Committee on Capital Investment.

Frazier introduced:

H. F. No. 3173, A bill for an act relating to housing; appropriating money for a grant to Riverfront Development Partners to develop mixed-use buildings including housing units.

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

Frazier introduced:

H. F. No. 3174, A bill for an act relating to motor vehicles; amending requirements governing towing authority; amending Minnesota Statutes 2022, sections 168B.011, by adding a subdivision; 168B.035, subdivision 5; 168B.04, subdivision 2, by adding a subdivision.

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

Vang introduced:

H. F. No. 3175, A bill for an act relating to capital investment; appropriating money for an economic hub in the city of Brooklyn Center.

The bill was read for the first time and referred to the Committee on Capital Investment.

Kresha introduced:

H. F. No. 3176, A bill for an act relating to aeronautics; appropriating money for deposit in the hangar construction revolving account.

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

Edelson introduced:

H. F. No. 3177, A bill for an act relating to the attorney general; establishing a Civil Commitment Coordinating Division; establishing engagement services and outpatient civil commitment grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 8.

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

Igo introduced:

H. F. No. 3178, A bill for an act relating to capital investment; appropriating money for an integrated regional waste processing, recycling, and mixed municipal solid waste disposal campus in Itasca County; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Nelson, M., and Nadeau introduced:

H. F. No. 3179, A bill for an act relating to transportation; appropriating money for intersection improvements on marked U.S. Highway 169 in the cities of Brooklyn Park and Champlin; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

West introduced:

H. F. No. 3180, A bill for an act relating to taxation; establishing the Minnesota refund program; transferring certain forecasted positive unrestricted general fund balances to the Minnesota refund account; establishing criteria for statutory sales tax refunds; requiring reports; appropriating money; amending Minnesota Statutes 2022, section 16A.152, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 297J.

The bill was read for the first time and referred to the Committee on Taxes.

Davids and Urdahl introduced:

H. F. No. 3181, A bill for an act relating to retirement; Teachers Retirement Association; St. Paul Teachers Retirement Fund Association; modifying the retirement annuity statutes to authorize an unreduced normal retirement annuity when age and service equal at least 90; amending Minnesota Statutes 2022, sections 353.29, subdivision 3; 354.44, subdivision 6; 354A.31, subdivision 7.

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

Davids and Urdahl introduced:

H. F. No. 3182, A bill for an act relating to state government; public employees insurance program modifications; creating a Minnesota insurance pool committee; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 43A.316, subdivisions 5, 7.

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

Olson, L., introduced:

H. F. No. 3183, A bill for an act relating to state finances; establishing a definition of transfer; clarifying the date of the annual November budget forecast; requiring a biennial budget close report; updating the budget reserve allocation number; making technical corrections; eliminating obsolete statutes; amending Minnesota Statutes 2022, sections 16A.011, by adding a subdivision; 16A.103, subdivisions 1, 1b, as amended, by adding a subdivision; 16A.152, subdivision 2; 16A.97; repealing Minnesota Statutes 2022, section 16A.98.

The bill was read for the first time and referred to the Committee on Ways and Means.

Long moved that the House recess subject to the call of the Chair. The motion prevailed.

#### RECESS

#### RECONVENED

The House reconvened and was called to order by Speaker pro tempore Wolgamott.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 4, A Senate concurrent resolution relating to adjournment for more than three days.

THOMAS S. BOTTERN, Secretary of the Senate

#### SUSPENSION OF RULES

Long moved that the rules be so far suspended so that Senate Concurrent Resolution No. 4 be now considered and placed upon its adoption. The motion prevailed.

#### SENATE CONCURRENT RESOLUTION No. 4

A Senate concurrent resolution relating to adjournment for more than three days.

*Be It Resolved* by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon the adjournment of the Senate on Tuesday, April 4, 2023, and the adjournment of the House of Representatives on Tuesday, April 4, 2023, the Senate and House of Representatives may each set its next day of meeting for Tuesday, April 11, 2023.

2. Each house consents to adjournment of the other house for more than three days.

Long moved that Senate Concurrent Resolution No. 4 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 4 was adopted.

