

STATE OF MINNESOTA

NINETY-THIRD SESSION — 2024

 ONE HUNDRED FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 11, 2024

The House of Representatives convened at 3:30 p.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Dinesh Shastri, Priest, and Vivek Kamran, General Secretary, Geeta Ashram Temple, Brooklyn Park, 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 | Davids | Hassan | Koegel | Niska | Scott |
| Agbaje | Davis | Heintzeman | Kotzya-Witthuhn | Noor | Skraba |
| Altendorf | Dotseth | Hemmingsen-Jaeger | Kozlowski | Norris | Smith |
| Anderson, P. E. | Edelson | Her | Koznick | Novotny | Stephenson |
| Anderson, P. H. | Elkins | Hicks | Kraft | O'Driscoll | Swedzinski |
| Backer | Engen | Hill | Kresha | Olson, B. | Tabke |
| Bahner | Feist | Hollins | Lawrence | Olson, L. | Torkelson |
| Bakeberg | Finke | Hornstein | Lee, F. | Pelowski | Urdahl |
| Baker | Fischer | Howard | Lee, K. | Pérez-Vega | Vang |
| Becker-Finn | Fogelman | Hudella | Liebling | Perryman | Virnig |
| Bennett | Franson | Hudson | Lillie | Petersburg | West |
| Berg | Frazier | Huot | Lislegard | Pfarr | Wiener |
| Bierman | Frederick | Hussein | Long | Pinto | Wiens |
| Bliss | Freiberg | Igo | Mekeland | Pryor | Witte |
| Brand | Garofalo | Jacob | Moller | Pursell | Wolgamott |
| Burkel | Gillman | Johnson | Mueller | Quam | Xiong |
| Carroll | Gomez | Jordan | Murphy | Rarick | Youakim |
| Cha | Greenman | Joy | Myers | Rehm | Zelevnikar |
| Clardy | Grossell | Keeler | Nadeau | Reyer | Spk. Hortman |
| Coulter | Hansen, R. | Kiel | Nelson, M. | Robbins | |
| Curran | Hanson, J. | Klevorn | Neu Brindley | Schomacker | |
| Daniels | Harder | Knudsen | Newton | Schultz | |

A quorum was present.

Demuth, McDonald and Nelson, N., were excused.

Sencer-Mura was excused until 5:05 p.m. Nash was excused until 6:30 p.m.

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

REPORTS OF CHIEF CLERK

S. F. No. 3492 and H. F. No. 3591, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Agbaje moved that S. F. No. 3492 be substituted for H. F. No. 3591 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 10, 2024

The Honorable Melissa Hortman
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Hortman:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 3613, relating to technical corrections; providing for clarifications on forecasted Metro Mobility funding; providing an effective date for education forecast adjustments; appropriating money.

Sincerely,

TIM WALZ
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Bobby Joe Champion
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2024 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S. F. No.</i> | <i>H. F. No.</i> | <i>Session Laws Chapter No.</i> | <i>Time and Date Approved 2024</i> | <i>Date Filed 2024</i> |
|----------------------|----------------------|-------------------------------------|--|----------------------------|
| | 3613 | 86 | 2:45 p.m. April 10 | April 10 |

Sincerely,

STEVE SIMON
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 685, A bill for an act relating to housing; restricting residential rentals by corporate home owners; proposing coding for new law in Minnesota Statutes, chapter 500.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. **[462A.45] STATEWIDE LANDLORD DATABASE.**

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

(b) "Landlord" has the meaning given in section 504B.001, subdivision 7.

(c) "Residential building" has the meaning given in section 504B.001, subdivision 11.

(d) "Tenant" has the meaning given to "residential tenant" in section 504B.001, subdivision 12.

Subd. 2. **Statewide landlord database.** The commissioner of the Housing Finance Agency, in consultation with the secretary of state and the Department of Commerce, shall create a statewide landlord database that collects and retains the information required in this section. The agency must not charge a fee to a landlord for annually submitting information to the database. Access to the database must be at no cost and the information submitted must be accessible to the public through a public website that can be searched by a public user. The database must allow tenants and prospective tenants to report rental units or landlords who cannot be found in the database.

Subd. 3. **Landlord database; annual submissions.** (a) Before renting a rental unit in a residential building in the state or within 30 days of renting a rental unit in the state, a landlord must provide the following information to the statewide landlord database:

(1) the complete legal names of the owners of the residential building where the rental property is located and, if the property is owned by a company or group of investors, the complete legal names of each natural person who has an economic interest in the residential building;

(2) the business address of each natural person who owns an interest in the property;

(3) the name, address, and contact information for the landlord or manager of the property;

(4) the rent for each residential rental unit on the first day that the property is rented or on January 1 of the year of the filing for a renewal; and

(5) if the rental unit or the residential building has a rental license, the date of issue, expiration, and jurisdiction issuing the license.

(b) A landlord must annually update a submission for each rental unit or residential building that the landlord is renting by February 1 or, if a unit is vacant, before or during the first 30 days that the rental unit is occupied.

(c) A landlord who fails to comply with this subdivision is subject to penalties under subdivision 4.

Subd. 4. **Enforcement.** (a) A tenant who is unable to locate a property or property owner in the statewide landlord database shall notify the Housing Finance Agency that the landlord or unit could not be found, and the tenant must provide their contact information, the unit address, and the contact information for the landlord. The Housing Finance Agency must send a letter to the landlord with information on the database and notice that the landlord must provide the landlord's annual submission to the database within 30 days of the date that the landlord received notice of the letter. The Housing Finance Agency must send the tenant a copy of the letter. An enforcement action under paragraph (b) may not be brought until 31 days after the date of the letter sent under this paragraph.

(b) The attorney general may enforce this section. The court may award a civil penalty of up to \$5,000 if the court finds that the landlord has repeated knowing and willful violations of this section."

Page, 1, line 14, after "The" insert "corporate"

Page 1, after line 19, insert:

"(b) The individual owner of a single-family home is prohibited from renting the home to a residential tenant when the owner has a property interest in 20 or more single-family nonhomestead properties that have a current residential tenant, or are available for rent or have been rented within the last 12 months by a residential tenant and the owner is not a named exception to this restriction under subdivision 3.

(c) For the purposes of this section, a "single-family home" is a single home and does not include a duplex, triplex, or fourplex."

Page 2, line 1, delete "(b)" and insert "(d)"

Page 2, line 4, after "owner" insert "or corporate owner"

Page 2, line 5, delete "1" and insert "2"

Page 2, after line 8, insert:

"(4) the owner of a home licensed under chapter 245D;

(5) an employer and the home is a home rented by the employer to an employee;"

Page 2, line 9, delete "(4)" and insert "(6)"

Page 2, line 11, delete "(5)" and insert "(7)" and after "a" insert "sheriff certificate"

Page 2, line 15, after "(c)" insert "An owner or"

Page 2, line 17, after "if" insert "(1)"

Page 2, line 18, before the period, insert ", and (2) the exemption does not limit the supply of affordable, safe single-family homes available to purchasers who plan to be owner-occupants"

Page 2, line 22, after the period, insert "The agency may charge a reasonable fee to process applications for exemptions and renewals of exemptions under this section." and delete the second "The"

Page 2, line 23, delete everything before "each"

Page 2, line 24, delete "paragraph to ensure that owner" and insert "section must file an annual request to continue the exemption. The agency shall grant the request if the applicant"

Page 2, line 26, after the period, insert "(d)"

Page 3, line 1, delete everything after the period

Page 3, delete lines 2 to 4

Page 3, line 5, delete everything after "shall" and insert "award a \$100,000 civil fine for each single-family home rented in excess of the amount allowed under this section, as well as"

Page 3, line 6, delete everything before "court"

Page 3, line 7, after the period, insert "Civil fines collected pursuant to this section shall be deposited in the workforce and affordable homeownership development program."

Page 3, line 9, delete everything after "section" and insert a period

Page 3, delete lines 10 to 32

Page 4, delete lines 1 to 10

Page 4, after line 13, insert:

"Sec. 3. **[504B.112] OWNERSHIP DISCLOSURE.**

A landlord must disclose to a tenant in writing the name and contact information for all parties with any interest in the real property subject to the lease."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "establishing a statewide landlord database;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Housing Finance and Policy.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 685 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. 912, A bill for an act relating to human services; establishing the Layla Jackson Law; modifying child welfare provisions; requiring reports; appropriating money; amending Minnesota Statutes 2022, section 260C.329, subdivisions 3, 8; proposing coding for new law in Minnesota Statutes, chapter 260.

Reported the same back with the following amendments:

Page 1, line 20, before the period, insert ", or the Minnesota American Indian Family Preservation Act, sections 260.751 to 260.835"

Page 2, line 14, after "and" insert "the child's"

Page 2, line 15, after "efforts" insert "sets a higher standard for the responsible social services agency than reasonable efforts. Active efforts"

Page 2, line 16, delete "and to" and insert a comma

Page 2, line 17, delete everything after "child" and insert ", and"

Page 2, delete line 18

Page 2, line 19, delete "make active efforts to"

Page 2, line 20, delete everything after the period

Page 2, delete lines 21 and 22

Page 3, line 2, after "child's" insert "family." and after "community" insert a comma

Page 3, line 31, after the period, insert "Disproportionately represented child includes members of unique cultural groups belonging to larger ethnic or cultural categories used in federal, state, or local demographic data when the members are known to be disproportionately affected."

Page 4, line 8, after "includes" insert "a placement in foster care following"

Page 5, line 7, delete "accountable" and insert "responsible" and after "for" insert "helping with"

Page 5, line 23, delete everything after "to" and insert "prevent out-of-home placement and preserve the child's family"

Page 5, line 24, delete everything before the period

Page 5, line 27, delete the semicolon

Page 5, line 28, delete "(3) hold a family group consultation meeting"

Page 5, line 29, delete "and"

Page 5, after line 29, insert:

"(3) work with the family to develop an alternative plan to out-of-home placement;

(4) before making decisions that may affect the child's safety and well-being or when contemplating out-of-home placement, seek guidance from the child's family structure on how the family can seek help, what resources are available, and what barriers the family faces at that time; and"

Page 5, line 30, delete "(4)" and insert "(5)"

Page 6, delete lines 11 and 12 and insert:

"(d) The responsible social services agency is not required to establish a safety plan:

(1) in a case with allegations of sexual abuse or egregious harm;

(2) when the parent is not willing to follow a safety plan;

(3) when the parent has abandoned the child or is unavailable to follow a safety plan; or

(4) when the parent has chronic substance abuse issues and is unable to parent the child."

Page 6, line 15, after "prevent" insert ", delay, or deny"

Page 7, line 3, delete "the responsible social services agency is notified that"

Page 8, line 4, delete "must be represented" and insert "has a right to counsel appointed by the court"

Page 8, line 5, delete everything before the period

Page 9, line 8, delete "; TEMPORARY OUT-OF-HOME" and insert a period

Page 9, delete line 9

Page 9, line 33, delete "the child's continued placement in the home of" and insert "the child physically remaining in the home with"

Page 10, line 12, after the period, insert "Relative placement consideration requirements in sections 260C.212, subdivision 2, paragraph (a), and 260C.221, subdivision 4, apply."

Page 13, line 28, after "shall" insert "consider the requirements of and responsibilities under section 260.012, paragraph (a), and"

Page 15, line 31, after "commissioner" insert "and the African American Child Well-Being Advisory Council, if applicable."

Page 16, line 1, delete "In any adoptive or preadoptive placement proceeding" and insert "Following a responsible social services agency adoptive placement decision"

Page 16, line 3, after "shall" insert "immediately" and delete "pending proceeding" and insert "agency's decision"

Page 16, line 4, after the period, insert "The commissioner has the right to intervene in cases where a determination of noncompliance with this act was made."

Page 16, line 6, after "notice" insert "and prior to processing an adoption placement agreement"

Page 16, line 10, after "notice" insert "and indicates an intent to exercise the commissioner's right of intervention."

Page 16, line 21, after the second comma, insert "the African American Child Well-Being Advisory Council."

Page 16, line 23, after the period, insert "When the case review consists of fewer than five cases, the responsible social services agency must only report the case data to the African American Child Well-Being Advisory Council."

Page 18, after line 4, insert:

"Sec. 11. **[260.695] AFRICAN AMERICAN CHILD WELL-BEING ADVISORY COUNCIL.**

Subdivision 1. Duties. The African American Child Well-Being Advisory Council shall:

(1) review annual reports related to African American children in out-of-home placement;

(2) assist in and make recommendations to the commissioner for developing strategies to prevent out-of-home placement, promote culturally appropriate foster care and shelter or facility placement decisions and settings for African American children, and improve child welfare outcomes for African American children and families;

(3) review summary reports on case reviews prepared by the commissioner to ensure that responsible social services agencies meet the needs of African American families. The council may review individual case information with identifying information redacted to provide context and oversight and to address disparities in the treatment of African American children and families as compared to other children and families involved in the child welfare system;

(4) assist the Cultural and Ethnic Communities Leadership Council with making recommendations to the commissioner and the legislature for public policy and statutory changes that specifically consider the needs of African American children and families involved in the child welfare system;

(5) advise the commissioner and responsible social services agencies on stakeholder engagement and actions that the commissioner and agencies may take to improve child welfare outcomes for African American children and families;

(6) assist the commissioner with developing strategies for public messaging and communication related to racial disparities in child welfare outcomes for African American children and families;

(7) assist the commissioner with identifying and developing internal and external partnerships to support adequate access to services and resources for African American children and families, including but not limited to housing assistance, employment assistance, food and nutrition support, health care, child care assistance, and educational support and training; and

(8) identify barriers to the development of a racially and ethnically diverse child welfare workforce in Minnesota that includes professionals who have been directly impacted by experiences within the child welfare system and explore strategies and partnerships to address education and training needs and hiring and recruitment practices.

Subd. 2. **Case review.** (a) The council may initiate a secondary case review of an African American child's case upon the request of a child's parent or custodian or the child if the council determines that a secondary case review is appropriate after reviewing the commissioner's summary report and conclusions from the initial case review. The purpose of a secondary case review under this subdivision is to provide recommendations to the commissioner and the responsible social services agency to improve the child welfare system and provide better outcomes for the child and the child's family.

(b) Upon the request of the parent, custodian, or child, members of the African American Child Well-Being Advisory Council shall have access to the following data, as permitted under applicable statutes, for a child's case review under this subdivision:

(1) law enforcement investigative data;

(2) autopsy records and coroner or medical examiner investigative data;

(3) hospital, public health, and other medical records of the child;

(4) hospital and other medical records of the child's parent that relate to prenatal care;

(5) records of any responsible social services agency that provided services to the child or family; and

(6) a responsible social services agency's personnel data regarding any agency employees who provided services to the child or child's family members.

A state agency, statewide system, or political subdivision shall provide the data in paragraph (b) to the African American Child Well-Being Advisory Council and the council's members upon request of the commissioner. Not public data may be shared with members of the council in connection with an individual case.

(c) Not public data acquired by the African American Child Well-Being Advisory Council in the exercise of its duties retains its original classification. The commissioner may not disclose data on individuals that were classified as confidential or private data on individuals in possession of the state agency, statewide system, or political subdivision from which the data were received, except that the commissioner may disclose responsible social services agency data as provided in section 260E.35, subdivision 7, on individual cases involving a fatality or near fatality of a person served by the responsible social services agency prior to the date of the death or incident.

(d) The proceedings and records of the council that pertain to the case review of an individual child are private data or confidential data to the extent that they contain data on an active investigation. Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because the information, documents, and records were presented during proceedings of the council. A person who presented information before the council or who is a member of the council is not prevented from testifying about matters within the person's knowledge.

Subd. 3. **Annual report.** By January 1 of each year, beginning January 1, 2026, the council shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over child protection on the council's activities under this section and other issues of the council's choosing. The report may include recommendations for statutory changes to improve the child protection system and child welfare outcomes for African American children and families.

Sec. 12. **[260.696] AFRICAN AMERICAN CHILD WELL-BEING UNIT.**

Subdivision 1. **Duties.** The African American Child Well-Being Unit, established by the commissioner, shall perform the following functions:

(1) assist with the development of African American cultural competency training and review child welfare curriculum in the Minnesota Child Welfare Training Academy to ensure that responsible social services agency staff and other child welfare professionals are appropriately prepared to engage with African American families and to support family preservation and reunification;

(2) provide technical assistance, including on-site technical assistance, and case consultation to responsible social services agencies to assist agencies with implementing and complying with this act;

(3) monitor the number and placement settings of African American children in out-of-home placement statewide to identify trends and develop strategies to address disproportionality in the child welfare system at the state and county levels;

(4) develop and implement a system for conducting case reviews when the commissioner receives reports of noncompliance with this act or when requested by the parent or custodian of an African American child. Case reviews may include but are not limited to a review of placement prevention efforts, safety planning, case planning and service provision by the responsible social services agency, relative placement consideration, and permanency planning;

(5) establish and administer a request for proposals process for African American and disproportionately represented family preservation grants under section 260.697, monitor grant activities, and provide technical assistance to grantees;

(6) coordinate services and create internal and external partnerships to support adequate access to services and resources for African American children and families, including but not limited to housing assistance, employment assistance, food and nutrition support, health care, child care assistance, and educational support and training, in consultation with the African American Child Well-Being Advisory Council; and

(7) develop public messaging and communication to inform the general public in Minnesota about racial disparities in child welfare outcomes, current efforts and strategies to reduce racial disparities, and resources available to African American children and families involved in the child welfare system.

Subd. 2. **Reports.** The African American Child Well-Being Unit shall provide regular updates on unit activities, including summary reports of case reviews, to the African American Child Well-Being Advisory Council and shall publish an annual census of African American children in out-of-home placements statewide. The annual census shall include data on the types of placements, age and sex of the children, how long the children have been in out-of-home placements, and other relevant demographic information."

Page 20, line 3, reinstate the stricken language and strike "48" and insert "24"

Page 20, line 4, reinstate the stricken language

Renumber the clauses in sequence

Page 21, line 1, after "shall" insert "consult with the African American Child Well-Being Advisory Council to"

Page 21, line 11, delete everything after "provided" and insert "by an individual or organization that serves African American and disproportionately represented communities or has experience and knowledge about African American and disproportionately represented communities' social and cultural norms and historical trauma."

Page 21, delete lines 12 to 14

Page 21, line 22, after "commissioner" insert ", in coordination with the African American Child Well-Being Advisory Council."

Page 21, line 26, after "shall" insert "work with the African American Child Well-Being Advisory Council to"

Page 22, after line 27, insert:

"Sec. 21. **SEVERABILITY.**

The provisions in this act are severable. If any part or provision of the sections of this act, or the application of any section to any person, entity, or circumstance, is held invalid or unconstitutional, the remainder, including the application of the part or provision to other persons, entities, or circumstances, shall not be affected by the holding and shall continue to have force and effect."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "establishing the African American Child Well-Being Advisory Council;"

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.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 912 was re-referred to the Committee on Rules and Legislative Administration.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2609, A bill for an act relating to public safety; requiring a report on gun trafficking investigations and firearm seizures by the Bureau of Criminal Apprehension and Violent Crime Enforcement Teams; amending the definition of trigger activator; increasing penalties for transferring firearms to certain persons who are ineligible to possess firearms; amending Minnesota Statutes 2022, section 624.7141; Minnesota Statutes 2023 Supplement, sections 299A.642, subdivision 15; 609.67, subdivision 1.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3499, A bill for an act relating to railroads; providing for railroad safety, including modifying minimum insurance requirements and establishing a maximum train length; providing for penalties; amending Minnesota Statutes 2022, section 221.0255, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 219.

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

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 3689, A bill for an act relating to child protection; adding a requirement for an out-of-home placement plan summary; amending Minnesota Statutes 2022, section 260C.212, subdivision 1.

Reported the same back with the following amendments:

Page 6, line 17, before the period, insert "using a form developed by the commissioner"

Page 6, line 18, delete "list" and insert "summarize" and after the first "and" insert "list"

Page 6, line 21, delete everything after the period

Page 6, delete lines 22 and 23

Page 6, after line 34, insert:

"EFFECTIVE DATE. This section is effective March 1, 2025."

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 3689 was re-referred to the Committee on Rules and Legislative Administration.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3757, A bill for an act relating to public safety; establishing a felony offense for reporting a fictitious emergency and directing the emergency response to the home of certain individuals; making a conforming change; amending Minnesota Statutes 2022, section 609.78, subdivision 3, by adding a subdivision.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Stephenson from the Committee on Commerce Finance and Policy to which was referred:

H. F. No. 4461, A bill for an act relating to commerce; requiring a license to sell copper metal; amending Minnesota Statutes 2022, section 325E.21, by adding a subdivision; Minnesota Statutes 2023 Supplement, section 325E.21, subdivision 1b.

Reported the same back with the following amendments:

Page 3, lines 11, 12, and 32, delete "purchase or"

Page 3, line 15, delete "purchaser or"

Page 3, line 19, delete "for applicants who intend to sell scrap metal copper."

Page 3, line 22, delete "\$....." and insert "\$250."

Page 3, line 31, delete "electrical" and delete "section 326B.33" and insert "chapter 326B or issued a Section 608 Technician Certification"

Page 4, line 3, delete "\$....." and insert "\$250"

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 4461 was re-referred to the Committee on Rules and Legislative Administration.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4537, A bill for an act relating to human services; the Department of Human Services Office of Inspector General executive bill on children's licensing issues; amending Minnesota Statutes 2022, sections 245A.04, subdivision 10, by adding a subdivision; 245A.09, subdivision 7; 245A.14, subdivision 17; 245A.16, by adding a subdivision; 245A.52, subdivision 2; 245A.66, subdivision 2; 245C.08, subdivision 4; 245E.08; 245H.01, by adding subdivisions; 245H.08, subdivision 1; 245H.14, subdivisions 1, 4; 260E.30, subdivision 3; Minnesota Statutes 2023 Supplement, sections 13.46, subdivision 4; 245A.02, subdivision 2c; 245A.16, subdivision 11;

245C.02, subdivision 6a; 245C.033, subdivision 3; 245C.10, subdivision 15; 245H.06, subdivisions 1, 2; 245H.08, subdivisions 4, 5; proposing coding for new law in Minnesota Statutes, chapter 245H; repealing Minnesota Rules, part 9545.0805, subpart 1.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4713, A bill for an act relating to occupational health and safety; requiring the commissioner of labor and industry to adopt rules related to acceptable blood lead levels for workers.

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

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4746, A bill for an act relating to labor; regulating transportation network companies; providing a civil cause of action; imposing criminal penalties; amending Minnesota Statutes 2022, section 65B.472; proposing coding for new law as Minnesota Statutes, chapter 181C.

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

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Liebling from the Committee on Health Finance and Policy to which was referred:

H. F. No. 4757, A bill for an act relating to cannabis; transferring enforcement of edible cannabinoid products to the Office of Cannabis Management; clarifying workplace testing for cannabis; making technical changes related to the taxation of cannabis and related products; replacing medical cannabis licenses with endorsements; establishing a petition process to designate cannabinoids as nonintoxicating or approved for use in lower-potency hemp edibles; authorizing lower-potency hemp edibles to contain certain artificially derived cannabinoids created in making delta-9 tetrahydrocannabinol; allowing testing of certain hemp products to be performed by labs meeting accreditation standards regardless of licensing status; authorizing patients enrolled in the registry program to obtain cannabis flower from registered designated caregivers; authorizing registered designated caregivers to cultivate cannabis plants on behalf of patients enrolled in the registry program; authorizing the Office of Cannabis

Management to recall certain cannabis and related products; transferring the duties of the medical cannabis program to the Office of Cannabis Management on July 1, 2025; authorizing the appointment of deputy directors; clarifying the process for transfer of certain licenses; providing for license preapproval; removing the requirement that local governments perform certain inspections; removing the requirement that license applications be scored based on identified criteria and requiring that license applications be assessed based on certain minimum criteria; requiring employees of cannabis businesses to meet certain background check requirements; establishing social equity licenses; limiting the number of certain licenses that can be made available in an application period; providing for the conversion of a registration to sell certain hemp-derived products into a hemp business license; providing for a cannabis research license classification; authorizing the Office of Cannabis Management to adjust limits on cultivation area; permitting certain businesses to transport cannabis and related products between facilities operated by the business; replacing the prohibition on certain sales of lower-potency hemp products with a prohibition on selling to an obviously intoxicated person; providing for enforcement of unlicensed businesses engaging in activities that require a license; making technical and conforming changes; amending Minnesota Statutes 2022, sections 17.133, subdivision 1; 152.22, subdivision 14; 152.27, subdivisions 2, 6, by adding a subdivision; 181.950, subdivision 10; 181.952, as amended; Minnesota Statutes 2023 Supplement, sections 3.9224, subdivision 1; 151.72, subdivisions 1, 2, 3, 4, 5a, 5b, 6, 7; 181.951, subdivisions 4, 5, 8; 181.954, subdivision 1; 342.01, subdivisions 14, 17, 19, 48, 50, 52, 54, 63, 64, 65, 66, by adding subdivisions; 342.02, subdivisions 2, 3, 6; 342.03, subdivision 1; 342.06; 342.07, subdivision 3; 342.09, subdivision 3; 342.10; 342.11; 342.12; 342.13; 342.14; 342.15, by adding a subdivision; 342.17; 342.18, subdivisions 2, 3, by adding subdivisions; 342.19, by adding a subdivision; 342.22; 342.24, subdivisions 1, 2; 342.28, subdivision 2, by adding subdivisions; 342.29, subdivision 4, by adding a subdivision; 342.30, subdivision 4; 342.31, subdivision 4; 342.32, subdivision 4; 342.35, subdivision 1; 342.37, subdivision 1; 342.40, subdivision 7; 342.41, subdivision 3; 342.46, subdivision 8; 342.51; 342.515, subdivision 1, by adding a subdivision; 342.52, subdivisions 1, 2, 3, 4, 5, 9, 11; 342.53; 342.54; 342.55, subdivisions 1, 2; 342.56, subdivisions 1, 2; 342.57, subdivisions 1, 2, 4; 342.60; 342.61, subdivisions 1, 4, 5; 342.62, by adding a subdivision; 342.63, subdivisions 2, 3, 6; 342.64, subdivision 1; 342.73, subdivision 4; 342.80; Laws 2023, chapter 63, article 1, sections 2; 51; 52; 53; 54; 55; 56; 57; 58; 59; 61; article 6, section 73; proposing coding for new law in Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2023 Supplement, sections 342.01, subdivision 28; 342.18, subdivision 1; 342.27, subdivision 13; 342.29, subdivision 9; 342.47; 342.48; 342.49; 342.50; Laws 2023, chapter 63, article 7, sections 4; 6.

Reported the same back with the following amendments:

Page 13, delete section 11 and insert:

"Sec. 11. Minnesota Statutes 2022, section 152.22, subdivision 11, is amended to read:

Subd. 11. **Registered designated caregiver.** "Registered designated caregiver" means a person who:

(1) is at least 18 years old;

~~(2) does not have a conviction for a disqualifying felony offense;~~

~~(3) (2)~~ has been approved by the ~~commissioner~~ office to assist a patient who requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility; and

~~(4) (3)~~ is authorized by the ~~commissioner~~ office to assist the patient with the use of medical cannabis.

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

Sec. 12. Minnesota Statutes 2022, section 152.22, subdivision 14, is amended to read:

Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a diagnosis of any of the following conditions:

(1) Alzheimer's disease;

(2) autism spectrum disorder that meets the requirements of the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association;

~~(4)~~ (3) cancer, if the underlying condition or treatment produces one or more of the following:

(i) severe or chronic pain;

(ii) nausea or severe vomiting; or

(iii) cachexia or severe wasting;

(4) chronic motor or vocal tic disorder;

(5) chronic pain;

~~(2)~~ (6) glaucoma;

~~(3)~~ (7) human immunodeficiency virus or acquired immune deficiency syndrome;

(8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);

(9) obstructive sleep apnea;

(10) post-traumatic stress disorder;

~~(4)~~ (11) Tourette's syndrome;

~~(5)~~ (12) amyotrophic lateral sclerosis;

~~(6)~~ (13) seizures, including those characteristic of epilepsy;

~~(7)~~ (14) severe and persistent muscle spasms, including those characteristic of multiple sclerosis;

~~(8)~~ (15) inflammatory bowel disease, including Crohn's disease;

(16) irritable bowel syndrome;

(17) obsessive-compulsive disorder;

(18) sickle cell disease;

~~(9)~~ (19) terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:

(i) severe or chronic pain;

(ii) nausea or severe vomiting; or

(iii) cachexia or severe wasting; or

~~(40)~~ (20) any other medical condition ~~or its treatment approved by the commissioner, that is:~~

(i) approved by a patient's health care practitioner; or

(ii) if the patient is a veteran receiving care from the United States Department of Veterans Affairs, certified under section 152.27, subdivision 3a.

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

Sec. 13. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to read:

Subd. 19. **Veteran.** "Veteran" means an individual who satisfies the requirements in section 197.447 and is receiving care from the United States Department of Veterans Affairs.

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

Sec. 14. Minnesota Statutes 2022, section 152.25, subdivision 2, is amended to read:

Subd. 2. **Range of compounds and dosages; report.** ~~The commissioner office~~ shall review and publicly report the existing medical and scientific literature regarding the range of recommended dosages for each qualifying condition and the range of chemical compositions of any plant of the genus cannabis that will likely be medically beneficial for each of the qualifying medical conditions. ~~The commissioner office~~ shall make this information available to patients with qualifying medical conditions beginning December 1, 2014, and update the information ~~annually every three years.~~ The commissioner office may consult with the independent laboratory under contract with the manufacturer or other experts in reporting the range of recommended dosages for each qualifying medical condition, the range of chemical compositions that will likely be medically beneficial, and any risks of noncannabis drug interactions. ~~The commissioner office~~ shall consult with each manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list of medical cannabis offered by a manufacturer shall be published on the ~~Department of Health~~ Office of Cannabis Management website.

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

Sec. 15. Minnesota Statutes 2022, section 152.27, subdivision 1, is amended to read:

Subdivision 1. **Patient registry program; establishment.** ~~(a) The commissioner office~~ shall establish a patient registry program to evaluate data on patient demographics, effective treatment options, clinical outcomes, and quality-of-life outcomes for the purpose of reporting on the benefits, risks, and outcomes regarding patients with a qualifying medical condition engaged in the therapeutic use of medical cannabis.

~~(b) The establishment of the registry program shall not be construed or interpreted to condone or promote the illicit recreational use of marijuana.~~

EFFECTIVE DATE. This section is effective July 1, 2024."

Page 14, line 8, strike "Commissioner" and insert "Office" and strike "commissioner" and insert "office"

Page 14, line 19, strike everything after "condition"

Page 14, strike lines 20 and 21

Page 14, line 22, strike everything before the semicolon

Page 15, lines 1, 4, 12, 14, 17, and 19, strike "commissioner" and insert "office"

Page 15, line 6, strike "task force on medical cannabis"

Page 15, line 7, strike "therapeutic research" and insert "Cannabis Advisory Council under section 342.03"

Page 15, line 18, strike "task force on medical cannabis research" and insert "Cannabis Advisory Council under section 342.03"

Page 15, after line 21, insert:

"Sec. 17. Minnesota Statutes 2022, section 152.27, subdivision 3, is amended to read:

Subd. 3. **Patient application.** (a) The ~~commissioner~~ office shall develop a patient application for enrollment into the registry program. The application shall be available to the patient and given to health care practitioners in the state who are eligible to serve as health care practitioners. The application must include:

- (1) the name, mailing address, and date of birth of the patient;
 - (2) the name, mailing address, and telephone number of the patient's health care practitioner;
 - (3) the name, mailing address, and date of birth of the patient's designated caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver;
 - (4) a copy of the certification from the patient's health care practitioner that is dated within 90 days prior to submitting the application that certifies that the patient has been diagnosed with a qualifying medical condition; and
 - (5) all other signed affidavits and enrollment forms required by the ~~commissioner~~ office under sections 152.22 to 152.37, including, but not limited to, the disclosure form required under paragraph ~~(e)~~ (b).
- ~~(b) The commissioner shall require a patient to resubmit a copy of the certification from the patient's health care practitioner on a yearly basis and shall require that the recertification be dated within 90 days of submission.~~
- ~~(e)~~ (b) The ~~commissioner~~ office shall develop a disclosure form and require, as a condition of enrollment, all patients to sign a copy of the disclosure. The disclosure must include:
- (1) a statement that, notwithstanding any law to the contrary, the ~~commissioner~~ office, or an employee of any state agency, may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37; and
 - (2) the patient's acknowledgment that enrollment in the patient registry program is conditional on the patient's agreement to meet all of the requirements of sections 152.22 to 152.37.

EFFECTIVE DATE. This section is effective July 1, 2024."

Page 15, lines 25 and 30, delete "commissioner" and insert "office"

Page 15, after line 33, insert:

"Sec. 19. Minnesota Statutes 2022, section 152.27, subdivision 4, is amended to read:

Subd. 4. **Registered designated caregiver.** (a) The ~~commissioner~~ office shall register a designated caregiver for a patient if the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility and the caregiver has agreed, in writing, to be the patient's designated caregiver. As a condition of registration as a designated caregiver, the commissioner shall require the person to:

(1) be at least 18 years of age;

(2) agree to only possess the patient's medical cannabis for purposes of assisting the patient; and

(3) agree that if the application is approved, the person will not be a registered designated caregiver for more than six registered patients at one time. Patients who reside in the same residence shall count as one patient.

~~(b) The commissioner shall conduct a criminal background check on the designated caregiver prior to registration to ensure that the person does not have a conviction for a disqualifying felony offense. Any cost of the background check shall be paid by the person seeking registration as a designated caregiver. A designated caregiver must have the criminal background check renewed every two years.~~

~~(c)~~ (b) Nothing in sections 152.22 to 152.37 shall be construed to prevent a person registered as a designated caregiver from also being enrolled in the registry program as a patient and possessing and using medical cannabis as a patient.

EFFECTIVE DATE. This section is effective July 1, 2024."

Page 16, lines 3, 5, 16, 21, and 28, strike "commissioner" and insert "office"

Page 16, line 7, strike "commissioner" and insert "office" and strike everything after "application"

Page 16, strike line 8

Page 16, line 9, strike "fees until January 1, 2016"

Page 17, after line 4, insert:

"Sec. 21. Minnesota Statutes 2023 Supplement, section 152.28, subdivision 1, is amended to read:

Subdivision 1. **Health care practitioner duties.** (a) Prior to a patient's enrollment in the registry program, a health care practitioner shall:

(1) determine, in the health care practitioner's medical judgment, whether a patient suffers from a qualifying medical condition, and, if so determined, provide the patient with a certification of that diagnosis;

(2) advise patients, registered designated caregivers, and parents, legal guardians, or spouses who are acting as caregivers of the existence of any nonprofit patient support groups or organizations;

(3) provide explanatory information from the commissioner to patients with qualifying medical conditions, including disclosure to all patients about the experimental nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects of the proposed treatment; the application and other materials from the commissioner; and provide patients with the Tennessean warning as required by section 13.04, subdivision 2; and

(4) agree to continue treatment of the patient's qualifying medical condition and report medical findings to the commissioner.

(b) Upon notification from the commissioner of the patient's enrollment in the registry program, the health care practitioner shall:

(1) participate in the patient registry reporting system under the guidance and supervision of the commissioner;

(2) report health records of the patient throughout the ongoing treatment of the patient to the commissioner in a manner determined by the commissioner and in accordance with subdivision 2;

(3) determine, ~~on a yearly basis~~ every three years, if the patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certification of that diagnosis; and

(4) otherwise comply with all requirements developed by the commissioner.

(c) A health care practitioner may utilize telehealth, as defined in section 62A.673, subdivision 2, for certifications and recertifications.

(d) Nothing in this section requires a health care practitioner to participate in the registry program.

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

Sec. 22. Minnesota Statutes 2022, section 152.28, subdivision 2, is amended to read:

Subd. 2. **Data.** Data collected on patients by a health care practitioner and reported to the patient registry, including data on patients who are veterans who receive care from the United States Department of Veterans Affairs, are health records under section 144.291, and are private data on individuals under section 13.02, but may be used or reported in an aggregated, nonidentifiable form as part of a scientific, peer-reviewed publication of research conducted under section 152.25 or in the creation of summary data, as defined in section 13.02, subdivision 19.

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

Sec. 23. Minnesota Statutes 2022, section 152.29, subdivision 3, is amended to read:

Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval for the distribution of medical cannabis to a patient. A manufacturer may transport medical cannabis or medical cannabis products that have been cultivated, harvested, manufactured, packaged, and processed by that manufacturer to another registered manufacturer for the other manufacturer to distribute.

(b) A manufacturer may distribute medical cannabis products, whether or not the products have been manufactured by that manufacturer.

(c) Prior to distribution of any medical cannabis, the manufacturer shall:

(1) verify that the manufacturer has received the registry verification from the ~~commissioner~~ office for that individual patient;

(2) verify that the person requesting the distribution of medical cannabis is the patient, the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse listed in the registry verification using the procedures described in section 152.11, subdivision 2d;

(3) assign a tracking number to any medical cannabis distributed from the manufacturer;

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the ~~commissioner~~ office. For purposes of this clause, a consultation may be conducted remotely by secure videoconference, telephone, or other remote means, so long as the employee providing the consultation is able to confirm the identity of the patient and the consultation adheres to patient privacy requirements that apply to health care services delivered through telehealth. A pharmacist consultation under this clause is ~~not required when a manufacturer is distributing medical cannabis to a patient according to a patient specific dosage plan established with that manufacturer and is not modifying the dosage or product being distributed under that plan and the medical cannabis is distributed by a pharmacy technician;~~ only required:

(i) if the patient is purchasing the medical cannabis flower or medical cannabinoid product for the first time;

(ii) if the patient purchases medical cannabis flower or a medical cannabinoid product that the patient must administer using a different method than the patient's previous method of administration;

(iii) if the patient purchases medical cannabis flower or a medical cannabinoid product with a cannabinoid concentration of at least double the patient's prior dosage; or

(iv) upon the request of the patient; and

(5) properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child-resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:

(i) the patient's name and date of birth;

(ii) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;

(iii) the patient's registry identification number;

(iv) the chemical composition of the medical cannabis; and

(v) the dosage; ~~and~~

~~(6) ensure that the medical cannabis distributed contains a maximum of a 90 day supply of the dosage determined for that patient.~~

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility or to another registered manufacturer to carry identification showing that the person is an employee of the manufacturer.

(e) A manufacturer shall distribute medical cannabis in dried raw cannabis form only to a patient age 21 or older, or to the registered designated caregiver, parent, legal guardian, or spouse of a patient age 21 or older.

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

Sec. 24. Minnesota Statutes 2023 Supplement, section 152.30, is amended to read:

152.30 PATIENT DUTIES.

(a) A patient shall apply to the ~~commissioner office~~ office for enrollment in the registry program by submitting an application as required in section 152.27 ~~and an annual registration fee as determined under section 152.35.~~

(b) As a condition of continued enrollment, patients shall agree to:

(1) continue to receive regularly scheduled treatment for their qualifying medical condition from their health care practitioner; and

(2) report changes in their qualifying medical condition to their health care practitioner.

(c) A patient shall only receive medical cannabis from a registered manufacturer or Tribal medical cannabis program but is not required to receive medical cannabis products from only a registered manufacturer or Tribal medical cannabis program.

EFFECTIVE DATE. This section is effective July 1, 2024."

Page 23, line 12, strike "medical cannabis retailer" and insert "cannabis business with a medical cannabis retail endorsement"

Page 24, line 2, strike "medical cannabis business" and insert "cannabis business with a medical cannabis retail endorsement"

Page 29, line 24, delete "2025" and insert "2024"

Page 40, line 6, delete "11" and insert "25"

Page 40, line 12, delete "25;" and insert "50; and"

Page 40, delete line 13

Page 40, line 14, delete "(10)" and insert "(9)"

Page 40, line 15, delete "preapproval is" and insert "the office adopts initial rules pursuant to section 342.02, subdivision 5,"

Page 40, line 16, delete "granted"

Page 49, line 28, delete ", by rule,"

Page 49, line 32, delete "The office must" and insert "For purposes of making a determination under this subdivision, and notwithstanding the data's classification under chapter 13, the office may access civil investigatory data about an applicant maintained by any other government entity."