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

Long 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 Thursday, March 30, 2023 and established a prefiling requirement for amendments offered to the following bills:

S. F. No. 2265; and H. F. Nos. 1278, 1178, 1370 and 2175.

Long 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 Monday, April 3, 2023 and established a prefiling requirement for amendments offered to the following bills:

H. F. No. 1581; and S. F. No. 1816.

Long from the Committee on Rules and Legislative Administration, pursuant to rule 1.23, designated the following bills to be placed on the Consent Calendar for Monday, April 3, 2023:

H. F. Nos. 1182 and 1486.

Reyer was excused between the hours of 1:15 p.m. and 2:45 p.m.

Quam was excused for the remainder of today's session.

#### CALENDAR FOR THE DAY

S. F. No. 2265, A bill for an act relating to human services; establishing procedures for the commissioner of human services related to the transition from the public health emergency; appropriating money; amending Laws 2020, First Special Session chapter 7, section 1, subdivision 1, as amended; Laws 2021, First Special Session chapter 7, article 1, section 36; article 16, section 2, subdivision 25.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 82 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Acomb	Becker-Finn	Bierman	Cha	Curran	Elkins
Agbaje	Bennett	Brand	Clardy	Dotseth	Feist
Bahner	Berg	Carroll	Coulter	Edelson	Finke

Fischer	Hicks	Klevorn	Moller	Pinto	Vang
Frazier	Hill	Koegel	Mueller	Pryor	West
Frederick	Hollins	Kotyza-Witthuhn	Myers	Pursell	Wiens
Freiberg	Hornstein	Kozlowski	Nadeau	Rehm	Witte
Gomez	Howard	Kraft	Nelson, M.	Richardson	Wolgamott
Greenman	Hudella	Lee, F.	Newton	Sencer-Mura	Xiong
Hansen, R.	Huot	Lee, K.	Noor	Skraba	Youakim
Hanson, J.	Hussein	Liebling	Norris	Smith	Zelevnikar
Hassan	Jacob	Lillie	Olson, L.	Stephenson	Spk. Hortman
Hemmingsen-Jaeger	Jordan	Lislegard	Pelowski	Tabke	
Her	Keeler	Long	Pérez-Vega	Urdahl	

Those who voted in the negative were:

Anderson, P. E.	Davids	Harder	McDonald	O'Driscoll	Scott
Anderson, P. H.	Davis	Heintzeman	Mekeland	Olson, B.	Swedzinski
Backer	Demuth	Hudson	Murphy	Perryman	Torkelson
Bakeberg	Engen	Igo	Nash	Petersburg	Wiener
Bliss	Fogelman	Johnson	Nelson, N.	Pfarr	
Burkel	Franson	Joy	Neu Brindley	Robbins	
Daniels	Gillman	Knudsen	Niska	Schomacker	
Daudt	Grossell	Kresha	Novotny	Schultz	

The bill was passed and its title agreed to.

H. F. No. 1278 was reported to the House.

Pelowski moved to amend H. F. No. 1278 as follows:

Page 1, line 9, after the period, insert "This is a onetime appropriation."

The motion prevailed and the amendment was adopted.

H. F. No. 1278, A bill for an act relating to public safety; appropriating money for the disaster assistance contingency account.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Bakeberg	Brand	Curran	Dotseth	Fischer
Agbaje	Becker-Finn	Burkel	Daniels	Edelson	Fogelman
Anderson, P. E.	Bennett	Carroll	Daudt	Elkins	Franson
Anderson, P. H.	Berg	Cha	Davids	Engen	Frazier
Backer	Bierman	Clardy	Davis	Feist	Frederick
Bahner	Bliss	Coulter	Demuth	Finke	Freiberg