Page 49, delete line 33

Page 50, delete lines 1 to 3

Page 53, line 6, delete "by rule"

Page 54, lines 12 and 18, delete "22" and insert "50"

Page 72, line 28, after the period, insert "Notwithstanding any law to the contrary, issuance of a medical cannabis combination business license to a medical cannabis manufacturer registered pursuant to section 152.25 cancels the medical cannabis manufacturer registration."

Page 81, line 5, strike "of each year" and insert "every three years"

Page 81, line 29, delete "2025" and insert "2024"

Page 82, line 25, strike "on a yearly basis" and insert ", every three years,"

Page 82, line 31, delete "2025" and insert "2024"

Page 97, after line 15, insert:

"Sec. 124. Laws 2023, chapter 63, article 6, section 10, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective ~~March~~ July 1, 2025 2024."

Page 97, line 18, delete "July" and insert "December"

Page 99, after line 12, insert:

"(c) The director of the Office of Cannabis Management may use the good cause exempt rulemaking process under Minnesota Statutes, section 14.388, subdivision 1, clauses (3) and (4), to copy and adopt any portions of Minnesota Rules, parts 4770.0100 to 4770.4030, that are necessary to effectuate the transfer of authority granted under Minnesota Statutes, section 342.02, subdivision 3. The commissioner may make technical changes and any changes necessary to conform with the transfer of authority. Any change to the rules that is not authorized under this paragraph must be adopted according to Minnesota Statutes, sections 14.001 to 14.366.

(d) Unless otherwise specified in this section or Minnesota Statutes, section 342.02, subdivision 3, transfer of the powers, duties, rights, obligations, and other authority imposed by law on the Department of Health with respect to the medical cannabis program under Minnesota Statutes 2022, sections 152.22 to 152.37, to the Office of Cannabis Management is subject to Minnesota Statutes, section 15.039."

Page 99, delete section 118 and insert:

"Sec. 129. **REPEALER.**

(a) Minnesota Statutes 2022, sections 152.22, subdivision 3; and 152.36, are repealed.

(b) Minnesota Statutes 2023 Supplement, sections 342.01, subdivision 28; 342.18, subdivision 1; 342.27, subdivision 13; and 342.29, subdivision 9, are repealed.

(c) Minnesota Statutes 2023 Supplement, sections 342.47; 342.48; 342.49; and 342.50, are repealed.

(d) Laws 2023, chapter 63, article 7, sections 4; and 6, are repealed.

EFFECTIVE DATE. Paragraphs (a), (b), and (d) are effective the day following final enactment. Paragraph (c) is effective July 1, 2025."

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

Long from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4818, A bill for an act relating to Metropolitan Airports Commission; requiring health and welfare benefits; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Hansen, R., from the Committee on Environment and Natural Resources Finance and Policy to which was referred:

H. F. No. 4822, A bill for an act relating to taxation; property; modifying distribution of excess proceeds from sales of tax-forfeited property; appropriating money; amending Minnesota Statutes 2022, sections 281.23, subdivision 2; 282.01, by adding subdivisions; 282.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 281.23, subdivision 2, is amended to read:

Subd. 2. **Form.** The notice of expiration of redemption must contain the tax parcel identification numbers and legal descriptions of parcels subject to notice of expiration of redemption provisions prescribed under subdivision 1. The notice must also indicate the names of taxpayers and fee owners of record in the office of the county auditor at the time the notice is prepared and names of those parties who have filed their addresses according to section

276.041 and the amount of payment necessary to redeem as of the date of the notice. At the option of the county auditor, the current filed addresses of affected persons may be included on the notice. The notice is sufficient if substantially in the following form:

"NOTICE OF EXPIRATION OF REDEMPTION

Office of the County Auditor

County of, State of Minnesota.

To all persons having an interest in lands described in this notice:

You are notified that the parcels of land described in this notice and located in the county of, state of Minnesota, are subject to forfeiture to the state of Minnesota because of nonpayment of delinquent property taxes, special assessments, penalties, interest, and costs levied on those parcels. The time for redemption from forfeiture expires if a redemption is not made by the later of (1) 60 days after service of this notice on all persons having an interest in the lands of record at the office of the county recorder or registrar of titles, or (2) by the second Monday in May. The redemption must be made in my office.

IMPORTANT: If the parcels forfeit, they will be sold. If the proceeds from the sale exceed the total amount of the delinquent taxes, special assessments, penalties, interest, and costs levied on those parcels, you may be entitled to the excess proceeds from the sale. If there are excess proceeds, you will be notified and must submit the claim form included with the notification in order to receive the proceeds.

Names (and Current
Filed Addresses) for the
Taxpayers and Fee
Owners and Those
Parties Who Have Filed
Their Addresses
Pursuant to section
276.041

Legal
Description

Tax Parcel
Number

Amount Necessary to
Redeem as of Date of
Notice

.....
.....

FAILURE TO REDEEM THE LANDS PRIOR TO THE EXPIRATION
OF REDEMPTION WILL RESULT IN THE LOSS OF THE LAND AND
FORFEITURE TO THE STATE OF MINNESOTA.

Inquiries as to these proceedings can be made to the County Auditor for County, whose address is set forth below.

Witness my hand and official seal this day of,

(OFFICIAL SEAL)

.....
County Auditor

.....
(Address)

.....
(Telephone)."

The notice must be posted by the auditor in the auditor's office, subject to public inspection, and must remain so posted until at least one week after the date of the last publication of notice, as provided in this section. Proof of posting must be made by the certificate of the auditor, filed in the auditor's office.

Sec. 2. **[282.005] TAX-FORFEITED LAND; INITIAL SALE.**

Subdivision 1. Public auction required. Prior to managing tax-forfeited lands as otherwise provided in this chapter, a county must first offer tax-forfeited parcels for sale pursuant to this section, except for any interests in iron-bearing stockpiles, minerals, or mineral interests, which must be disposed of as provided under subdivision 8. If a property cannot be sold under this section for more than the minimum bid, the sale may be canceled and the parcels disposed of as otherwise provided in this chapter.

Subd. 2. Definitions. For the purposes of this section, the following terms have the meanings given:

(1) "interested party" means the owner of the property or any other party who has filed their name according to section 276.041;

(2) "mineral interest" means an interest in any minerals, including but not limited to iron, gas, coal, oil, copper, gold, or other valuable minerals; and

(3) "minimum bid" means the sum of delinquent taxes, special assessments, penalties, interests, and costs levied on the parcel.

Subd. 3. Redemption. Prior to the public sale required under this section, an interested party may redeem the property by payment of the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs, that accrued or would have accrued if the parcel of land had not forfeited. A property redeemed under this subdivision is no longer subject to the requirements of this section. All rights and interests of all interested parties remain unaffected if a property is redeemed under this subdivision.

Subd. 4. Public auction. (a) The county auditor must sell the property at a public auction to the highest bidder in a manner reasonably calculated to facilitate public participation, including by online auction. The sale must occur within six months of either the filing of the certificate of the expiration of redemption pursuant to section 281.23, subdivision 9, or the date the property is vacated by the occupant, whichever is later. Notice of the sale must be provided by website publication at least 30 days before the commencement of the sale.

(b) At auction, the county auditor must calculate the minimum bid and make the figure available to those participating in the auction. If no buyer is willing to pay the minimum bid, the sale may be canceled and the parcels disposed of as otherwise provided in this chapter.

Subd. 5. Sale proceeds. The auction proceeds must be collected by the county auditor and apportioned pursuant to section 282.08, paragraph (b). Any balance remaining under section 282.08, paragraph (b), clause (3), must be retained by the county and made available for claims under subdivision 6.

Subd. 6. Claims for surplus proceeds. (a) If a sale under this section results in a surplus, within 60 days of the sale, the county auditor must notify interested parties, in a manner described in subdivision 7, of the surplus by sending notice of the surplus and a claim form to the interested parties. The notice must indicate that the sale of the property resulted in a surplus, the amount of the surplus, that parties with an interest in the property are entitled to the surplus amount, and that interested parties have an obligation to submit a claim for the surplus. Interested parties are entitled to make a claim for surplus proceeds under this subdivision if they file a claim within six months from the date the notice is first mailed to the interested parties, unless a county extends the claim period under paragraph (b), in which case interested parties may make a claim for surplus proceeds within the extended period set by the county.

(b) A county may extend beyond six months the period of time in which a claim for surplus proceeds under this subdivision may be submitted. If a county chooses to extend the period, interested parties must be notified of the extension in the same manner for which notice of the surplus is provided under paragraph (a).

(c) Unless disputed by the county auditor, if a single claim is filed, the county auditor must pay the surplus to the interested party filing the claim. A county must not pay any claimant until after the period of time in which to file a claim has expired.

(d) If there are multiple claims for a given property, payments under this subdivision must be divided among the claimants according to each claimant's ownership interest in proportion to the ownership interest of all claimants. If the county auditor disputes a claim, or if there is a dispute as to how to divide the surplus among multiple claimants, the county auditor may deposit the surplus funds in district court and file a petition pursuant to Rule 67 of the Minnesota Rules of Civil Procedure, asking the court to determine claimants' rights to the funds deposited. The county auditor is entitled to recover the costs it reasonably incurs in commencing and maintaining this action from the amount of funds submitted to the court in the action. If the court determines that no claimant is entitled to the surplus, the surplus must be returned to the county and deposited into the county's forfeited tax sale fund.

(e) The county and the county auditor are entitled to absolute immunity related to any claim predicated on distribution of surplus if the county auditor distributed proceeds consistent with this subdivision.

Subd. 7. **Manner of service.** (a) A notice provided under subdivision 6 or 8 must be served as follows:

(1) by certified mail to all interested parties within 60 days of the sale;

(2) if an interested party has not filed a claim, a second notice must be sent by certified mail to all interested parties between 90 and 120 days after the sale;

(3) unless the property is vacant land, within 60 days of the sale, by first class mail to the property addressed to the attention of the occupants of the property; and

(4) within 60 days of the sale, by publishing a list of property sales with surplus with unexpired claims periods to the county's website.

(b) In addition, solely at the discretion of the county, the summons may be published in the county's designated newspaper for publication of required public notices.

Subd. 8. **Claims for mineral interests; payments; appropriation.** (a) Upon forfeiture, any iron-bearing stockpiles, minerals, and mineral interests shall be sold to the state for \$50. The county auditor must notify interested parties within 60 days of the sale by sending notice and a claim form. Notice must be provided in a manner described in subdivision 7. An interested party may submit a claim alleging that the value of the iron-bearing stockpiles, minerals, or mineral interests in the property exceeds \$50. Claims must be submitted within six months from the date the notice under this subdivision is first mailed to the interested parties, unless a county extends the claim period under paragraph (b), in which case interested parties may make a claim for surplus proceeds within the extended period set by the county.

(b) A county may extend beyond six months the period of time in which a claim under this subdivision may be submitted. If a county chooses to extend the period, interested parties must be notified of the extension in the same manner for which notice is provided under paragraph (a).

(c) If a claim is filed under this subdivision, the commissioner of natural resources must determine the value of the forfeited iron-bearing stockpiles, minerals, and mineral interests. If the value of the iron-bearing stockpiles, minerals, and mineral interests does not exceed the minimum bid, the claimant is not entitled to any payment under this subdivision. If the value of the iron-bearing stockpiles, minerals, and mineral interests exceeds the minimum bid, the claimant is entitled to a payment from the commissioner of natural resources equal to this excess amount.

(d) If there are multiple claims, payments under this subdivision must be divided among the claimants according to each claimant's ownership interest in proportion to the ownership interest of all claimants. If the county auditor disputes a claim, or if there is a dispute as to how to divide the surplus among multiple claimants, the commissioner of natural resources must transfer the amount due to the claimants under this subdivision to the county auditor. The county auditor must then deposit the transferred amount in district court and file a petition pursuant to Rule 67 of the Minnesota Rules of Civil Procedure, asking the court to determine claimants' rights to the funds deposited. The county auditor is entitled to recover the costs it reasonably incurs in commencing and maintaining this action from the amount of funds submitted to the court in the action. If the court determines that no party that filed a claim is entitled to the surplus, the payment must be returned to the commissioner of natural resources and is canceled to the general fund.

(e) An amount necessary to make payments under this subdivision is annually appropriated from the general fund to the commissioner of natural resources.

Subd. 9. **Expiration of surplus.** If a sale under this section results in a surplus and either (1) no interested party makes a claim for the proceeds within the time allowed under subdivision 6, or (2) it is determined that no claimant was entitled to the surplus proceeds, then interested parties are no longer eligible to receive payment of any surplus. Once interested parties are no longer eligible to receive payment of any surplus, the proceeds must be returned to the county's forfeited tax sale fund.

Subd. 10. **Rights affected by forfeiture.** The forfeiture of the property extinguishes all liens, claims, and encumbrances other than:

- (1) the rights of interested parties to surplus proceeds under this section;
- (2) rights of redemption provided under federal law;
- (3) easements and rights-of-way holders who are not interested parties; and
- (4) benefits or burdens of any real covenants filed of record as of the date of forfeiture.

Subd. 11. **Property bought by the state.** Property purchased by the state pursuant to this chapter shall be held in trust for the benefit of the taxing districts. All land becoming property of the state pursuant to this chapter shall be managed in accordance with chapters 93 and 282 and other applicable law.

Sec. 3. Minnesota Statutes 2022, section 282.08, is amended to read:

282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.

(a) The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale of products from the forfeited land, must be apportioned by the county auditor to the taxing districts interested in the land, as follows:

(1) the portion required to pay any amounts included in the appraised value under section 282.01, subdivision 3, as representing increased value due to any public improvement made after forfeiture of the parcel to the state, but not exceeding the amount certified by the appropriate governmental authority must be apportioned to the governmental subdivision entitled to it;

(2) the portion required to pay any amount included in the appraised value under section 282.019, subdivision 5, representing increased value due to response actions taken after forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by the Pollution Control Agency or the commissioner of agriculture, must be apportioned to the agency or the commissioner of agriculture and deposited in the fund from which the expenses were paid;

(3) the portion of the remainder required to discharge any special assessment chargeable against the parcel for drainage or other purpose whether due or deferred at the time of forfeiture, must be apportioned to the governmental subdivision entitled to it; and

(4) any balance must be apportioned as follows:

(i) The county board may annually by resolution set aside no more than 30 percent of the receipts remaining to be used for forest development on tax-forfeited land and dedicated memorial forests, to be expended under the supervision of the county board. It must be expended only on projects improving the health and management of the forest resource.

(ii) The county board may annually by resolution set aside no more than 20 percent of the receipts remaining to be used for the acquisition and maintenance of county parks or recreational areas as defined in sections 398.31 to 398.36, to be expended under the supervision of the county board.

(iii) Any balance remaining must be apportioned as follows: county, 40 percent; town or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized territory that portion which would have accrued to the township must be administered by the county board of commissioners.

(b) If a property is sold pursuant to section 282.005, after sale, and apportionment pursuant to paragraph (a), clauses (1) to (3), any additional proceeds must be apportioned as follows:

(1) the portion required to pay the sum of all delinquent taxes and assessments not paid under paragraph (a) that accrued or would have accrued if the parcel had not forfeited to the state, together with penalties, costs, and interest at the rate fixed by law for the respective years, must be apportioned to the governmental subdivisions entitled to it;

(2) the portion required to pay attorney fees and costs reasonably incurred or expended in connection with the delinquency proceedings and tax sale must be apportioned to the governmental subdivision entitled to it; and

(3) any balance must be made available for return to an interested party making a claim under section 282.005, subdivision 6.

Sec. 4. Minnesota Statutes 2022, section 282.241, subdivision 1, is amended to read:

Subdivision 1. **Repurchase requirements.** For properties forfeited prior to January 1, 2024, the owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes unless before the time repurchase is made the parcel is sold under installment payments, or otherwise, by the state as provided by law, or is under mineral prospecting permit or lease, or proceedings have been commenced by the state or any of its political subdivisions or by the United States to condemn the parcel of land. The parcel of land may be repurchased for the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs, that accrued or would have accrued if the parcel of land had not forfeited to the state. Except for property which was homesteaded on the date of forfeiture, repurchase is permitted during six months only from the date of forfeiture, and in any case only after the adoption of a resolution by the board of county commissioners determining that by repurchase undue hardship or

injustice resulting from the forfeiture will be corrected, or that permitting the repurchase will promote the use of the lands that will best serve the public interest. If the county board has good cause to believe that a repurchase installment payment plan for a particular parcel is unnecessary and not in the public interest, the county board may require as a condition of repurchase that the entire repurchase price be paid at the time of repurchase. A repurchase is subject to any easement, lease, or other encumbrance granted by the state before the repurchase, and if the land is located within a restricted area established by any county under Laws 1939, chapter 340, the repurchase must not be permitted unless the resolution approving the repurchase is adopted by the unanimous vote of the board of county commissioners.

The person seeking to repurchase under this section shall pay all maintenance costs incurred by the county auditor during the time the property was tax-forfeited."

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.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 4822 was re-referred to the Committee on Rules and Legislative Administration.

Stephenson from the Committee on Commerce Finance and Policy to which was referred:

H. F. No. 5274, A bill for an act relating to horse racing; providing for the conduct of advance deposit wagering, card playing, and pari-mutuel betting; providing definitions; making clarifying and conforming changes; amending Minnesota Statutes 2022, sections 240.01, subdivisions 1c, 5, 8, 14, by adding subdivisions; 240.30, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 17, after the period, insert "A card game must include no more than seven player seats, or ten player seats in the case of poker, and one human dealer at a shared, physical table."

Page 2, after line 8, insert:

"Sec. 5. Minnesota Statutes 2022, section 240.01, is amended by adding a subdivision to read:

Subd. 8a. **Historical horse racing.** "Historical horse racing" means any horse race that was previously conducted at a licensed racetrack, concluded with results, and concluded without scratches, disqualifications, or dead-heat finishes."

Page 2, line 12, delete "on a single horse race"

Page 2, line 13, delete everything after the period

Page 2, delete lines 14 and 15 and insert "Pari-mutuel betting shall not include betting on a race that has occurred in the past or is considered historical horse racing or where bettors are not wagering on the same live or simulcast horse race or bettors do not share in the total amount of bets taken."

Page 2, line 20, delete "A table shall not include electronic table games."

Page 2, after line 20, insert:

"Sec. 8. **[240.071] PROHIBITED ACTS.**

A licensed racetrack shall only conduct horse racing and may be authorized to operate a card club in accordance with this chapter. A licensed racetrack shall not conduct or provide for play any other forms of gambling, including but not limited to historical horse racing, slot machines, video games of chance, and other gambling devices.

Sec. 9. **[240.231] LIMITATIONS ON RULEMAKING AND OTHER AUTHORITY.**

The commission's rulemaking and other authority, whether derived from section 240.23 or other sections in this chapter, shall only pertain to horse racing and card games at a card club as expressly authorized in this chapter and shall not include the authority to expand gambling, nor the authority to approve or regulate historical horse racing, slot machines, video games of chance, and other gambling devices, by means of rulemaking, a contested case hearing, the review and approval of a plan of operation or proposed or amended plan of operation, the approval of any proposal or request, or any other commission or agency action."

Page 2, line 29, after the semicolon, insert "and"

Page 3, delete lines 1 to 10 and insert:

"(4) no inclusion of any historical horse racing or any other form of gambling that is not expressly authorized for racetracks under this chapter."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "betting;" insert "prohibiting the authorization of historical horse racing and other games;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on State and Local Government Finance and Policy.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 5274 was re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2609, 3757, 4537, 4757 and 4818 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 3492 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Frederick, Feist and Quam introduced:

H. F. No. 5340, A bill for an act relating to claims against the state; providing for the settlement of certain claims; appropriating money.

The bill was read for the first time and referred to the Committee on Ways and Means.

Robbins, Tabke, Nash, Dotseth, Scott, Davis, Mekeland and Koznick introduced:

H. F. No. 5341, A bill for an act relating to transit; establishing a temporary moratorium on certain light rail transit expenditures.

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

Demuth and Perryman introduced:

H. F. No. 5342, A bill for an act relating to capital investment; appropriating money for sewer main improvements in St. Joseph; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Cha introduced:

H. F. No. 5343, A bill for an act relating to agriculture; appropriating money to hire a Hmong-speaking farmer outreach and engagement coordinator.

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

Nash introduced:

H. F. No. 5344, A bill for an act relating to higher education; providing funding to Metropolitan State University for cyber range services; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy.

Norris introduced:

H. F. No. 5345, A bill for an act relating to capital investment; appropriating money for the Rice Creek Regional Trail in Anoka 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.

Sencer-Mura introduced:

H. F. No. 5346, A bill for an act relating to capital investment; appropriating money for Mni Sota Fund.

The bill was read for the first time and referred to the Committee on Capital Investment.

Hemmingsen-Jaeger introduced:

H. F. No. 5347, A bill for an act relating to real property; prohibiting common interest communities from charging fees for estoppel letters or certificates; amending Minnesota Statutes 2022, section 513.73, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 515B.

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

Hemmingsen-Jaeger introduced:

H. F. No. 5348, A bill for an act relating to commerce; creating a homeowner's association database; proposing coding for new law in Minnesota Statutes, chapter 45.

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

Virnig, Edelson, Pérez-Vega, Pinto and Clardy introduced:

H. F. No. 5349, A bill for an act relating to education; appropriating money for Rally to Read.

The bill was read for the first time and referred to the Committee on Education Finance.

Lislegard introduced:

H. F. No. 5350, A bill for an act relating to natural resources; facilitating carbon sequestration and oil and gas exploration and production leases on state-owned land; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 92.50, subdivision 1; 93.25, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 92; 93.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy.

Vang introduced:

H. F. No. 5351, A bill for an act relating to capital investment; appropriating money for public infrastructure to serve the Opportunity Site in the city of Brooklyn Center; appropriating money for a 24-hour child care center in the city of Brooklyn Center; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Witte and Pursell introduced:

H. F. No. 5352, A bill for an act relating to capital investment; appropriating money for a regional public safety training center in the city of Lakeville; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Witte and Dotseth introduced:

H. F. No. 5353, A bill for an act relating to drivers' licenses; expanding same-day issuance of noncompliant drivers' licenses, instruction permits, and identification cards; instituting requirements for licenses and identification cards issued the same day; specifying locations where same-day drivers' licenses will be offered; requiring a report; appropriating money.

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

Frederick and Olson, B., introduced:

H. F. No. 5354, A bill for an act relating to human services; creating a supplemental housing support rate for a long-term residential facility in Blue Earth County; amending Minnesota Statutes 2022, section 256I.05, by adding a subdivision.

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

Sencer-Mura, Howard, Fischer and Schomacker introduced:

H. F. No. 5355, A bill for an act relating to education; modifying lead in school drinking water requirements; establishing an account in the special revenue fund; appropriating money; amending Minnesota Statutes 2023 Supplement, section 121A.335, subdivisions 1, 2, 3, 5, by adding subdivisions; repealing Minnesota Statutes 2023 Supplement, section 121A.335, subdivision 6.

The bill was read for the first time and referred to the Committee on Education Policy.

Finke introduced:

H. F. No. 5356, A bill for an act relating to human services; appropriating funds to support an organization that serves artists who have intellectual and other disabilities; appropriating money.

The bill was read for the first time and referred to the Committee on Human Services Finance.

Backer introduced:

H. F. No. 5357, A bill for an act relating to health; establishing an alternative emergency medical services response model pilot program; appropriating money.

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

Backer introduced:

H. F. No. 5358, A bill for an act relating to environment; appropriating money and extending grant for Lake Alice water-quality project.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy.

Koegel, Stephenson, Bierman, Smith and Feist introduced:

H. F. No. 5359, A bill for an act relating to health; establishing a moratorium on hospital and hospital campus cessations in operations, curtailments of operations, relocations of health services, and cessations in offering certain health services.

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

Hussein introduced:

H. F. No. 5360, A bill for an act relating to capital investment; appropriating money for a community multicultural center in the city of St. Paul.

The bill was read for the first time and referred to the Committee on Capital Investment.

Hussein introduced:

H. F. No. 5361, A bill for an act relating to housing; appropriating money for a grant to Community Stabilization Project.

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

Gomez introduced:

H. F. No. 5362, A bill for an act relating to capital investment; appropriating money for a grant to the Minnesota Somali Community Center.

The bill was read for the first time and referred to the Committee on Capital Investment.

Frazier introduced:

H. F. No. 5363, A bill for an act relating to employees; modifying paid leave provisions; amending Minnesota Statutes 2023 Supplement, sections 268B.01, subdivisions 3, 5, 8, 15, 23, 44, by adding subdivisions; 268B.04; 268B.06, subdivisions 3, 4, 5, by adding a subdivision; 268B.07, subdivisions 1, 2, 3; 268B.085, subdivision 3; 268B.09, subdivisions 1, 6, 7; 268B.10, subdivisions 1, 2, 3, 6, 12, 16, 17, by adding subdivisions; 268B.14, subdivisions 3, 7, by adding subdivisions; 268B.15, subdivision 7; 268B.155, subdivision 2; 268B.185, subdivision 2; 268B.19; 268B.26; 268B.27, subdivision 2; 268B.29; proposing coding for new law in Minnesota Statutes, chapter 268B; repealing Minnesota Statutes 2023 Supplement, sections 268B.06, subdivision 7; 268B.08; 268B.10, subdivision 11; 268B.14, subdivision 5.

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

REPORT 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 Monday, April 15, 2024 and established a prefiling requirement for amendments offered to the following bills:

H. F. No. 3508; and S. F. Nos. 2904, 4399 and 4097.

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 Her.

CALENDAR FOR THE DAY

H. F. No. 4753, A bill for an act relating to disaster relief; requiring the allocation of general fund surplus dollars to the disaster assistance contingency account; amending Minnesota Statutes 2022, section 16A.152, subdivision 1b; Minnesota Statutes 2023 Supplement, section 16A.152, subdivision 2.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------|-----------------|----------|-------------|---------|---------|
| Acomb | Anderson, P. E. | Bahner | Becker-Finn | Bierman | Burkel |
| Agbaje | Anderson, P. H. | Bakeberg | Bennett | Bliss | Carroll |
| Altendorf | Backer | Baker | Berg | Brand | Cha |

| | | | | | |
|-----------|-------------------|-----------------|--------------|------------|--------------|
| Clardy | Gillman | Igo | Lillie | Pelowski | Swedzinski |
| Coulter | Gomez | Jacob | Lislegard | Pérez-Vega | Tabke |
| Curran | Greenman | Johnson | Long | Perryman | Torkelson |
| Daniels | Grossell | Jordan | Mekeland | Petersburg | Urdahl |
| Davids | Hansen, R. | Joy | Moller | Pfarr | Vang |
| Davis | Hanson, J. | Keeler | Mueller | Pinto | Virnig |
| Dotseth | Harder | Kiel | Murphy | Pryor | West |
| Edelson | Heintzeman | Klevorn | Myers | Pursell | Wiener |
| Elkins | Hemmingsen-Jaeger | Knudsen | Nadeau | Quam | Wiens |
| Engen | Her | Koegel | Nelson, M. | Rarick | Witte |
| Feist | Hicks | Kotyza-Witthuhn | Neu Brindley | Rehm | Wolgamott |
| Finke | Hill | Kozlowski | Newton | Reyer | Xiong |
| Fischer | Hollins | Koznick | Niska | Robbins | Youakim |
| Fogelman | Hornstein | Kraft | Noor | Schomacker | Zelevnikar |
| Franson | Howard | Kresha | Norris | Schultz | Spk. Hortman |
| Frazier | Hudella | Lawrence | Novotny | Scott | |
| Frederick | Hudson | Lee, F. | O'Driscoll | Skraba | |
| Freiberg | Huot | Lee, K. | Olson, B. | Smith | |
| Garofalo | Hussein | Liebling | Olson, L. | Stephenson | |

The bill was passed and its title agreed to.

H. F. No. 1989 was reported to the House.

Moller moved to amend H. F. No. 1989, the third engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[325F.676] TICKET SALES.**

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

(b) "Commissioner" means the commissioner of commerce.

(c) "Entertainment" means all forms of entertainment, including but not limited to theatrical or operatic performances, concerts, motion pictures, entertainment at fairgrounds, amusement parks, athletic competitions and other sports, and all other forms of diversion, recreation, or show.

(d) "Internet domain name" means a globally unique, hierarchical reference to an Internet host or service, which is assigned through a centralized Internet naming authority and which is composed of a series of character strings separated by periods with the rightmost string specifying the top of the hierarchy.

(e) "Online ticket marketplace" means the administrator of a website or other electronic service, including an agent, employee, or assignee of the administrator, that sells tickets or maintains a platform to facilitate the sale of tickets.

(f) "Operator" means a person, including an agent, employee, or assignee of the person, who:

(1) owns, operates, or controls a place of entertainment;

(2) produces entertainment; or

(3) sells a ticket to a place of entertainment for original sale.

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

(h) "Place of entertainment" means an entertainment facility, including but not limited to an amphitheater, theater, stadium, arena, racetrack, museum, amusement park, venue, club, or other place where performances, concerts, exhibits, athletic games, contests, or other forms of entertainment are held. For the purposes of this section, place of entertainment does not include movie theaters.

(i) "Ticket reseller" means a person that offers or sells tickets for resale after the original sale to an entertainment event located in this state and includes an operator to the extent that the operator offers or sells tickets for resale. Sales by a ticket reseller include sales by any means, including but not limited to in person or by telephone, mail, delivery service, facsimile, Internet, email, or other electronic means. A ticket reseller does not include a person that purchases a ticket solely for the person's own use or the use of the person's invitees, employees, or agents.

(j) "URL" means a uniform resource locator for a website on the Internet.

Subd. 2. **Disclosures.** (a) An operator, ticket reseller, or online ticket marketplace must, at all times during the ticket listing and purchasing process, disclose in an easily readable and conspicuous manner and in dollars:

(1) the total cost of the ticket, inclusive of all fees and surcharges that must be paid in order to purchase the ticket;

(2) the portion of the ticket price that represents a service charge; and

(3) any other fee or surcharge charged to the purchaser.

(b) The disclosure of subtotals, fees, charges, and all other components of the total price must not be false or misleading, and must not be presented more prominently or in the same or larger size than the total price. The disclosure of subtotals, fees, charges, and all other components of the total price may be displayed in a manner that allows the purchaser to hide or minimize the itemized list. The price of a ticket must not increase with respect to a particular person after the ticket is first displayed to the person, excluding reasonable fees for the delivery of nonelectronic tickets based on the delivery method selected by the purchaser and any additional purchases made by the purchaser, which must be disclosed prior to accepting payment.

(c) A ticket reseller and online ticket marketplace must disclose in an easily readable and conspicuous manner on the ticket reseller's or online ticket marketplace's website or electronic service:

(1) that the website or electronic service is owned or operated by a ticket reseller or online ticket marketplace and that the price of a resale ticket offered for sale may be higher or lower than the original purchase price;

(2) that the purchaser is responsible for checking with the place of entertainment for information on changes to the event or cancellations prior to the event's start time; and

(3) the refund policy of the ticket reseller or online ticket marketplace.

A ticket reseller or online ticket marketplace must require a purchaser to confirm having read the disclosures required by this paragraph before completing a transaction.

(d) A ticket reseller or online ticket marketplace must provide to the purchaser proof of purchase, which must include all event and ticket information, within 24 hours of the purchase, including:

(1) that the purchaser is responsible for checking with the place of entertainment for information on changes to the event or cancellations prior to the event's start time; and

(2) the refund policy of the ticket reseller or online ticket marketplace.

(e) An online ticket marketplace must not use any combination of text, images, trademark, copyright, web designs, or Internet addresses that is identical or substantially similar to text, images, trademark, copyright, web designs, or Internet addresses associated with a place of entertainment without the written permission of the place of entertainment duly authorized to provide the permission. This paragraph does not prohibit an online ticket marketplace from using text containing the name of a place of entertainment or of an event in order to describe the location of the event or the event itself. This paragraph does not prohibit an online ticket marketplace from providing information or images identifying the specific seat or area the purchaser will occupy in the place of entertainment.

(f) The obligations of paragraphs (a) to (d) do not apply to any person, unless the person engaged in annual aggregate transactions that were equal to or greater than \$5,000.

Subd. 3. **Prohibitions.** (a) A ticket reseller or online ticket marketplace must not:

(1) sell or offer to sell more than one copy of the same ticket to a place of entertainment;

(2) directly or indirectly employ another person to wait in line to purchase tickets for the purpose of reselling the tickets if the practice is prohibited or if the place of entertainment has posted a policy prohibiting the practice;

(3) sell or offer to sell a ticket without first informing the person of the location of the place of entertainment and the ticket's assigned seat, including but not limited to the seat number, row, and section number of the seat;

(4) sell or offer to sell a ticket for which there is no assigned seat without first informing the person of the general admission area to which the ticket corresponds; or

(5) advertise, offer for sale, or contract for the sale of a ticket before the ticket has been made available to the public, including via presale, without first obtaining permission from the place of entertainment and having actual or constructive possession of the ticket, unless the ticket reseller owns the ticket pursuant to a season ticket package purchased by the ticket reseller.

(b) A person must not use or cause to be used an Internet domain name or subdomain thereof in an operator, ticket reseller, or online ticket marketplace website's URL that contains any of the following, unless acting on behalf of the place of entertainment, event, or person scheduled to perform or appear at the event:

(1) the name of a place of entertainment;

(2) the name of an event, including the name of a person scheduled to perform or appear at the event; or

(3) a name substantially similar to those described in clause (1) or (2).

(c) A person must not:

(1) circumvent any portion of the process for purchasing a ticket on the Internet or for admission to a place of entertainment, including but not limited to security or identity validation measures or an access control system; or

(2) disguise the identity of a purchaser for the purpose of purchasing a number of tickets for admission to a place of entertainment that exceeds the maximum number of tickets allowed for purchase by a person.

(d) A person must not sell a ticket obtained in violation of paragraph (c) if the person:

(1) participated in or had the ability to control the conduct committed in violation of paragraph (c); or

(2) knew that the ticket was acquired in violation of paragraph (c).

(e) An operator, online ticket marketplace, or ticket reseller must not sell a ticket unless:

(1) the ticket is in the possession or constructive possession of the operator, online ticket marketplace, or ticket reseller; or

(2) the operator, online ticket marketplace, or ticket reseller has a written contract with the place of entertainment to obtain the ticket.

(f) Pursuant to United States Code, title 15, section 45c, circumvention of a security measure, access control system, or other technological control measure used by an online ticket marketplace to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing order rules is prohibited.

Subd. 4. **Commissioner data requests; data practices.** Upon request by the commissioner, an online ticket marketplace must disclose to the commissioner information about technology and methods used in an alleged violation of subdivision 3, paragraph (f). Data collected or maintained by the commissioner under this subdivision are civil investigative data under section 13.39 and the commissioner may share with the attorney general any not public data, as defined in section 13.02, subdivision 8a, received under this subdivision.

Subd. 5. **Enforcement.** The commissioner may enforce this section under section 45.027.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to tickets sold on or after that date."

The motion prevailed and the amendment was adopted.

H. F. No. 1989, A bill for an act relating to consumer protection; requiring disclosures relating to ticket sales; prohibiting conduct in connection with ticket sales; requiring disclosure of data to the commissioner of commerce; allowing enforcement by the commissioner of commerce; proposing coding for new law in Minnesota Statutes, chapter 325F.

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 112 yeas and 18 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|-----------------|-------------|---------|---------|---------|
| Acomb | Anderson, P. H. | Baker | Bierman | Carroll | Curran |
| Agbaje | Backer | Becker-Finn | Bliss | Cha | Daniels |
| Altendorf | Bahner | Bennett | Brand | Clardy | Dauids |
| Anderson, P. E. | Bakeberg | Berg | Burkel | Coulter | Edelson |

| | | | | | |
|------------|-------------------|-----------------|------------|-------------|--------------|
| Elkins | Hemmingsen-Jaeger | Klevorn | Myers | Pfarr | Tabke |
| Engen | Her | Koegel | Nadeau | Pinto | Torkelson |
| Feist | Hicks | Kotyza-Witthuhn | Nelson, M. | Pryor | Urdahl |
| Finke | Hill | Kozlowski | Newton | Pursell | Vang |
| Fischer | Hollins | Koznick | Niska | Rarick | Virnig |
| Frazier | Hornstein | Kraft | Noor | Rehm | West |
| Frederick | Howard | Lawrence | Norris | Reyer | Wiens |
| Freiberg | Hudella | Lee, F. | Novotny | Robbins | Witte |
| Garofalo | Hudson | Lee, K. | O'Driscoll | Schomacker | Wolgamott |
| Gillman | Huot | Liebling | Olson, B. | Scott | Xiong |
| Gomez | Hussein | Lillie | Olson, L. | Sencer-Mura | Youakim |
| Greenman | Igo | Lislegard | Pelowski | Skraba | Zelevnikar |
| Hansen, R. | Jordan | Long | Pérez-Vega | Smith | Spk. Hortman |
| Hanson, J. | Keeler | Moller | Perryman | Stephenson | |
| Hassan | Kiel | Mueller | Petersburg | Swedzinski | |

Those who voted in the negative were:

| | | | | | |
|----------|----------|------------|---------|--------------|---------|
| Davis | Franson | Heintzeman | Joy | Mekeland | Quam |
| Dotseth | Grossell | Jacob | Knudsen | Murphy | Schultz |
| Fogelman | Harder | Johnson | Kresha | Neu Brindley | Wiener |

The bill was passed, as amended, and its title agreed to.

H. F. No. 4310, A bill for an act relating to state government; ratifying certain compensation plans.

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 74 yeas and 56 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hassan | Koegel | Newton | Smith |
| Agbaje | Elkins | Hemmingsen-Jaeger | Kotyza-Witthuhn | Noor | Stephenson |
| Bahner | Feist | Her | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hicks | Kraft | Olson, L. | Vang |
| Berg | Fischer | Hill | Lee, F. | Pelowski | Virnig |
| Bierman | Franson | Hollins | Lee, K. | Pérez-Vega | Wolgamott |
| Brand | Frazier | Hornstein | Liebling | Pinto | Xiong |
| Carroll | Frederick | Howard | Lillie | Pryor | Youakim |
| Cha | Freiberg | Huot | Lislegard | Pursell | Spk. Hortman |
| Clardy | Gomez | Hussein | Long | Rehm | |
| Coulter | Greenman | Jordan | Moller | Reyer | |
| Curran | Hansen, R. | Keeler | Nadeau | Sencer-Mura | |
| Davids | Hanson, J. | Klevorn | Nelson, M. | Skraba | |

Those who voted in the negative were:

| | | | | | |
|-----------------|---------|----------|------------|---------|----------|
| Altendorf | Baker | Davis | Gillman | Hudson | Kiel |
| Anderson, P. E. | Bennett | Dotseth | Grossell | Igo | Knudsen |
| Anderson, P. H. | Bliss | Engen | Harder | Jacob | Koznick |
| Backer | Burkel | Fogelman | Heintzeman | Johnson | Kresha |
| Bakeberg | Daniels | Garofalo | Hudella | Joy | Lawrence |

| | | | | | |
|--------------|------------|------------|------------|--------|------------|
| Mekeland | Niska | Petersburg | Schomacker | Urdahl | Zelevnikar |
| Mueller | Novotny | Pfarr | Schultz | West | |
| Murphy | O'Driscoll | Quam | Scott | Wiener | |
| Myers | Olson, B. | Rarick | Swedzinski | Wiens | |
| Neu Brindley | Perryman | Robbins | Torkelson | Witte | |

The bill was passed and its title agreed to.

H. F. No. 4993, A bill for an act relating to state government; making human services forecast adjustments; appropriating money.