Gillman	Howard	Kozlowski	Nadeau	Perryman	Stephenson
Gomez	Hudella	Kraft	Nash	Petersburg	Swedzinski
Greenman	Hudson	Kresha	Nelson, M.	Pfarr	Tabke
Grossell	Huot	Lee, F.	Nelson, N.	Pinto	Torkelson
Hansen, R.	Hussein	Lee, K.	Neu Brindley	Pryor	Urdahl
Hanson, J.	Igo	Liebling	Newton	Pursell	Vang
Harder	Jacob	Lillie	Niska	Rehm	West
Hassan	Johnson	Lislegard	Noor	Richardson	Wiener
Heintzeman	Jordan	Long	Norris	Robbins	Wiens
Hemmingsen-Jaeger	Joy	McDonald	Novotny	Schomacker	Witte
Her	Keeler	Mekeland	O'Driscoll	Schultz	Wolgamott
Hicks	Klevorn	Moller	Olson, B.	Scott	Xiong
Hill	Knudsen	Mueller	Olson, L.	Sencer-Mura	Youakim
Hollins	Koegel	Murphy	Pelowski	Skraba	Zeleznikar
Hornstein	Kotyza-Witthuhn	Myers	Pérez-Vega	Smith	Spk. Hortman

The bill was passed, as amended, and its title agreed to.

H. F. No. 1178 was reported to the House.

Brand moved to amend H. F. No. 1178 as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2022, section 169.454, subdivision 2, is amended to read:

Subd. 2. **Age of vehicle.** Vehicles ~~12 years or older~~ model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.

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

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1178, A bill for an act relating to transportation; repealing requirement to retire type III vehicles after 12 years; repealing Minnesota Statutes 2022, section 169.454, subdivision 2.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Anderson, P. H.	Bakeberg	Berg	Brand	Cha
Agbaje	Backer	Becker-Finn	Bierman	Burkel	Clardy
Anderson, P. E.	Bahner	Bennett	Bliss	Carroll	Coulter

Curran	Gillman	Huot	Lillie	Novotny	Sencer-Mura
Daniels	Gomez	Hussein	Lislegard	O'Driscoll	Skraba
Daudt	Greenman	Igo	Long	Olson, B.	Smith
Davids	Grossell	Jacob	McDonald	Olson, L.	Stephenson
Davis	Hansen, R.	Johnson	Mekeland	Pelowski	Swedzinski
Demuth	Hanson, J.	Jordan	Moller	Pérez-Vega	Tabke
Dotseth	Harder	Joy	Mueller	Perryman	Torkelson
Edelton	Hassan	Keeler	Murphy	Petersburg	Urdahl
Elkins	Heintzeman	Klevorn	Myers	Pfarr	Vang
Engen	Hemmingsen-Jaeger	Knudsen	Nadeau	Pinto	West
Feist	Her	Koegel	Nash	Pryor	Wiener
Finke	Hicks	Kotyza-Witthuhn	Nelson, M.	Pursell	Wiens
Fischer	Hill	Kozlowski	Nelson, N.	Rehm	Witte
Fogelman	Hollins	Kraft	Neu Brindley	Richardson	Wolgamott
Franson	Hornstein	Kresha	Newton	Robbins	Xiong
Frazier	Howard	Lee, F.	Niska	Schomacker	Youakim
Frederick	Hudella	Lee, K.	Noor	Schultz	Zelevnikar
Freiberg	Hudson	Liebling	Norris	Scott	Spk. Hortman

The bill was passed, as amended, and its title agreed to.

H. F. No. 2175 was reported to the House.

Pfarr moved to amend H. F. No. 2175 as follows:

Page 4, line 5, before "persons" insert "(1)"

Page 4, line 6, delete the period and insert "; and (2) an institution of the Farm Credit System established and authorized in accordance with the Farm Credit Act of 1971, as amended, United States Code, title 12, section 2001, et seq."

The motion prevailed and the amendment was adopted.