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 76 yeas and 54 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|-------------------|-----------------|------------|-------------|--------------|
| Acomb | Elkins | Her | Kozlowski | Newton | Stephenson |
| Agbaje | Feist | Hicks | Kraft | Noor | Tabke |
| Bahner | Finke | Hill | Lee, F. | Norris | Urdahl |
| Becker-Finn | Fischer | Hollins | Lee, K. | Olson, L. | Vang |
| Berg | Frazier | Hornstein | Liebling | Pelowski | Virnig |
| Bierman | Frederick | Howard | Lillie | Pérez-Vega | Wiens |
| Brand | Freiberg | Huot | Lislegard | Pinto | Witte |
| Carroll | Gomez | Hussein | Long | Pryor | Wolgamott |
| Cha | Greenman | Jordan | Moller | Pursell | Xiong |
| Clardy | Hansen, R. | Keeler | Mueller | Rehm | Youakim |
| Coulter | Hanson, J. | Klevorn | Myers | Reyer | Spk. Hortman |
| Curran | Hassan | Koegel | Nadeau | Sencer-Mura | |
| Edelson | Hemmingsen-Jaeger | Kotyza-Witthuhn | Nelson, M. | Smith | |

Those who voted in the negative were:

| | | | | | |
|-----------------|----------|------------|--------------|------------|------------|
| Altendorf | Daniels | Grossell | Kiel | Novotny | Schomacker |
| Anderson, P. E. | Davids | Harder | Knudsen | O'Driscoll | Schultz |
| Anderson, P. H. | Davis | Heintzeman | Koznick | Olson, B. | Scott |
| Backer | Dotseth | Hudella | Kresha | Perryman | Skraba |
| Bakeberg | Engen | Hudson | Lawrence | Petersburg | Swedzinski |
| Baker | Fogelman | Igo | Mekeland | Pfarr | Torkelson |
| Bennett | Franson | Jacob | Murphy | Quam | West |
| Bliss | Garofalo | Johnson | Neu Brindley | Rarick | Wiener |
| Burkel | Gillman | Joy | Niska | Robbins | Zelevnikar |

The bill was passed and its title agreed to.

H. F. No. 3376, A bill for an act relating to natural resources; allowing the use of a digital image as proof of possession of certain passes and licenses; providing for using electronic devices to display documents; amending Minnesota Statutes 2022, section 97A.215, by adding a subdivision; Minnesota Statutes 2023 Supplement, section 97A.405, subdivision 2.

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 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Grossell Scott

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 3438 was reported to the House.

Greenman moved to amend H. F. No. 3438, the first engrossment, as follows:

Page 2, line 4, before the period, insert "on the sale, use, purchase, receipt, or delivery of the goods or services"

Page 2, delete lines 5 to 12 and insert:

"(c) A delivery platform must comply with the following requirements:

(1) at the point when a consumer views and selects either a vendor or items for purchase, a delivery platform must display in a clear and conspicuous manner that an additional flat fee or percentage will be charged. The disclosure must include the additional fee or percentage amount; and

(2) after a consumer selects items for purchase, but prior to checkout, a delivery platform must display a subtotal page that itemizes the price of the menu items and the additional fee that will be included in the total cost."

Page 2, after line 20, insert:

"(g) A person offering services, where the total cost is determined by consumer selections and preferences relating to distance or time, must disclose in a clear and conspicuous manner the factors that will determine the total price, any mandatory fees associated with the transaction, and that the total cost of the services may vary."

Page 2, line 21, delete "(g)" and insert "(h)"

The motion prevailed and the amendment was adopted.

The Speaker called Tabke to the Chair.

H. F. No. 3438, A bill for an act relating to consumer protection; adding the failure to disclose mandatory fees in advertising as a deceptive trade practice; amending Minnesota Statutes 2022, sections 325D.43, by adding a subdivision; 325D.44, by adding subdivisions.

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 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|------------|--------------|
| Acomb | Edelson | Hassan | Klevorn | Nelson, M. | Sencer-Mura |
| Agbaje | Elkins | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Bahner | Feist | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Becker-Finn | Finke | Hicks | Kozlowski | Norris | Tabke |
| Berg | Fischer | Hill | Kraft | Olson, L. | Vang |
| Bierman | Frazier | Hollins | Lee, F. | Pelowski | Virnig |
| 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 | |

Those who voted in the negative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zelevnikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

The bill was passed, as amended, and its title agreed to.

S. F. No. 3852 was reported to the House.

Nelson, M., moved to amend S. F. No. 3852, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3947, the first engrossment:

"Section 1. Minnesota Statutes 2022, section 13.79, subdivision 1, is amended to read:

Subdivision 1. **Identity of employees making complaints complainants.** Data that identify ~~complain~~
~~employees and that appear on complaint forms received by individuals who have complained to~~ the Department of
Labor and Industry concerning alleged violations of ~~the Fair Labor Standards Act, section 181.75 or 181.9641,~~
~~chapter 177; chapter 181; sections 179.86 to 179.877; chapter 181A; or rules adopted pursuant to these statutes,~~ are
classified as private data. The commissioner may disclose this data to other government entities with written
consent from the complainant if the commissioner determines that the disclosure furthers an enforcement action of
the Department of Labor and Industry or another government entity.

Sec. 2. Minnesota Statutes 2022, section 177.23, is amended by adding a subdivision to read:

Subd. 12. **Large employer.** "Large employer" means an enterprise whose annual gross volume of sales made
or business done is not less than \$500,000, exclusive of excise taxes at the retail level that are separately stated, and
covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 3. Minnesota Statutes 2022, section 177.23, is amended by adding a subdivision to read:

Subd. 13. **Small employer.** "Small employer" means an enterprise whose annual gross volume of sales made or
business done is less than \$500,000, exclusive of excise taxes at the retail level that are separately stated, and
covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 4. Minnesota Statutes 2022, section 177.24, subdivision 1, is amended to read:

Subdivision 1. **Amount.** ~~(a) For purposes of this subdivision, the terms defined in this paragraph have the meanings given them.~~

~~(1) "Large employer" means an enterprise whose annual gross volume of sales made or business done is not less than \$500,000 (exclusive of excise taxes at the retail level that are separately stated) and covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.~~

~~(2) "Small employer" means an enterprise whose annual gross volume of sales made or business done is less than \$500,000 (exclusive of excise taxes at the retail level that are separately stated) and covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.~~

~~(b)~~ (a) Except as otherwise provided in sections 177.21 to 177.35:

~~(1)~~ every large employer must pay each employee wages at a rate of at least:

~~(i)~~ (1) \$8.00 per hour beginning August 1, 2014;

~~(ii)~~ (2) \$9.00 per hour beginning August 1, 2015;

~~(iii)~~ (3) \$9.50 per hour beginning August 1, 2016; and

~~(iv)~~ (4) the rate established under paragraph ~~(f)~~ (c) beginning January 1, 2018; ~~and.~~

~~(2) every small employer must pay each employee at a rate of at least:~~

~~(i) \$6.50 per hour beginning August 1, 2014;~~

~~(ii) \$7.25 per hour beginning August 1, 2015;~~

~~(iii) \$7.75 per hour beginning August 1, 2016; and~~

~~(iv) the rate established under paragraph (f) beginning January 1, 2018.~~

~~(e)~~ (b) Notwithstanding paragraph ~~(b)~~ (a), during the first 90 consecutive days of employment, an employer may pay an employee under the age of 20 years a wage of at least:

(1) \$6.50 per hour beginning August 1, 2014;

(2) \$7.25 per hour beginning August 1, 2015;

(3) \$7.75 per hour beginning August 1, 2016; and

(4) the rate established under paragraph ~~(f)~~ (c) beginning January 1, 2018.

No employer may take any action to displace an employee, including a partial displacement through a reduction in hours, wages, or employment benefits, in order to hire an employee at the wage authorized in this paragraph.

~~(d) Notwithstanding paragraph (b), an employer that is a "hotel or motel," "lodging establishment," or "resort" as defined in Minnesota Statutes 2012, section 157.15, subdivisions 7, 8, and 11, must pay an employee working under a contract with the employer that includes the provision by the employer of a food or lodging benefit, if the employee is working under authority of a summer work travel exchange visitor program (J) nonimmigrant visa, a wage of at least:~~

- ~~(1) \$7.25 per hour beginning August 1, 2014;~~
- ~~(2) \$7.50 per hour beginning August 1, 2015;~~
- ~~(3) \$7.75 per hour beginning August 1, 2016; and~~
- ~~(4) the rate established under paragraph (f) beginning January 1, 2018.~~

~~No employer may take any action to displace an employee, including a partial displacement through a reduction in hours, wages, or employment benefits, in order to hire an employee at the wage authorized in this paragraph.~~

~~(e) Notwithstanding paragraph (b), a large employer must pay an employee under the age of 18 at a rate of at least:~~

- ~~(1) \$6.50 per hour beginning August 1, 2014;~~
- ~~(2) \$7.25 per hour beginning August 1, 2015;~~
- ~~(3) \$7.75 per hour beginning August 1, 2016; and~~
- ~~(4) the rate established under paragraph (f) beginning January 1, 2018.~~

~~No employer may take any action to displace an employee, including a partial displacement through a reduction in hours, wages, or employment benefits, in order to hire an employee at the wage authorized in this paragraph.~~

~~(f)~~ (c) No later than August 31 of each year, ~~beginning in 2017~~, the commissioner shall determine the percentage increase in the rate of inflation, as measured by the implicit price deflator, national data for personal consumption expenditures as determined by the United States Department of Commerce, Bureau of Economic Analysis during the 12-month period immediately preceding that August or, if that data is unavailable, during the most recent 12-month period for which data is available. The minimum wage rates in paragraphs (a) and (b), ~~(c), (d), and (e)~~ are increased by the lesser of: (1) ~~2.5~~ 5 percent, rounded to the nearest cent; or (2) the percentage calculated by the commissioner, rounded to the nearest cent. A minimum wage rate shall not be reduced under this paragraph. The new minimum wage rates determined under this paragraph take effect on the next January 1.

~~(g)(1)~~ (d)(1) No later than September 30 of each year, ~~beginning in 2017~~, the commissioner may issue an order that an increase calculated under paragraph ~~(f)~~ (c) not take effect. The commissioner may issue the order only if the commissioner, after consultation with the commissioner of management and budget, finds that leading economic indicators, including but not limited to projections of gross domestic product calculated by the United States Department of Commerce, Bureau of Economic Analysis; the Consumer Confidence Index issued by the Conference Board; and seasonally adjusted Minnesota unemployment rates, indicate the potential for a substantial downturn in the state's economy. Prior to issuing an order, the commissioner shall also calculate and consider the ratio of the rate of the calculated change in the minimum wage rate to the rate of change in state median income over the same time period used to calculate the change in wage rate. Prior to issuing the order, the commissioner shall hold a public

hearing, notice of which must be published in the State Register, on the department's website, in newspapers of general circulation, and by other means likely to inform interested persons of the hearing, at least ten days prior to the hearing. The commissioner must allow interested persons to submit written comments to the commissioner before the public hearing and for 20 days after the public hearing.

(2) The commissioner may in a year subsequent to issuing an order under clause (1), make a supplemental increase in the minimum wage rate in addition to the increase for a year calculated under paragraph ~~(f)~~ (c). The supplemental increase may be in an amount up to the full amount of the increase not put into effect because of the order. If the supplemental increase is not the full amount, the commissioner may make a supplemental increase of the difference, or any part of a difference, in a subsequent year until the full amount of the increase ordered not to take effect has been included in a supplemental increase. In making a determination to award a supplemental increase under this clause, the commissioner shall use the same considerations and use the same process as for an order under clause (1). A supplemental wage increase is not subject to and shall not be considered in determining whether a wage rate increase exceeds the limits for annual wage rate increases allowed under paragraph ~~(f)~~ (c).

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 5. Minnesota Statutes 2022, section 177.24, is amended by adding a subdivision to read:

Subd. 3a. **Gratuities; credit cards or charges.** (a) Gratuities received by an employee through a debit, charge, credit card, or electronic payment shall be credited to that pay period in which they are received by the employee.

(b) Where a gratuity is received by an employee through a debit, charge, credit card, or electronic payment, the full amount of gratuity indicated in the payment must be distributed to the employee no later than the next scheduled pay period.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 6. Minnesota Statutes 2023 Supplement, section 177.27, subdivision 2, is amended to read:

Subd. 2. **Submission of records; penalty.** (a) The commissioner may require the employer of employees working in the state to submit to the commissioner photocopies, certified copies, or, if necessary, the originals of employment records which the commissioner deems necessary or appropriate. The records which may be required include full and correct statements in writing, including sworn statements by the employer, containing information relating to wages, hours, names, addresses, and any other information pertaining to the employer's employees and the conditions of their employment as the commissioner deems necessary or appropriate.

(b) Employers and persons requested by the commissioner to produce records shall respond within the time and in the manner specified by the commissioner.

(c) The commissioner may require the records to be submitted by certified mail delivery or, if necessary, by personal delivery by the employer or a representative of the employer, as authorized by the employer in writing.

(d) The commissioner may fine the employer up to \$10,000 for each failure to submit or deliver records as required by this section. This penalty is in addition to any penalties provided under section 177.32, subdivision 1. In determining the amount of a civil penalty under this subdivision, the appropriateness of such penalty to the size of the employer's business and the gravity of the violation shall be considered.

Sec. 7. Minnesota Statutes 2023 Supplement, section 177.27, subdivision 4, is amended to read:

Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.435, 179.86, 181.02, 181.03, 181.031, 181.032, 181.10, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.165, 181.172, paragraph (a) or (d), 181.214 to 181.217, 181.275, subdivision 2a, 181.635, 181.64, 181.722, 181.79, 181.85 to 181.89, 181.939 to 181.943, 181.9445 to 181.9448, 181.987, 181.991, 268B.09, subdivisions 1 to 6, and 268B.14, subdivision 3, with any rule promulgated under section 177.28, 181.213, or 181.215. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435, 181.165, or 181.987 if the violation is repeated. For purposes of this subdivision only, a violation is repeated if at any time during the two years that preceded the date of violation, the commissioner issued an order to the employer for violation of sections 177.41 to 177.435, 181.165, or 181.987 and the order is final or the commissioner and the employer have entered into a settlement agreement that required the employer to pay back wages that were required by sections 177.41 to 177.435. The department shall serve the order upon the employer or the employer's authorized representative in person or by certified mail at the employer's place of business. An employer who wishes to contest the order must file written notice of objection to the order with the commissioner within 15 calendar days after being served with the order. A contested case proceeding must then be held in accordance with sections 14.57 to 14.69 or 181.165. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner. For the purposes of this subdivision, an employer includes a contractor that has assumed a subcontractor's liability within the meaning of section 181.165.

Sec. 8. Minnesota Statutes 2023 Supplement, section 177.27, subdivision 7, is amended to read:

Subd. 7. **Employer liability.** If an employer is found by the commissioner to have violated a section identified in subdivision 4, or any rule adopted under section 177.28, 181.213, or 181.215, and the commissioner issues an order to comply, the commissioner shall order the employer to cease and desist from engaging in the violative practice and to take such affirmative steps that in the judgment of the commissioner will effectuate the purposes of the section or rule violated. The commissioner shall order the employer to pay to the aggrieved parties back pay, gratuities, and compensatory damages, less any amount actually paid to the employee by the employer, and for an additional equal amount as liquidated damages. The commissioner may also order reinstatement and any other appropriate relief to the aggrieved parties. Any employer who is found by the commissioner to have repeatedly or willfully violated a section or sections identified in subdivision 4 shall be subject to a civil penalty of up to \$10,000 for each violation for each employee. In determining the amount of a civil penalty under this subdivision, the appropriateness of such penalty to the size of the employer's business and the gravity of the violation shall be considered. In addition, the commissioner may order the employer to reimburse the department and the attorney general for all appropriate litigation and hearing costs expended in preparation for and in conducting the contested case proceeding, unless payment of costs would impose extreme financial hardship on the employer. If the employer is able to establish extreme financial hardship, then the commissioner may order the employer to pay a percentage of the total costs that will not cause extreme financial hardship. Costs include but are not limited to the costs of services rendered by the attorney general, private attorneys if engaged by the department, administrative law judges, court reporters, and expert witnesses as well as the cost of transcripts. Interest shall accrue on, and be added to, the unpaid balance of a commissioner's order from the date the order is signed by the commissioner until it is paid, at an annual rate provided in section 549.09, subdivision 1, paragraph (c). The commissioner may establish escrow accounts for purposes of distributing damages.

Sec. 9. Minnesota Statutes 2022, section 177.30, is amended to read:

177.30 KEEPING RECORDS; PENALTY.

(a) Every employer subject to sections 177.21 to 177.44 must make and keep a record of:

- (1) the name, address, and occupation of each employee;
 - (2) the rate of pay, and the amount paid each pay period to each employee;
 - (3) the hours worked each day and each workweek by the employee, including for all employees paid at piece rate, the number of pieces completed at each piece rate;
 - (4) a list of the personnel policies provided to the employee, including the date the policies were given to the employee and a brief description of the policies;
 - (5) a copy of the notice provided to each employee as required by section 181.032, paragraph (d), including any written changes to the notice under section 181.032, paragraph (f);
 - (6) for each employer subject to sections 177.41 to 177.44, and while performing work on public works projects funded in whole or in part with state funds, the employer shall furnish under oath signed by an owner or officer of an employer to the contracting authority and the project owner every two weeks, a certified payroll report with respect to the wages and benefits paid each employee during the preceding weeks specifying for each employee: name; identifying number; prevailing wage master job classification; hours worked each day; total hours; rate of pay; gross amount earned; each deduction for taxes; total deductions; net pay for week; dollars contributed per hour for each benefit, including name and address of administrator; benefit account number; and telephone number for health and welfare, vacation or holiday, apprenticeship training, pension, and other benefit programs; ~~and~~
 - (7) earnings statements for each employee for each pay period as required by section 181.032, paragraphs (a) and (b); and
 - (8) other information the commissioner finds necessary and appropriate to enforce sections 177.21 to 177.435. The records must be kept for three years in the premises where an employee works except each employer subject to sections 177.41 to 177.44, and while performing work on public works projects funded in whole or in part with state funds, the records must be kept for three years after the contracting authority has made final payment on the public works project.
- (b) All records required to be kept under paragraph (a) must be readily available for inspection by the commissioner upon demand. The records must be either kept at the place where employees are working or kept in a manner that allows the employer to comply with this paragraph within 72 hours.
- (c) The commissioner may fine an employer up to \$1,000 for each failure to maintain records as required by this section, and up to \$5,000 for each repeated failure. This penalty is in addition to any penalties provided under section 177.32, subdivision 1. In determining the amount of a civil penalty under this subdivision, the appropriateness of such penalty to the size of the employer's business and the gravity of the violation shall be considered.
- (d) If the records maintained by the employer do not provide sufficient information to determine the exact amount of back wages due an employee, the commissioner may make a determination of wages due based on available evidence.

Sec. 10. Minnesota Statutes 2023 Supplement, section 177.42, subdivision 2, is amended to read:

Subd. 2. **Project.** "Project" means demolition, erection, construction, alteration, improvement, restoration, remodeling, or repairing of a public building, structure, facility, land, or other public work, which includes any work suitable for and intended for use by the public, or for the public benefit, financed in whole or part by state funds. Project also includes demolition, erection, construction, alteration, improvement, restoration, remodeling, or repairing of a building, structure, facility, land, or public work when the acquisition of property, predesign, design, or demolition is financed in whole or part by state funds.

Sec. 11. Minnesota Statutes 2022, section 179.01, subdivision 1, is amended to read:

Subdivision 1. ~~**Words, terms, and phrases**~~ **Scope.** Unless the language or context clearly indicates that a different meaning is intended, the ~~following words, terms, and phrases, for the purposes of sections 179.01 to 179.17, shall be given the meanings subjoined to them~~ defined in this section have the meanings given them for purposes of sections 179.01 to 179.17.

Sec. 12. Minnesota Statutes 2022, section 179.01, subdivision 9, is amended to read:

Subd. 9. **Lockout.** "Lockout" ~~is~~ means the refusal of the employer to furnish work to employees as a result of a labor dispute.

Sec. 13. Minnesota Statutes 2022, section 179.01, subdivision 16, is amended to read:

Subd. 16. **Professional strikebreaker.** (a) "Professional strikebreaker" means any person who:

~~(a)~~ (1) makes an offer to an employer at whose place of business a labor dispute is presently in progress to work as a replacement for an employee or employees involved in such labor dispute; and

~~(b)~~ (2) during a period of five years immediately preceding such offer, has, on more than one occasion, made an offer to employers to work as a temporary employee to personally replace employees involved in labor disputes.

(b) For the purposes of this subdivision;

(1) "work" ~~shall mean~~ means the rendering of services for wages or other consideration. ~~For the purposes of this subdivision; and~~

(2) "offer" ~~shall include~~ includes arrangements made for or on behalf of employers by any person.