H. F. No. 2175, A bill for an act relating to financial institutions; regulating nonbank mortgage servicers; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 58.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Bakeberg	Brand	Curran	Dotseth	Fischer
Agbaje	Becker-Finn	Burkel	Daniels	Edelson	Fogelman
Anderson, P. E.	Bennett	Carroll	Daudt	Elkins	Franson
Anderson, P. H.	Berg	Cha	Davids	Engen	Frazier
Backer	Bierman	Clardy	Davis	Feist	Frederick
Bahner	Bliss	Coulter	Demuth	Finke	Freiberg

Gillman	Howard	Kozlowski	Nadeau	Perryman	Stephenson
Gomez	Hudella	Kraft	Nash	Petersburg	Swedzinski
Greenman	Hudson	Kresha	Nelson, M.	Pfarr	Tabke
Grossell	Huot	Lee, F.	Nelson, N.	Pinto	Torkelson
Hansen, R.	Hussein	Lee, K.	Neu Brindley	Pryor	Urdahl
Hanson, J.	Igo	Liebling	Newton	Pursell	Vang
Harder	Jacob	Lillie	Niska	Rehm	West
Hassan	Johnson	Lislegard	Noor	Richardson	Wiener
Heintzeman	Jordan	Long	Norris	Robbins	Wiens
Hemmingsen-Jaeger	Joy	McDonald	Novotny	Schomacker	Witte
Her	Keeler	Mekeland	O'Driscoll	Schultz	Wolgamott
Hicks	Klevorn	Moller	Olson, B.	Scott	Xiong
Hill	Knudsen	Mueller	Olson, L.	Sencer-Mura	Youakim
Hollins	Koegel	Murphy	Pelowski	Skraba	Zeleznikar
Hornstein	Kotyza-Witthuhn	Myers	Pérez-Vega	Smith	Spk. Hortman

The bill was passed, as amended, and its title agreed to.

H. F. No. 1370 was reported to the House.

Neu Brindley moved to amend H. F. No. 1370, the second engrossment, as follows:

Page 5, after line 7, insert:

"Deep fake does not include an electronic image or photograph produced using photo editing software, unless the image or photograph is accompanied by an audio or video recording that appears to authentically depict the speech or conduct of an individual appearing in the image or photograph and the individual did not in fact engage in such speech or conduct."

The motion did not prevail and the amendment was not adopted.

H. F. No. 1370, A bill for an act relating to public safety; establishing a cause of action for nonconsensual dissemination of deep fake sexual images; establishing the crime of using deep fake technology to influence an election; establishing a crime for nonconsensual dissemination of deep fake sexual images; proposing coding for new law in Minnesota Statutes, chapters 604; 609; 617.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Bahner	Berg	Carroll	Daniels	Dotseth
Agbaje	Bakeberg	Bierman	Cha	Daudt	Edelson
Anderson, P. E.	Baker	Bliss	Clardy	Davids	Elkins
Anderson, P. H.	Becker-Finn	Brand	Coulter	Davis	Engen
Backer	Bennett	Burkel	Curran	Demuth	Feist

Finke	Her	Knudsen	Myers	Petersburg	Torkelson
Fischer	Hicks	Koegel	Nadeau	Pfarr	Urdahl
Fogelman	Hill	Kotyza-Witthuhn	Nash	Pinto	Vang
Franson	Hollins	Kozlowski	Nelson, M.	Pryor	West
Frazier	Hornstein	Kraft	Nelson, N.	Pursell	Wiener
Frederick	Howard	Kresha	Neu Brindley	Rehm	Wiens
Freiberg	Hudella	Lee, F.	Newton	Richardson	Witte
Gillman	Hudson	Lee, K.	Niska	Robbins	Wolgamott
Gomez	Huot	Liebling	Noor	Schomacker	Xiong
Greenman	Hussein	Lillie	Norris	Schultz	Youakim
Grossell	Igo	Lislegard	Novotny	Scott	Zelevnikar
Hansen, R.	Jacob	Long	O'Driscoll	Sencer-Mura	Spk. Hortman
Hanson, J.	Johnson	McDonald	Olson, B.	Skraba	
Harder	Jordan	Mekeland	Olson, L.	Smith	
Hassan	Joy	Moller	Pelowski	Stephenson	
Heintzeman	Keeler	Mueller	Pérez-Vega	Swedzinski	
Hemmingsen-Jaeger	Klevorn	Murphy	Perryman	Tabke	

The bill was passed and its title agreed to.

### MOTIONS AND RESOLUTIONS

Her moved that the name of Hornstein be added as an author on H. F. No. 173. The motion prevailed.