Sec. 14. Minnesota Statutes 2022, section 179.06, is amended to read:

179.06 COLLECTIVE BARGAINING AGREEMENTS.

Subdivision 1. **Notices.** (a) When any employee, employees, or representative of employees, or labor organization shall desire to negotiate a collective bargaining agreement, or make any change in any existing agreement, or shall desire any changes in the rates of pay, rules or working conditions in any place of employment, it shall give written notice to the employer of its demand, which notice shall follow the employer if the place of employment is changed, and it shall thereupon be the duty of the employer and the representative of employee or labor organization to endeavor in good faith to reach an agreement respecting such demand. An employer shall give a like notice to employees, representative, or labor organizations of any intended change in any existing agreement. If no agreement is reached at the expiration of ten days after service of such notice, any employees, representative, labor organization, or employer may at any time thereafter petition the commissioner of mediation services to take jurisdiction of the dispute and it shall be unlawful for any labor organization or representative to institute or aid in the conduct of a strike or for an employer to institute a lockout, unless such petition has been served by the party taking such action upon the commissioner and the other parties to the labor dispute at least ten days before the strike or lockout becomes effective. Unless the strike or lockout is commenced within 90 days from the date of service of the petition upon the commissioner, it shall be unlawful for any of the parties to institute or aid in the conduct of a strike or lockout without serving a new petition in the manner prescribed for the service of the original petition, provided that the 90-day period may be extended by written agreement of the parties filed with the commissioner.

(b) A petition by the employer shall be signed by the employer or a duly authorized officer or agent; and a petition by the employees shall be signed by their representative or its officers, or by the committee selected to negotiate with the employer. In either case the petition shall be served by delivering it to the commissioner in person or by sending it by certified mail addressed to the commissioner at the commissioner's office. The petition shall state briefly the nature of the dispute and the demands of the party who serves it. Upon receipt of a petition, the commissioner shall fix a time and place for a conference with the parties to the labor dispute upon the issues involved in the dispute, and shall then take whatever steps the commissioner deems most expedient to bring about a settlement of the dispute, including assisting in negotiating and drafting a settlement agreement. It shall be the duty of all parties to a labor dispute to respond to the summons of the commissioner for joint or several conferences with the commissioner and to continue in such conference until excused by the commissioner, not beyond the ten-day period heretofore prescribed except by mutual consent of the parties.

Subd. 2. **Commissioner, powers and duties.** The commissioner may at the request of either party to a labor dispute render assistance in settling the dispute without the necessity of filing the formal petition ~~referred to in~~ under subdivision 1. If the commissioner takes jurisdiction of the dispute as a result of such a request, the commissioner ~~shall~~ must then proceed ~~as provided in~~ according to subdivision 1.

Sec. 15. Minnesota Statutes 2022, section 179.08, is amended to read:

179.08 POWERS OF COMMISSION APPOINTED BY COMMISSIONER.

(a) The commission appointed by the commissioner pursuant to the provisions of section 179.07 shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence which relates to any matter involved in any such hearing, and may by its chair administer oaths and affirmations, and may examine witnesses. Such attendance of witnesses and the production of such evidence may be required from any place in the state at any designated place of hearing, but whenever practical hearings shall be held in a county where the labor dispute has arisen or exists.

(b) In case of contumacy or refusal to obey a subpoena issued under paragraph (a), the district court of the state for the county where the proceeding is pending or in which the person guilty of such contumacy or refusal to obey is found, or resides, or transacts business, or application by the commission shall have jurisdiction to issue to such person an order requiring such person to appear before the commission, there to produce evidence as so ordered, or there to give testimony touching the matter under investigation or in question, and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(c) Any party to or party affected by the dispute may appear before the commission in person or by attorney or by their representative, and shall have the right to offer competent evidence and to be heard on the issues before the report of the commission is made.

(d) ~~Any commissioners so appointed shall~~ commission members appointed under section 179.07 must be paid a per diem allowance not to exceed that established for arbitrators in section 179A.16, subdivision 8, and their necessary expenses while serving.

Sec. 16. Minnesota Statutes 2022, section 179.11, is amended to read:

179.11 EMPLOYEE UNFAIR LABOR PRACTICES.

(a) ~~It shall be~~ is an unfair labor practice:

(1) for any employee or labor organization to institute a strike if such strike is a violation of any valid collective agreement between any employer and its employees or labor organization and the employer is, at the time, in good faith complying with the provisions of the agreement, or to violate the terms and conditions of such bargaining agreement;

(2) for any employee or labor organization to institute a strike if the calling of such strike is in violation of sections 179.06 or 179.07;

(3) for any person to seize or occupy property unlawfully during the existence of a labor dispute;

(4) for any person to picket or cause to be picketed a place of employment of which place the person is not an employee while a strike is in progress affecting the place of employment, unless the majority of persons engaged in picketing the place of employment at these times are employees of the place of employment;

(5) for more than one person to picket or cause to be picketed a single entrance to any place of employment where no strike is in progress at the time;

(6) for any person to interfere in any manner with the operation of a vehicle or the operator thereof when neither the owner nor operator of the vehicle is at the time a party to a strike;

(7) for any employee, labor organization, or officer, agent, or member thereof, to compel or attempt to compel any person to join or to refrain from joining any labor organization or any strike against the person's will by any threatened or actual unlawful interference with the person, or immediate family member, or physical property, or to assault or unlawfully threaten any such person while in pursuit of lawful employment;

(8) unless the strike has been approved by a majority vote of the voting employees in a collective bargaining unit of the employees of an employer or association of employers against whom such strike is primarily directed, for any person or labor organization to cooperate in engaging in, promoting, or inducing a strike. Such vote shall be taken by secret ballot at an election called by the collective bargaining agent for the unit, and reasonable notice shall be given to all employees in the collective bargaining unit of the time and place of election; or

(9) for any person or labor organization to hinder or prevent by intimidation, force, coercion or sabotage, or by threats thereof, the production, transportation, processing or marketing by a producer, processor or marketing organization, of agricultural products, or to combine or conspire to cause or threaten to cause injury to any processor, producer or marketing organization, whether by withholding labor or other beneficial intercourse, refusing to handle, use or work on particular agricultural products, or by other unlawful means, in order to bring such processor or marketing organization against its will into a concerted plan to coerce or inflict damage upon any producer; provided that nothing in this subsection shall prevent a strike which is called by the employees of such producer, processor or marketing organization for the bona fide purpose of improving their own working conditions or promoting or protecting their own rights of organization, selection of bargaining representative or collective bargaining.

~~The violation of clauses (2), (3), (4), (5), (6), (7), (8) and (9) are hereby declared to be unlawful acts.~~

(b) It is an unlawful act to violate paragraph (a), clause (2), (3), (4), (5), (6), (7), (8), or (9).

Sec. 17. Minnesota Statutes 2022, section 179.12, is amended to read:

179.12 EMPLOYERS' EMPLOYER UNFAIR LABOR PRACTICES.

(a) It is an unfair labor practice for an employer:

(1) to institute a lockout of its employees in violation of a valid collective bargaining agreement between the employer and its employees or labor organization if the employees at the time are in good faith complying with the provisions of the agreement, or to violate the terms and conditions of the bargaining agreement;

(2) to institute a lockout of its employees in violation of section 179.06 or 179.07;

(3) to encourage or discourage membership in a labor organization by discrimination in regard to hire or tenure of employment or any terms or conditions of employment; provided, that this clause does not apply to the provisions of collective bargaining agreements entered into voluntarily by an employer and its employees or a labor organization representing the employees as a bargaining agent, as provided by section 179.16;

(4) to discharge or otherwise to discriminate against an employee because the employee has signed or filed an affidavit, petition, or complaint or given information or testimony under this chapter;

(5) to spy directly or through agents or any other persons upon activities of employees or their representatives in the exercise of their legal rights;

(6) to distribute or circulate a blacklist of individuals exercising a legal right or of members of a labor organization for the purpose of preventing individuals who are blacklisted from obtaining or retaining employment;

(7) to engage or contract for the services of a person who is an employee of another if the employee is paid a wage that is less than the wage to be paid by the engaging or contracting employer under an existing union contract for work of the same grade or classification;

(8) willfully and knowingly to utilize a professional strikebreaker to replace an employee or employees involved in a strike or lockout at a place of business located within this state; or

(9) to grant or offer to grant the status of permanent replacement employee to a person for performing bargaining unit work for an employer during a lockout of employees in a labor organization or during a strike of employees in a labor organization authorized by a representative of employees.

~~The violation of (b) It is an unlawful act to violate paragraph (a),~~ clause (2), (4), (5), (6), (7), (8), or (9) ~~is an unlawful act.~~

Sec. 18. Minnesota Statutes 2022, section 179.254, subdivision 1, is amended to read:

Subdivision 1. **Scope.** For the purposes of sections 179.254 to ~~179.256~~ 179.257, the ~~following~~ terms ~~shall~~ defined in this section have the meanings ~~subscribed to~~ given them.

Sec. 19. Minnesota Statutes 2022, section 179.256, is amended to read:

179.256 NOTIFICATION NOTIFYING CONSTRUCTION WORKER OF REIMBURSEMENT.

Whenever a construction worker may qualify for the reimbursement of benefit payments to a ~~home~~ benefit fund ~~as described in~~ under section 179.255, the trustees of the benefit fund of which the worker is a member, or their agent, shall so notify the trustees of the benefit fund to which payments will be made during the temporary period of work. Such notification shall be made promptly in writing and shall include the name, address, and Social Security number of the construction worker and the starting date of the temporary period of work.

Sec. 20. Minnesota Statutes 2022, section 179.26, is amended to read:

179.26 DEFINITIONS; ~~CERTAIN REPRESENTATION DISPUTES.~~

When used in sections 179.26 to 179.29, unless the context clearly indicates otherwise, ~~each of the following words: "employee," "labor organization," "strike," and "lockout shall" have the meaning ascribed to it~~ meanings given them in section 179.01.

Sec. 21. Minnesota Statutes 2022, section 179.27, is amended to read:

179.27 STRIKES OR BOYCOTTS PROHIBITED.

When certification of a representative of employees for collective bargaining purposes has been made by proper federal or state authority, it is unlawful during the effective period of such certification for any employee, representative of employees, or labor organization to conduct a strike or boycott against the employer of such employees or to picket any place of business of the employer in order, by such strike, boycott, or picketing, to:

- (1) ~~to~~ deny the right of the representative so certified to act as such representative ~~or~~;
- (2) ~~to~~ prevent such representative from acting as authorized by such certification; or
- (3) ~~to~~ interfere with the business of the employer in an effort to do either act ~~specified in clauses~~ under clause (1) ~~and or~~ (2) hereof.

Sec. 22. Minnesota Statutes 2022, section 179.35, subdivision 1, is amended to read:

Subdivision 1. **Scope.** Unless the language or context clearly indicates that a different meaning is intended, the ~~following words, terms and phrases, for the purposes of sections 179.35 to 179.39, shall be given~~ defined in this section have the meanings ~~subjoined to given them for purposes of sections 179.35 to 179.39.~~

Sec. 23. Minnesota Statutes 2022, section 179.40, is amended to read:

179.40 SECONDARY BOYCOTT; ~~DECLARATION OF PUBLIC POLICY.~~

(a) As a guide to the interpretation and application of sections 179.40 to 179.47, the public policy of this state is declared to be:

(1) to protect and promote the interests of the public, employees, and employers alike, with due regard to the situation and to the rights of the others;

(2) to promote industrial peace, regular and adequate income for employees, and uninterrupted production of goods and services; and

(3) to reduce the serious menace to the health, morals, and welfare of the people of this state arising from economic insecurity due to stoppages and interruptions of business and employment.

(b) It is recognized that whatever may be the rights of disputants with respect to each other in any controversy, they should not be permitted, in their controversy, to intrude directly into the primary rights of third parties to earn a livelihood, transact business, and engage in the ordinary affairs of life by lawful means and free from molestation, interference, restraint, or coercion. The legislature, therefore, declares that, in its considered judgment, the public good and the general welfare of the citizens of this state will be promoted by prohibiting secondary boycotts and other coercive practices in this state.

Sec. 24. Minnesota Statutes 2022, section 179.43, is amended to read:

179.43 ILLEGAL COMBINATION; ~~VIOLATION OF~~ VIOLATING PUBLIC POLICY.

A secondary boycott as ~~hereinbefore~~ defined under section 179.41 is ~~hereby declared to be~~ an illegal combination in restraint of trade and in violation of the public policy of this state.

Sec. 25. Minnesota Statutes 2022, section 179A.02, is amended to read:

179A.02 CITATION.

Sections 179A.01 to 179A.25 ~~shall be known~~ may be cited as the "Public Employment Labor Relations Act."

Sec. 26. Minnesota Statutes 2022, section 179A.03, subdivision 17, is amended to read:

Subd. 17. **Supervisory employee.** (a) "Supervisory employee" means a person who has the authority to undertake a majority of the following supervisory functions in the interests of the employer: hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees, direction of the work of other employees, or adjustment of other employees' grievances on behalf of the employer. To be included as a supervisory function which the person has authority to undertake, the exercise of the authority by the person may not be merely routine or clerical in nature but must require the use of independent judgment. An employee, other than an essential employee, who has authority to effectively recommend a supervisory function, is deemed to have authority to undertake that supervisory function for the purposes of this subdivision. The administrative head of a municipality, municipal utility, or police or fire department, and the administrative head's assistant, are always considered supervisory employees.

(b) The removal of employees by the employer from a nonsupervisory appropriate unit for the purpose of designating the employees as "supervisory employees" shall require either the prior written agreement of the exclusive representative and the written approval of the commissioner or a separate determination by the commissioner before the redesignation is effective.

Sec. 27. Minnesota Statutes 2022, section 179A.06, subdivision 1, is amended to read:

Subdivision 1. ~~Expression of~~ **Expressing views.** (a) Sections 179A.01 to 179A.25 do not affect the right of any public employee or the employee's representative to express or communicate a view, grievance, complaint, or opinion on any matter related to the conditions or compensation of public employment or their betterment, so long as this is not designed to and does not interfere with the full faithful and proper performance of the duties of employment or circumvent the rights of the exclusive representative. Sections 179A.01 to 179A.25 do not require any public employee to perform labor or services against the employee's will.

(b) If no exclusive representative has been certified, any public employee individually, or group of employees through their representative, has the right to express or communicate a view, grievance, complaint, or opinion on any matter related to the conditions or compensation of public employment or their betterment, by meeting with their public employer or the employer's representative, so long as this is not designed to and does not interfere with the full, faithful, and proper performance of the duties of employment.

Sec. 28. Minnesota Statutes 2022, section 179A.06, subdivision 2, is amended to read:

Subd. 2. **Right to organize.** (a) Public employees have the right to form and join labor or employee organizations, and have the right not to form and join such organizations. Public employees in an appropriate unit have the right by secret ballot to designate an exclusive representative to negotiate grievance procedures and the

terms and conditions of employment with their employer. Confidential employees of the state, confidential court employees, and confidential University of Minnesota employees are excluded from bargaining. Supervisory and managerial court employees are excluded from bargaining. Supervisory, managerial, and confidential employees of Hennepin Healthcare System, Inc., are excluded from bargaining. Other confidential employees, supervisory employees, principals, and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with sections 179A.01 to 179A.25, applicable to essential employees.

(b) Supervisory or confidential employee organizations shall not participate in any capacity in any negotiations which involve units of employees other than supervisory or confidential employees. Except for organizations which represent supervisors who are: (1) firefighters, emergency medical service employees certified under section 144E.28, 911 system public safety dispatchers, peace officers subject to licensure under sections 626.84 to 626.863, guards at correctional facilities, or employees at hospitals other than state hospitals; and (2) not state or University of Minnesota employees, a supervisory or confidential employee organization which is affiliated with another employee organization which is the exclusive representative of nonsupervisory or nonconfidential employees of the same public employer shall not be certified, or act as, an exclusive representative for the supervisory or confidential employees. For the purpose of this subdivision, affiliation means either direct or indirect and includes affiliation through a federation or joint body of employee organizations.

Sec. 29. Minnesota Statutes 2022, section 179A.06, subdivision 3, is amended to read:

Subd. 3. **Fair share fee.** (a) An exclusive representative may require employees who are not members of the exclusive representative to contribute a fair share fee for services rendered by the exclusive representative. The fair share fee must be equal to the regular membership dues of the exclusive representative, less the cost of benefits financed through the dues and available only to members of the exclusive representative. In no event may the fair share fee exceed 85 percent of the regular membership dues. The exclusive representative shall provide advance written notice of the amount of the fair share fee to the employer and to unit employees who will be assessed the fee. The employer shall provide the exclusive representative with a list of all unit employees.

(b) A challenge by an employee or by a person aggrieved by the fee must be filed in writing with the commissioner, the public employer, and the exclusive representative within 30 days after receipt of the written notice. All challenges must specify those portions of the fee challenged and the reasons for the challenge. The burden of proof relating to the amount of the fair share fee is on the exclusive representative. The commissioner shall hear and decide all issues in these challenges.

(c) The employer shall deduct the fee from the earnings of the employee and transmit the fee to the exclusive representative 30 days after the written notice was provided. If a challenge is filed, the deductions for a fair share fee must be held in escrow by the employer pending a decision by the commissioner.

Sec. 30. Minnesota Statutes 2022, section 179A.08, subdivision 2, is amended to read:

Subd. 2. **Meet and confer.** The professional employees shall select a representative to meet and confer with a representative or committee of the public employer on matters not specified under section 179A.03, subdivision 19, relating to the services being provided to the public. The public employer shall provide the facilities and set the time for these ~~conferences~~ meetings to take place. The parties shall meet at least once every four months.

Sec. 31. Minnesota Statutes 2022, section 179A.10, subdivision 1, is amended to read:

Subdivision 1. **Exclusions.** (a) The commissioner of management and budget shall meet and negotiate with the exclusive representative of each of the units specified in this section, except as provided in section 43A.06, subdivision 1, paragraph (c). The units provided in this section are the only appropriate units for executive branch state employees. The following employees shall be excluded from any appropriate unit:

(1) the positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of management and budget in accordance with section 43A.18, subdivision 3, and so designated in the official state compensation schedules;

(2) unclassified positions in the Minnesota State Colleges and Universities defined as managerial by the Board of Trustees;

(3) positions of all unclassified employees appointed by a constitutional officer;

(4) positions in the Bureau of Mediation Services and the Public Employment Relations Board;

(5) positions of employees whose classification is pilot or chief pilot;

(6) administrative law judge and compensation judge positions in the Office of Administrative Hearings;

(7) positions of all confidential employees; and

(8) positions of employees of the State Board of Investment who are employed under the terms and conditions of the compensation plan approved under section 43A.18, subdivision 3b.

(b) The governor may upon the unanimous written request of exclusive representatives of units and the commissioner direct that negotiations be conducted for one or more units in a common proceeding or that supplemental negotiations be conducted for portions of a unit or units defined on the basis of appointing authority or geography.

Sec. 32. Minnesota Statutes 2022, section 179A.104, subdivision 1, is amended to read:

Subdivision 1. **Employee units.** (a) The state Board of Public Defense shall meet and negotiate with the exclusive representative of each of the statewide units specified in this section. The units provided in this section are the only appropriate statewide units for state employees of the board. Employees of the state Board of Public Defense, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. The following are the appropriate statewide units of state employees of the board:

(1) Assistant District and Assistant State Public Defender Unit; and

(2) Clerical and Support Staff Unit.

(b) Each unit consists of the classifications or positions assigned to it in the schedule of job classifications and positions maintained by the state Board of Public Defense.

Sec. 33. Minnesota Statutes 2022, section 179A.12, subdivision 1, is amended to read:

Subdivision 1. **Certification continued.** (a) Any employee organization holding formal recognition by order of the commissioner or by employer voluntary recognition on the effective date of Extra Session Laws 1971, chapter 33, under any law that is repealed by Extra Session Laws 1971, chapter 33, is certified as the exclusive representative until it is decertified or another representative is certified in its place.

(b) Any teacher organization as defined by Minnesota Statutes 1969, section 125.20, subdivision 3, which on the effective date of Extra Session Laws 1971, chapter 33, has a majority of its members on a teacher's council in a school district as provided in Minnesota Statutes 1969, section 125.22 is certified as the exclusive representative of all teachers of that school district until the organization is decertified or another organization is certified in its place.

Sec. 34. Minnesota Statutes 2022, section 179A.15, is amended to read:

179A.15 MEDIATION.

Subdivision 1. **Petitioning commissioner.** Once notice has been given under section 179A.14, the employer or the exclusive representative may petition the commissioner for mediation services.

Subd. 2. **Petition requirements; scheduling mediation.** (a) A petition by an employer shall be signed by the employer or an authorized officer or agent. A petition by an exclusive representative shall be signed by its authorized officer. All petitions shall be served on the commissioner in writing. The petition shall state briefly the nature of the disagreement of the parties.

(b) Upon receipt of a petition and upon concluding that mediation would be useful, the commissioner shall fix a time and place for a ~~conference~~ meeting with the parties to negotiate the issues not agreed upon, and shall then take the most expedient steps to bring about a settlement, including assisting in negotiating and drafting an agreement.

Subd. 3. **Commissioner-initiated mediation.** If the commissioner determines that mediation would be useful in resolving a dispute, the commissioner may mediate the dispute even if neither party has filed a petition for mediation. In these cases, the commissioner shall proceed as if a petition had been filed.

Subd. 4. **Mediation restricted.** The commissioner shall not furnish mediation services to any employee or employee representative who is not certified as an exclusive representative.

Subd. 5. **Mediation meetings.** All parties shall respond to the summons of the commissioner for ~~conferences~~ meetings and shall continue ~~in conference~~ meeting until excused by the commissioner.

Sec. 35. Minnesota Statutes 2022, section 179A.16, subdivision 1, is amended to read:

Subdivision 1. **Petitioning for arbitration; nonessential employees.** (a) An exclusive representative or an employer of a unit of employees other than essential employees may request interest arbitration by providing written notice of the request to the other party and the commissioner. The written request for arbitration must specify the items to be submitted to arbitration and whether conventional, final-offer total-package, or final-offer item-by-item arbitration is contemplated by the request.

(b) The items to be submitted to arbitration and the form of arbitration to be used are subject to mutual agreement. If an agreement to arbitrate is reached, it must be reduced to writing and a copy of the agreement filed with the commissioner. A failure to respond, or to reach agreement on the items or form of arbitration, within 15 days of receipt of the request to arbitrate constitutes a rejection of the request.

Sec. 36. Minnesota Statutes 2022, section 179A.16, subdivision 7, is amended to read:

Subd. 7. ~~**Decision by Arbitrator or arbitrator panel; issuing decision.**~~ (a) The decision must be issued by the arbitrator or a majority vote of the panel. The decision must resolve the issues in dispute between the parties as submitted by the commissioner. For principals and assistant principals, the arbitrator or panel is restricted to selecting between the final offers of the parties on each impasse item. For other employees, if the parties agree in writing, the arbitrator or panel is restricted to selecting between the final offers of the parties on each impasse item, or the final offer of one or the other parties in its entirety. In considering a dispute and issuing its decision, the arbitrator or panel shall consider the statutory rights and obligations of public employers to efficiently manage and conduct their operations within the legal limitations surrounding the financing of these operations. The decision is final and binding on all parties.

(b) The arbitrator or panel shall render its decision within 30 days from the date that all arbitration proceedings have concluded. The arbitrator or panel may not request that the parties waive their right to have the decision rendered within 30 days, unless the commissioner grants an extension of the deadline. The commissioner shall remove from the roster for six months the name of any arbitrator who does not render the decision within 30 days or within the extension granted by the commissioner. The commissioner shall adopt rules establishing criteria to be followed in determining whether an extension should be granted. The decision must be for the period stated in the decision, except that decisions determining contracts for teacher units are effective to the end of the contract period determined by section 179A.20.

(c) The arbitrator or panel shall send its decision to the commissioner, the appropriate representative of the public employer, and the employees. If any issues submitted to arbitration are settled voluntarily before the arbitrator or panel issues a decision, the arbitrator or panel shall report the settlement to the commissioner.

(d) The parties may, at any time before or after issuance of a decision of the arbitrator or panel, agree upon terms and conditions of employment regardless of the terms and conditions of employment determined by the decision. The parties shall, if so agreeing, execute a written contract or memorandum of contract.

Sec. 37. Minnesota Statutes 2022, section 179A.18, subdivision 2, is amended to read:

Subd. 2. **School district requirements.** Except as otherwise provided by section 179A.17, subdivision 1, teachers employed by a local school district, other than principals and assistant principals, may strike only under the following circumstances:

(1)(i) the collective bargaining agreement between their exclusive representative and their employer has expired or, if there is no agreement, impasse under section 179A.17, subdivision 1, has occurred; and

(ii) the exclusive representative and the employer have participated in mediation over a period of at least 30 days. For the purposes of this item the mediation period commences on the day that a mediator designated by the commissioner first attends a ~~conference~~ meeting with the parties to negotiate the issues not agreed upon; and

(iii) neither party has requested interest arbitration or a request for binding interest arbitration has been rejected; or

(2) the employer violates section 179A.13, subdivision 2, clause (9).

Sec. 38. Minnesota Statutes 2022, section 179A.18, subdivision 3, is amended to read:

Subd. 3. **Strike notice.** (a) In addition to the other requirements of this section, no employee may strike unless written notification of intent to strike is served on the employer and the commissioner by the exclusive representative at least ten days prior to the commencement of the strike. For all employees other than teachers, if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification. For teachers, no strike may commence more than 25 days after service of notification of intent to strike unless, before the end of the 25-day period, the exclusive representative and the employer agree that the period during which a strike may commence shall be extended for an additional period not to exceed five days. Teachers are limited to one notice of intent to strike for each contract negotiation period, provided, however, that a strike notice may be renewed for an additional ten days, the first five of which shall be a notice period during which no strike may occur, if the following conditions have been satisfied:

(1) an original notice was provided pursuant to this section; ~~and~~

(2) a tentative agreement to resolve the dispute was reached during the original strike notice period; and

(3) such tentative agreement was rejected by either party during or after the original strike notice period.

(b) The first day of the renewed strike notice period shall commence on the day following the expiration of the previous strike notice period or the day following the rejection of the tentative agreement, whichever is later. Notification of intent to strike under subdivisions 1, clause (1); and 2, clause (1), may not be served until the collective bargaining agreement has expired, or if there is no agreement, on or after the date impasse under section 179A.17 has occurred.

Sec. 39. Minnesota Statutes 2022, section 179A.19, subdivision 6, is amended to read:

Subd. 6. **Hearings.** (a) Any public employee is entitled to request the opportunity to establish that the employee did not violate this section. The request shall be filed in writing with the officer or body having the power to remove the employee, within ten days after notice of termination is served upon the employee. The employing officer or body shall within ten days commence a proceeding at which the employee shall be entitled to be heard for the purpose of determining whether the provisions of this section have been violated by the public employee. If there are contractual grievance procedures, laws or rules establishing proceedings to remove the public employee, the hearing shall be conducted in accordance with whichever procedure the employee elects. The election shall be binding and shall terminate any right to the alternative procedures. The same proceeding may include more than one employee's employment status if the employees' defenses are identical, analogous, or reasonably similar. The proceedings shall be undertaken without unnecessary delay.

(b) Any person whose termination is sustained in the administrative or grievance proceeding may appeal in accordance with chapter 14.

Sec. 40. Minnesota Statutes 2022, section 179A.20, subdivision 4, is amended to read:

Subd. 4. **Grievance procedure.** (a) All contracts must include a grievance procedure providing for compulsory binding arbitration of grievances including all written disciplinary actions. If the parties cannot agree on the grievance procedure, they are subject to the grievance procedure ~~promulgated~~ adopted by the commissioner under section 179A.04, subdivision 3, paragraph (a), clause (8) ~~(b) (8)~~.

(b) Notwithstanding any home rule charter to the contrary, after the probationary period of employment, any disciplinary action is subject to the grievance procedure and compulsory binding arbitration.

(c) Employees covered by civil service systems created under chapter 43A, 44, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423, may pursue a grievance through the procedure established under this section. When the grievance is also within the jurisdiction of appeals boards or appeals procedures created by chapter 43A, 44, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423, the employee may proceed through the grievance procedure or the civil service appeals procedure, but once a written grievance or appeal has been properly filed or submitted by the employee or on the employee's behalf with the employee's consent the employee may not proceed in the alternative manner.

(d) A teacher who elects a hearing before an arbitrator under section 122A.40, subdivision 15, or 122A.41, subdivision 13, or who elects or acquiesces to a hearing before the school board may not later proceed in the alternative manner nor challenge the termination or discharge through a grievance procedure required by this subdivision.

(e) This section does not require employers or employee organizations to negotiate on matters other than terms and conditions of employment.

Sec. 41. Minnesota Statutes 2022, section 179A.23, is amended to read:

179A.23 LIMITATION ON CONTRACTING-OUT OF SERVICES PROVIDED BY MEMBERS OF A STATE OF MINNESOTA OR UNIVERSITY OF MINNESOTA BARGAINING UNIT.

(a) Any contract entered into after March 23, 1982, by the state of Minnesota or the University of Minnesota involving services, any part of which, in the absence of the contract, would be performed by members of a unit provided in sections 179A.10 and 179A.11, shall be subject to section 16C.06 and shall provide for the preferential employment by a party of members of that unit whose employment with the state of Minnesota or the University of Minnesota is terminated as a result of that contract.

(b) Contracts entered into by the state of Minnesota for the purpose of providing court reporter services or transcription of the record of a hearing which was recorded by means of an audio magnetic recording device shall be subject to section 16C.08 and the preferential employment provisions enumerated in this section. Any court reporter seeking a contract pursuant to the preferential employment provisions of this section shall be given preference when the services are needed only if that court reporter's charges for the services requested are no greater than the average of the charges made for the identical services by other court reporters in the same locality who are also under contract with the state for those services.

Sec. 42. **[181.173] SALARY RANGES REQUIRED IN JOB POSTINGS.**

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

(b) "Employer" means a person or entity that employs 30 or more employees at a minimum of one site and includes an individual, corporation, partnership, association, nonprofit organization, group of persons, state, county, town, city, school district, or other governmental subdivision.

(c) "Posting" means any solicitation intended to recruit job applicants for a specific available position, including recruitment done directly by an employer or indirectly through a third party, and includes any postings made electronically or via printed hard copy, that includes qualifications for desired applicants.

(d) "Salary range" means the minimum and maximum annual salary or hourly range of compensation for a job opportunity of the employer at the time of the posting of an advertisement for such opportunity.

Subd. 2. Salary ranges in job postings required. (a) An employer must disclose in each posting for each job opening with the employer the starting salary range, and a general description of all of the benefits and other compensation to be offered to a hired job applicant.

(b) An employer that does not plan to offer a salary range for a position must list a fixed pay rate. A salary range may not be open ended.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 43. Minnesota Statutes 2023 Supplement, section 181.212, subdivision 7, is amended to read:

Subd. 7. **Voting.** The affirmative vote of five board members is required for the board to take any action, including actions necessary to establish minimum nursing home employment standards under section 181.213. At least two of the five affirmative votes must be cast by the commissioner members or their appointees.

Sec. 44. Minnesota Statutes 2023 Supplement, section 181.531, subdivision 3, is amended to read:

Subd. 3. **Notice.** (a) The commissioner shall develop an educational poster providing notice of employees' rights provided under this section. The notice shall be available in English and the five most common languages spoken in Minnesota.

~~Within 30 days of August 1, 2023,~~ (b) An employer subject to this section shall post and keep posted, a the notice of employee rights under this section created pursuant to this subdivision in a place where employee notices are customarily placed located within the workplace.

EFFECTIVE DATE. This section is effective October 1, 2024.

Sec. 45. Minnesota Statutes 2023 Supplement, section 181.939, subdivision 2, is amended to read:

Subd. 2. **Pregnancy accommodations.** (a) An employer must provide reasonable accommodations to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates that the accommodation would impose an undue hardship on the operation of the employer's business. A pregnant employee shall not be required to obtain the advice of a licensed health care provider or certified doula, nor may an employer claim undue hardship for the following accommodations: (1) more frequent or longer restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. Reasonable accommodation may include but is not limited to temporary transfer to a less strenuous or hazardous position, temporary leave of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods, and limits to heavy lifting. Notwithstanding any other provision of this subdivision, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this subdivision and shall not be required to discharge an employee, transfer another employee with greater seniority, or promote an employee.

(b) Nothing in this subdivision shall be construed to affect any other provision of law relating to sex discrimination or pregnancy or in any way diminish the coverage of pregnancy, childbirth, or health conditions related to pregnancy or childbirth under any other provisions of any other law.

(c) An employer shall not require an employee to take a leave or accept an accommodation.

(d) An employer shall not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee for asserting rights or remedies under this subdivision.

(e) For the purposes of this subdivision, "employer" means a person or entity that employs one or more employees and includes the state and its political subdivisions.

(f) During any leave for which an employee is entitled to benefits or leave under this subdivision, the employer must maintain coverage under any group insurance policy, group subscriber contract, or health care plan for the employee and any dependents as if the employee was not on leave, provided, however, that the employee must continue to pay any employee share of the cost of the benefits.

Sec. 46. Minnesota Statutes 2022, section 181.941, subdivision 4, is amended to read:

Subd. 4. **Continued insurance.** ~~The employer must continue to make coverage available to the employee while on leave of absence under any group insurance policy, group subscriber contract, or health care plan for the employee and any dependents. Nothing in this section requires the employer to pay the costs of the insurance or health care while the employee is on leave of absence.~~ During any leave for which an employee is entitled to

benefits or leave under this section, the employer must maintain coverage under any group insurance policy, group subscriber contract, or health care plan for the employee and any dependents as if the employee was not on leave, provided, however, that the employee must continue to pay any employee share of the cost of the benefits.

Sec. 47. Minnesota Statutes 2022, section 181.943, is amended to read:

181.943 RELATIONSHIP TO OTHER LEAVE.

(a) The length of leave provided under section 181.941 may be reduced by any period of:

(1) paid parental, disability, personal, medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks, unless agreed to by the employer; or

(2) leave taken for the same purpose by the employee under United States Code, title 29, chapter 28.

(b) Nothing in sections 181.940 to 181.943 prevents any employer from providing leave benefits in addition to those provided in sections 181.940 to 181.944 or otherwise affects an employee's rights with respect to any other employment benefit.

(c) Notwithstanding paragraphs (a) and (b), the length of leave provided under section 181.941 must not be reduced by any period of paid or unpaid leave taken for prenatal care medical appointments.

Sec. 48. Minnesota Statutes 2022, section 181.950, is amended by adding a subdivision to read:

Subd. 9a. **Oral fluid test.** "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:

(1) can detect drugs, alcohol, cannabis, or their metabolites in levels at or above the threshold detection levels contained in the standards of one of the programs listed in section 181.953, subdivision 1; and

(2) does not require the services of a testing laboratory under section 181.953, subdivision 1.

Sec. 49. Minnesota Statutes 2022, section 181.951, subdivision 1, is amended to read:

Subdivision 1. **Limitations on testing.** (a) An employer may not request or require an employee or job applicant to undergo drug and alcohol testing except as authorized in this section.

(b) An employer may not request or require an employee or job applicant to undergo drug or alcohol testing unless the testing is done pursuant to a written drug and alcohol testing policy that contains the minimum information required in section 181.952; and, either: (1) is conducted by a testing laboratory which participates in one of the programs listed in section 181.953, subdivision 1; or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.

(c) An employer may not request or require an employee or job applicant to undergo drug and alcohol testing on an arbitrary and capricious basis.

Sec. 50. Minnesota Statutes 2023 Supplement, section 181.953, subdivision 1, is amended to read:

Subdivision 1. **Use of licensed, accredited, or certified laboratory required.** (a) Except as provided under subdivision 5a, an employer who requests or requires an employee or job applicant to undergo drug or alcohol testing or cannabis testing shall use the services of a testing laboratory that meets one of the following criteria for drug testing:

(1) is certified by the National Institute on Drug Abuse as meeting the mandatory guidelines published at 53 Federal Register 11970 to 11989, April 11, 1988;

(2) is accredited by the College of American Pathologists, 325 Waukegan Road, Northfield, Illinois, 60093-2750, under the forensic urine drug testing laboratory program; or

(3) is licensed to test for drugs by the state of New York, Department of Health, under Public Health Law, article 5, title V, and rules adopted under that law.

(b) For alcohol testing, the laboratory must either be:

(1) licensed to test for drugs and alcohol by the state of New York, Department of Health, under Public Health Law, article 5, title V, and the rules adopted under that law; or

(2) accredited by the College of American Pathologists, 325 Waukegan Road, Northfield, Illinois, 60093-2750, in the laboratory accreditation program.

Sec. 51. Minnesota Statutes 2023 Supplement, section 181.953, subdivision 3, is amended to read:

Subd. 3. **Laboratory testing, reporting, and sample retention requirements.** (a) A testing laboratory that is not certified by the National Institute on Drug Abuse according to subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that produced a positive test result on an initial screening test. A laboratory shall disclose to the employer a written test result report for each sample tested within three working days after a negative test result on an initial screening test or, when the initial screening test produced a positive test result, within three working days after a confirmatory test. A test report must indicate the drugs, alcohol, drug or alcohol metabolites, or cannabis or cannabis metabolites tested for and whether the test produced negative or positive test results. A laboratory shall retain and properly store for at least six months all samples that produced a positive test result.

(b) This subdivision and the chain-of-custody procedures under subdivision 5 do not apply to oral fluid testing under subdivision 5a.

Sec. 52. Minnesota Statutes 2023 Supplement, section 181.953, is amended by adding a subdivision to read:

Subd. 5a. **Oral fluid testing.** (a) An employer may elect to comply with the oral fluid testing procedures under this subdivision as an alternative to the drug and alcohol testing or cannabis testing procedures for job applicants in this section.

(b) An employer may request or require a job applicant to undergo oral fluid testing. If the oral fluid test indicates a positive test result or the test is inconclusive or invalid, the job applicant must undergo drug or alcohol testing or cannabis testing using the services of a testing laboratory under subdivision 1 within 48 hours of the oral fluid test to remain eligible for the job. The rights, notice, retest procedures, and limitations on withdrawal of a job offer in subdivisions 6 to 11 apply to the job applicant and a laboratory test conducted pursuant to this paragraph.

Sec. 53. **[181.9881] RESTRICTIVE EMPLOYMENT COVENANTS; VOID IN SERVICE CONTRACTS.**

Subdivision 1. Definitions. (a) "Customer" means an individual, partnership, association, corporation, business, trust, or group of persons hiring a service provider for services.

(b) "Employee," as used in this section, means any individual who performs services for a service provider, including independent contractors. "Independent contractor" has the meaning given in section 181.988, subdivision 1, paragraph (d).

(c) "Service provider" means any partnership, association, corporation, business, trust, or group of persons acting directly or indirectly as an employer or manager for work contracted or requested by a customer.

Subd. 2. Restrictive employment covenants; void and unenforceable. (a) No service provider may restrict, restrain, or prohibit in any way a customer from directly or indirectly soliciting or hiring an employee of a service provider.

(b) Any provision of an existing contract that violates paragraph (a) is void and unenforceable.

(c) When a provision in an existing contract violates this section, the service provider must provide notice to their employees of this section and the restrictive covenant in the existing contract that violates this section.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to contracts and agreements entered into on or after that date.

Sec. 54. Minnesota Statutes 2022, section 181A.08, is amended to read:

181A.08 POWERS AND DUTIES OF THE DEPARTMENT.

Subdivision 1. Inspections. The commissioner, an authorized representative, or any truant officer may enter and inspect the place of business or employment and may interview any employees, of any employer of employees in any occupation in the state, all for the purpose of ascertaining whether any minors are employed contrary to the provisions of sections 181A.01 to 181A.12. Such authorized persons may require that employment certificates, age certificates, and lists of minors employed shall be produced for their inspection.

Subd. 2. Compliance orders. The commissioner or an authorized representative may issue an order requiring an employer to comply with the provisions of sections 181A.01 to 181A.12 or with any rules promulgated under the provisions of section 181A.09. Any such order shall be served by the department upon the employer or an authorized representative in person or by certified mail at the employers place of business. If an employer wishes to contest the order for any reason, the employer shall file written notice of objection with the commissioner within ~~ten~~ 15 calendar days after service of said order upon said employer. Thereafter, a public hearing shall be held in accordance with the provisions of sections 14.57 to 14.69, and such rules consistent therewith as the commissioner shall make. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner.