Bierman moved that the name of Bahner be added as an author on H. F. No. 402. The motion prevailed.

Stephenson moved that the name of Myers be added as an author on H. F. No. 450. The motion prevailed.

Freiberg moved that the name of Hornstein be added as an author on H. F. No. 568. The motion prevailed.

Edelson moved that the name of Myers be added as an author on H. F. No. 584. The motion prevailed.

Baker moved that the name of Myers be added as an author on H. F. No. 615. The motion prevailed.

Lislegard moved that the name of Skraba be added as an author on H. F. No. 873. The motion prevailed.

Igo moved that the name of Schomacker be added as an author on H. F. No. 882. The motion prevailed.

Freiberg moved that the name of Pursell be added as an author on H. F. No. 1168. The motion prevailed.

Niska moved that the name of Newton be added as an author on H. F. No. 1177. The motion prevailed.

Lislegard moved that the name of Skraba be added as an author on H. F. No. 1193. The motion prevailed.

Hanson, J., moved that the name of Hussein be added as an author on H. F. No. 1198. The motion prevailed.

Baker moved that the name of O'Driscoll be added as an author on H. F. No. 1240. The motion prevailed.

Fischer moved that the name of Edelson be added as an author on H. F. No. 1299. The motion prevailed.

Tabke moved that the name of Elkins be added as an author on H. F. No. 1322. The motion prevailed.

Kotzya-Witthuhn moved that the name of Brand be added as an author on H. F. No. 1369. The motion prevailed.

Lislegard moved that the name of Skraba be added as an author on H. F. No. 1377. The motion prevailed.

Hanson, J., moved that the name of Nelson, N., be added as an author on H. F. No. 1479. The motion prevailed.

Reyer moved that the name of Curran be added as an author on H. F. No. 1532. The motion prevailed.

Wiens moved that the name of Harder be added as an author on H. F. No. 1636. The motion prevailed.

Jordan moved that the name of Lee, K., be added as an author on H. F. No. 1690. The motion prevailed.

Freiberg moved that the names of Hollins and Bahner be added as authors on H. F. No. 1801. The motion prevailed.

Hassan moved that the name of Pursell be added as an author on H. F. No. 1807. The motion prevailed.

Hicks moved that the name of Hornstein be added as an author on H. F. No. 1880. The motion prevailed.

Hollins moved that the names of Edelson and Fischer be added as authors on H. F. No. 1900. The motion prevailed.

Gomez moved that the names of Hornstein, Hassan and Lee, K., be added as authors on H. F. No. 2041. The motion prevailed.

Kozlowski moved that the name of Gomez be added as an author on H. F. No. 2091. The motion prevailed.

Quam moved that his name be stricken as an author on H. F. No. 2177. The motion prevailed.

Elkins moved that the name of Skraba be added as an author on H. F. No. 2183. The motion prevailed.

Keeler moved that the name of Reyer be added as an author on H. F. No. 2343. The motion prevailed.

Niska moved that the name of Newton be added as an author on H. F. No. 2347. The motion prevailed.

Tabke moved that the name of Skraba be added as an author on H. F. No. 2348. The motion prevailed.

Finke moved that the names of Hornstein, Pérez-Vega and Lee, K., be added as authors on H. F. No. 2355. The motion prevailed.

Fischer moved that the name of Lee, K., be added as an author on H. F. No. 2389. The motion prevailed.

Lislegard moved that the name of Skraba be added as an author on H. F. No. 2410. The motion prevailed.

Berg moved that the name of Freiberg be added as an author on H. F. No. 2442. The motion prevailed.

Curran moved that the names of Hornstein; Hassan; Lee, K., and Hussein be added as authors on H. F. No. 2466. The motion prevailed.

Agbaje moved that the names of Hornstein and Greenman be added as authors on H. F. No. 2477. The motion prevailed.

Hanson, J., moved that the name of Feist be added as an author on H. F. No. 2502. The motion prevailed.

Huot moved that the name of Rehm be added as an author on H. F. No. 2517. The motion prevailed.

Baker moved that the name of Myers be added as an author on H. F. No. 2544. The motion prevailed.

Becker-Finn moved that the name of Reyer be added as an author on H. F. No. 2546. The motion prevailed.

Finke moved that the names of Hornstein, Hassan, Pérez-Vega and Hussein be added as authors on H. F. No. 2568. The motion prevailed.

Stephenson moved that the name of Hudella be added as an author on H. F. No. 2676. The motion prevailed.

Harder moved that her name be stricken as an author on H. F. No. 2718. The motion prevailed.

Kiel moved that the name of Perryman be added as an author on H. F. No. 2758. The motion prevailed.

Noor moved that the name of Cha be added as an author on H. F. No. 2847. The motion prevailed.

Lislegard moved that the name of Skraba be added as an author on H. F. No. 2866. The motion prevailed.

Agbaje moved that the name of Kozlowski be added as an author on H. F. No. 2942. The motion prevailed.

Murphy moved that the names of Myers and Davis be added as authors on H. F. No. 3022. The motion prevailed.

Berg moved that the name of Norris be added as an author on H. F. No. 3024. The motion prevailed.

Her moved that the name of Pursell be added as an author on H. F. No. 3100. The motion prevailed.

Niska moved that the name of Newton be added as an author on H. F. No. 3104. The motion prevailed.

Igo moved that the name of Niska be added as an author on H. F. No. 3133. The motion prevailed.

Igo moved that the name of Niska be added as an author on H. F. No. 3134. The motion prevailed.

Igo moved that the names of Burkel and Niska be added as authors on H. F. No. 3135. The motion prevailed.

Igo moved that the names of Niska and Jacob be added as authors on H. F. No. 3136. The motion prevailed.

Zelevnikar moved that the name of Davis be added as an author on H. F. No. 3144. The motion prevailed.

Newton moved that the name of Hornstein be added as an author on H. F. No. 3154. The motion prevailed.

Myers moved that the name of Engen be added as an author on H. F. No. 3158. The motion prevailed.

#### MOTION TO SUSPEND RULES

Torkelson moved that the rules of the House be so far suspended so that H. F. No. 733 be recalled from the Committee on Human Services Finance, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Torkelson motion and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, P. E.	Davids	Heintzeman	Mekeland	O'Driscoll	Swedzinski
Anderson, P. H.	Davis	Hudella	Mueller	Olson, B.	Torkelson
Backer	Demuth	Hudson	Murphy	Perryman	Urdahl
Bakeberg	Dotseth	Igo	Myers	Petersburg	West
Baker	Engen	Jacob	Nadeau	Pfarr	Wiener
Bennett	Fogelman	Johnson	Nash	Robbins	Wiens
Bliss	Franson	Joy	Nelson, N.	Schomacker	Witte
Burkel	Gillman	Knudsen	Neu Brindley	Schultz	Zeleznikar
Daniels	Grossell	Kresha	Niska	Scott	
Daudt	Harder	McDonald	Novotny	Skraba	

Those who voted in the negative were:

Acomb	Edelson	Hassan	Klevorn	Nelson, M.	Richardson
Agbaje	Elkins	Hemmingsen-Jaeger	Koegel	Newton	Sencer-Mura
Bahner	Feist	Her	Kotzya-Witthuhn	Noor	Smith
Becker-Finn	Finke	Hicks	Kozlowski	Norris	Stephenson
Berg	Fischer	Hill	Kraft	Olson, L.	Tabke
Bierman	Frazier	Hollins	Lee, F.	Pelowski	Vang
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Wolgamott
Carroll	Freiberg	Howard	Liebling	Pinto	Xiong
Cha	Gomez	Huot	Lillie	Pryor	Youakim
Clardy	Greenman	Hussein	Lislegard	Pursell	Spk. Hortman
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Reyer	

The motion did not prevail.

#### REQUEST PURSUANT TO RULE 4.31

Pursuant to rule 4.31, Demuth gave notice that she is requesting the return to the House of H. F. No. 1809 from the Committee on Health Finance and Policy.

#### ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 3:30 p.m., Monday, April 3, 2023. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and Speaker pro tempore Wolgamott declared the House stands adjourned until 3:30 p.m., Monday, April 3, 2023.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