Subd. 2a. Employer liability. If an employer is found by the commissioner to have violated any provision of sections 181A.01 to 181A.12, or any rules promulgated under section 181A.09, and the commissioner issues an order to comply under subdivision 2, the commissioner shall order the employer to cease and desist from engaging in the violative practice and to take affirmative steps that in the judgment of the commissioner will effectuate the purposes of the section or rule violated. The commissioner may order the employer to reimburse the department and the attorney general for appropriate litigation and hearing costs expended in preparation for and in conducting the

contested case proceeding, unless payment of costs would impose extreme financial hardship on the employer. If the employer is able to establish extreme financial hardship, then the commissioner may order the employer to pay a percentage of the total costs that will not cause extreme financial hardship. Costs include but are not limited to the costs of services rendered by the attorney general, private attorneys if engaged by the department, administrative law judges, court reporters, and expert witnesses as well as the cost of transcripts. Interest shall accrue on, and be added to, the unpaid balance of a commissioner's order from the date the order is signed by the commissioner until it is paid, at an annual rate provided in section 549.09, subdivision 1, paragraph (c).

Subd. 3. **Restraining orders.** The commissioner or an authorized representative may apply to any court of competent jurisdiction for an order restraining the violation of an order issued by the commissioner pursuant to subdivision 2, or for an order enjoining and restraining violations of this chapter or rules adopted pursuant to section 181A.09.

Sec. 55. Minnesota Statutes 2022, section 181A.12, subdivision 1, is amended to read:

Subdivision 1. **Fines; penalty.** (a) Any employer who hinders or delays the department or its authorized representative in the performance of its duties under sections 181A.01 to 181A.12 or refuses to admit the commissioner or an authorized representative to any place of employment or refuses to make certificates or lists available as required by sections 181A.01 to 181A.12, or otherwise violates any provisions of sections 181A.01 to 181A.12 or any rules issued pursuant thereto shall be assessed a fine to be paid to the commissioner for deposit in the general fund. The fine may be recovered in a civil action in the name of the department brought in the district court of the county where the violation is alleged to have occurred or the district court where the commissioner has an office. Fines are ~~in~~ up to the amounts as follows for each violation:

- | | |
|---|-------|
| (1) employment of minors under the age of 14 (each employee) | \$500 |
| (2) employment of minors under the age of 16 during school hours while school is in session (each employee) | 500 |
| (3) employment of minors under the age of 16 before 7:00 a.m. (each employee) | 500 |
| (4) employment of minors under the age of 16 after 9:00 p.m. (each employee) | 500 |
| (5) employment of a high school student under the age of 18 in violation of section 181A.04, subdivision 6 (each employee) | 1,000 |
| (6) employment of minors under the age of 16 over eight hours a day (each employee) | 500 |
| (7) employment of minors under the age of 16 over 40 hours a week (each employee) | 500 |
| (8) employment of minors under the age of 18 in occupations hazardous or detrimental to their well-being as defined by rule (each employee) | 1,000 |
| (9) employment of minors under the age of 16 in occupations hazardous or detrimental to their well-being as defined by rule (each employee) | 1,000 |
| (10) minors under the age of 18 injured in hazardous employment (each employee) | 5,000 |
| (11) minors employed without proof of age (each employee) | 250 |

(b) An employer who refuses to make certificates or lists available as required by sections 181A.01 to 181A.12 shall be assessed a \$500 fine.

(c) Notwithstanding the factors in section 14.045, subdivision 3, the commissioner need only consider the size of the business of the employer, the gravity of the violation, and the history of previous violations when determining the total amount of fines to issue under this subdivision.

Sec. 56. Minnesota Statutes 2022, section 181A.12, is amended by adding a subdivision to read:

Subd. 4. **Liquidated damages.** An employer who employs a minor in violation of section 181A.04, subdivision 5, may be liable to the minor for an amount equal to the minor's regular rate of pay for all hours worked in violation of section 181A.04, subdivision 5, as liquidated damages, in addition to the wages earned by the minor.

Sec. 57. Minnesota Statutes 2022, section 181A.12, is amended by adding a subdivision to read:

Subd. 5. **Retaliation.** An employer shall not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee for asserting rights or remedies under sections 181A.01 to 181A.12 or any rules promulgated under section 181A.09, including but not limited to filing a complaint with the department, informing the employer of the employee's intention to file a complaint, or participating in an investigation by the department. In addition to any other remedies provided by law, the commissioner may order an employer in violation of this subdivision to provide back pay, compensatory damages, reinstatement, and any other appropriate relief to the aggrieved employee.

Sec. 58. Minnesota Statutes 2023 Supplement, section 182.6526, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The terms defined in this subdivision have the meanings given.

(b) "Aggregated employee work speed data" means a compilation of employee work speed data for multiple employees, in summary form, assembled in full or in another form such that the data cannot be identified with any individual.

(c) "Commissioner" means the commissioner of labor and industry.

(d)(1) Except as provided in clause (2), "employee" means ~~an employee~~ a person who meets the definition in section 182.651, subdivision 9, and who works at a warehouse distribution center.

(2) For the purposes of subdivisions 2, 3, and 4 only, "employee" means ~~a nonexempt employee performing a person who meets the definition in section 182.651, subdivision 9, does not meet any of the exceptions set forth in section 177.23, subdivision 7, clauses (1) to (19), and who performs~~ warehouse work occurring on the property of a warehouse distribution center ~~and. Employee does not include a nonexempt employee~~ any person performing solely manufacturing, administrative, sales, accounting, human resources, or driving work at, or to and from, a warehouse distribution center.

(e) "Employee work speed data" means information an employer collects, stores, analyzes, or interprets relating to an individual employee's performance of a quota, including but not limited to quantities of tasks performed, quantities of items or materials handled or produced, rates or speeds of tasks performed, measurements or metrics of employee performance in relation to a quota, and time categorized as performing tasks or not performing tasks. Employee work speed data does not include itemized earnings statements pursuant to chapter 181, except for any content of those records that includes employee work speed data as defined in this paragraph.

(f) "Employer" means a person who meets the definition in section 182.651, subdivision 7, and who directly or indirectly, or through an agent or any other person, including through the services of a third-party employer, temporary service, or staffing agency or similar entity, employs or exercises control over the wages, hours, or working conditions of 250 or more employees at a single warehouse distribution center or 1,000 or more employees at one or more warehouse distribution centers in the state. For purposes of this paragraph, all employees of an employer's unitary business, as defined in section 290.17, subdivision 4, shall be counted in determining the number of employees employed at a single warehouse distribution center or at one or more warehouse distribution centers in the state.

(g) "Warehouse distribution center" means an establishment as defined by any of the following North American Industry Classification System (NAICS) codes:

- (1) 493110 for General Warehousing and Storage;
- (2) 423 for Merchant Wholesalers, Durable Goods;
- (3) 424 for Merchant Wholesalers, Nondurable Goods;
- (4) 454110 for Electronic Shopping and Mail-Order Houses; and
- (5) 492110 for Couriers and Express Delivery Services.

(h) "Quota" means a work standard under which:

(1) an employee or group of employees is assigned or required to perform at a specified productivity speed, or perform a quantified number of tasks, or handle or produce a quantified amount of material, or perform without a certain number of errors or defects, as measured at the individual or group level within a defined time period; or

(2) an employee's actions are categorized and measured between time performing tasks and not performing tasks, and the employee's failure to complete a task performance standard may have an adverse impact on the employee's continued employment.

Sec. 59. Minnesota Statutes 2022, section 182.664, subdivision 3, is amended to read:

Subd. 3. **Powers and duties of board.** The review board shall review and decide appeals from final decisions and orders of the commissioner, including decisions issued by administrative law judges, petitions to vacate final orders of the commissioner, and with the agreement of the parties, may review and decide petitions for decisions based on stipulated facts. The powers of the board in the conduct of hearings, including the power to sign decisions and orders, may be delegated to a member, members, or the board chair. The board may schedule a hearing for purposes of taking oral argument. A notice stating the time and place of the hearing must be given ten days in advance of such a hearing to the parties and copies of the notice of such hearing shall be served by the employer as rules of the board shall require. The hearings shall be open to the public and the board's decisions and orders shall be maintained and available for examination. Chapter 13D does not apply to meetings or hearings of the board when the board is deliberating to reach its decision on an appeal or petition under its jurisdiction.

Sec. 60. Minnesota Statutes 2022, section 182.664, subdivision 5, is amended to read:

Subd. 5. **Authority of board; ~~standard~~ scope of review.** (a) For the purpose of carrying out its functions under this chapter, two members of the board shall constitute a quorum and official action can be taken only on the affirmative vote of at least two members. The decisions and orders of an administrative law judge, or final orders of the commissioner, may be appealed to the review board by the employer, employee, or their authorized representatives or any party, within 30 days following service by mail of the administrative law judge's decision and order, or final order of the commissioner.

(b) The review board shall have authority to revise, ~~confirm~~ affirm, remand, or reverse the decision and order of administrative law judges, ~~or~~.

(c) The review board shall also have authority to affirm, or vacate and remand, final orders of the commissioner when a petition to vacate a final order is filed. The board shall only vacate and remand a final order of the commissioner relating to a petition to vacate upon a showing of good cause. For purposes of this section, good cause is limited to fraud, mistake of fact ~~or by the commissioner, mistake of law by the commissioner,~~ or newly discovered evidence.

Sec. 61. Minnesota Statutes 2022, section 182.665, is amended to read:

182.665 JUDICIAL REVIEW.

Any person aggrieved by a final order of the board in a contested case, by a final order of the board on a petition to vacate a final order of the commissioner, or by any standard, rule, or order promulgated by the commissioner, is entitled to judicial review thereof in accordance with the applicable provisions of chapter 14.

Sec. 62. Minnesota Statutes 2022, section 182.666, subdivision 6, is amended to read:

Subd. 6. **Authority to assess fines; considerations.** Only the commissioner shall have authority to assess all proposed fines provided in this section, ~~giving.~~ Notwithstanding the factors in section 14.045, subdivision 3, the commissioner must give due consideration only to the following factors:

- (1) appropriateness of the fine with respect to the size of the business of the employer;
- (2) the gravity of the violation;
- (3) the good faith of the employer; and
- (4) the history of previous violations.

Sec. 63. Minnesota Statutes 2022, section 182.667, is amended by adding a subdivision to read:

Subd. 4. **Investigative data.** The commissioner may share active and inactive civil investigative data pursuant to section 13.39 with a city or county attorney for purposes of enforcing this section. The commissioner may share complete data and need not withhold any data under the requirements of chapter 13 or 182 or any other state privacy law.

Sec. 64. Minnesota Statutes 2023 Supplement, section 182.677, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this subdivision apply unless otherwise specified.

(b) "Health care facility" means a hospital with a North American Industrial Classification system code of 622110, 622210, or 622310; an outpatient surgical center with a North American Industrial Classification system code of 621493; and a nursing home with a North American Industrial Classification system code of 623110.

(c) "Warehouse distribution center" means ~~an employer~~ a site in Minnesota with 100 or more employees ~~in Minnesota~~ and a North American Industrial Classification system code of 493110, 423110 to 423990, 424110 to 424990, 454110, or 492110.

(d) "Meatpacking site" means a ~~meatpacking or poultry processing~~ site in Minnesota with 100 or more employees ~~in Minnesota~~ and a North American Industrial Classification system code of 311611 to 311615, except 311613.

(e) "Musculoskeletal disorder" or "MSD" means a disorder of the muscles, nerves, tendons, ligaments, joints, cartilage, blood vessels, or spinal discs.

Sec. 65. Minnesota Statutes 2023 Supplement, section 182.677, subdivision 2, is amended to read:

Subd. 2. **Ergonomics program required.** (a) Every employer with employees at a licensed health care facility, warehouse distribution center, or meatpacking site in the state shall create and implement an effective written ergonomics program establishing the employer's plan to minimize the risk of its employees developing or aggravating musculoskeletal disorders. The ergonomics program shall focus on eliminating the risk. To the extent risk exists, the ergonomics program must include feasible administrative or engineering controls to reduce the risk.

(b) The program shall include:

(1) an assessment to identify and reduce musculoskeletal disorder risk factors in the facility;

(2) an initial and ongoing training of employees on ergonomics and its benefits, including the importance of reporting early symptoms of musculoskeletal disorders;

(3) a procedure to ensure early reporting of musculoskeletal disorders to prevent or reduce the progression of symptoms, the development of serious injuries, and lost-time claims;

(4) a process for employees to provide possible solutions that may be implemented to reduce, control, or eliminate workplace musculoskeletal disorders;

(5) procedures to ensure that physical plant modifications and major construction projects are consistent with program goals; and

(6) annual evaluations of the ergonomics program and whenever a change to the work process occurs.

Sec. 66. **[182.678] SURGICAL SMOKE EVACUATION SYSTEM POLICIES.**

Subdivision 1. Definitions. (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Surgical smoke" means the gaseous by-product produced by energy-generating devices including surgical plume, smoke plume, bio-aerosols, laser-generated airborne contaminants, or lung-damaging dust.

(c) "Smoke evacuation system" means equipment that effectively captures and filters surgical smoke at the site of origin before the smoke makes contact with the eyes or the respiratory tract of occupants in the room.

(d) "Health care employer" means a hospital as defined in section 144.50, subdivision 2, or an ambulatory surgical facility or outpatient surgical center as defined in section 144.55, subdivision 2, paragraph (b).

Subd. 2. **Surgical smoke evacuation system policies required.** A health care employer shall adopt and implement policies to prevent exposure to surgical smoke by requiring the use of a smoke evacuation system during any surgical procedure that is likely to generate surgical smoke.

Subd. 3. **Enforcement.** This section shall be enforced by the commissioner under sections 182.66 and 182.661. A violation of this section is subject to the penalties provided under section 182.666.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 67. Minnesota Statutes 2023 Supplement, section 204B.19, subdivision 6, is amended to read:

Subd. 6. **Trainee election judges.** (a) Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota or who is in a home school in compliance with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge in the county in which the student maintains residence, or a county adjacent to the county in which the student maintains residence. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed under this subdivision while enrolled in a high school or receiving instruction in a home school may continue to serve as a trainee election judge after the student graduates and until the student reaches the age of 18.

(b) A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. A trainee election judge shall not serve after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for ~~a large an~~ employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance at the time of service as a trainee election judge.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 68. Minnesota Statutes 2022, section 326.02, subdivision 5, is amended to read:

Subd. 5. **Limitation.** The provisions of sections 326.02 to 326.15 shall not apply to the preparation of plans and specifications for the erection, enlargement, or alteration of any building or other structure by any person, for that person's exclusive occupancy or use, unless such occupancy or use involves the public health or safety or the health or safety of the employees of said person, or of the buildings listed in section 326.03, subdivision 2, nor to any detailed or shop plans required to be furnished by a contractor to a registered engineer, landscape architect, architect, or certified interior designer, nor to any standardized manufactured product, nor to any construction superintendent supervising the execution of work designed by an architect, landscape architect, engineer, or certified interior designer licensed or certified in accordance with section 326.03, nor to the planning for and supervision of the construction and installation of work by an electrical or elevator contractor or master plumber as defined in and licensed pursuant to chapter 326B, nor to the planning for and supervision of the construction and installation of work by a licensed well contractor as defined and licensed pursuant to chapter 103I, where such work is within the scope of such licensed activity and not within the practice of professional engineering, or architecture, or where the person does not claim to be a certified interior designer as defined in subdivision 2, 3, or 4b.

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

Sec. 69. Minnesota Statutes 2022, section 326B.0981, subdivision 3, is amended to read:

Subd. 3. **Content.** (a) Continuing education consists of approved courses that impart appropriate and related knowledge in the regulated industries pursuant to this chapter and other applicable federal and state laws, rules, and regulations. Courses may include relevant materials that are included in licensing exams subject to the limitations imposed in subdivision 11. The burden of demonstrating that courses impart appropriate and related knowledge is upon the person seeking approval or credit.

(b) Except as required for Internet continuing education, course examinations will not be required for continuing education courses.

(c) If textbooks are not used as part of the course, the sponsor must provide students with a syllabus containing the course title; the times and dates of the course offering; the name, address, and telephone number of the course sponsor; the name and affiliation of the instructor; and a detailed outline of the subject materials to be covered. Any written or printed material given to students must be of readable quality and contain accurate and current information.

(d) Upon completion of an approved course, licensees shall earn one hour of continuing education credit for each classroom hour approved by the commissioner. Each continuing education course must be attended in its entirety in order to receive credit for the number of approved hours. Courses may be approved for full or partial credit, and for more than one regulated industry.

(e) Continuing education credit in an approved course shall be awarded to presenting instructors on the basis of one credit for each hour of the initial presentation. Continuing education credits for completion of an approved course may only be used once for renewal of a specific license.

(f) Courses will be approved using the following guidelines:

(1) course content must demonstrate significant intellectual or practical content and deal with matters directly related to the practice in the regulated industry, workforce safety, or the business of running a company in the regulated industry. Courses may also address the professional responsibility or ethical obligations of a licensee related to work in the regulated industry;

(2) the following courses may be approved if they are specifically designed for the regulated industry and are in compliance with paragraph (g):

(i) courses approved by the Minnesota Board of Continuing Legal Education; or

(ii) courses approved by the International Code Council, National Association of Home Building, or other nationally recognized professional organization of the regulated industry; and

(3) courses must be presented and attended in a suitable classroom or construction setting, except for Internet education courses which must meet the requirements of subdivision ~~5a~~ 4. Courses presented via video recording, simultaneous broadcast, or teleconference may be approved provided the sponsor is available at all times during the presentation, except for Internet education courses which must meet the requirements of subdivision ~~5a~~ 4.

(g) The following courses will not be approved for credit:

(1) courses designed solely to prepare students for a license examination;

(2) courses in mechanical office skills, including typing, speed reading, or other machines or equipment. Computer courses are allowed, if appropriate and related to the regulated industry;

(3) courses in sales promotion, including meetings held in conjunction with the general business of the licensee;

(4) courses in motivation, salesmanship, psychology, or personal time management;

(5) courses that are primarily intended to impart knowledge of specific products of specific companies, if the use of the product or products relates to the sales promotion or marketing of one or more of the products discussed; or

(6) courses where any of the educational content of the course is the State Building Code that include code provisions that have not been adopted into the State Building Code unless the course materials clarify that the code provisions have been officially adopted into a future version of the State Building Code and the effective date of enforcement.

(h) Nothing in this subdivision shall limit an authority expressly granted to the Board of Electricity, Board of High Pressure Piping Systems, or Plumbing Board.

Sec. 70. Minnesota Statutes 2022, section 326B.0981, subdivision 4, is amended to read:

Subd. 4. **Internet continuing education.** (a) The design and delivery of an Internet continuing education course must be approved by the International Distance Education Certification Center (IDECC) or the International Association for Continuing Education and Training (IACET) before the course is submitted for the commissioner's approval. The approval must accompany the course submitted.

(b) Paragraphs (a) and ~~(c)~~ (d) do not apply to approval of an Internet continuing education course for manufactured home installers. An Internet continuing education course for manufactured home installers must be approved by the United States Department of Housing and Urban Development or by the commissioner of labor and industry. The approval must accompany the course completion certificate issued to each student by the course sponsor.

(c) Paragraph (a) does not apply to approval of an Internet continuing education course for elevator constructors. An Internet continuing education course for elevator constructors must be approved by the commissioner of labor and industry. The approval must accompany the course completion certificate issued to each student by the course sponsor.

~~(c)~~ (d) An Internet continuing education course must:

- (1) specify the minimum computer system requirements;
- (2) provide encryption that ensures that all personal information, including the student's name, address, and credit card number, cannot be read as it passes across the Internet;
- (3) include technology to guarantee seat time;
- (4) include a high level of interactivity;
- (5) include graphics that reinforce the content;
- (6) include the ability for the student to contact an instructor or course sponsor within a reasonable amount of time;
- (7) include the ability for the student to get technical support within a reasonable amount of time;
- (8) include a statement that the student's information will not be sold or distributed to any third party without prior written consent of the student. Taking the course does not constitute consent;
- (9) be available 24 hours a day, seven days a week, excluding minimal downtime for updating and administration, except that this provision does not apply to live courses taught by an actual instructor and delivered over the Internet;

(10) provide viewing access to the online course at all times to the commissioner, excluding minimal downtime for updating and administration;

(11) include a process to authenticate the student's identity;

(12) inform the student and the commissioner how long after its purchase a course will be accessible;

(13) inform the student that license education credit will not be awarded for taking the course after it loses its status as an approved course;

(14) provide clear instructions on how to navigate through the course;

(15) provide automatic bookmarking at any point in the course;

(16) provide questions after each unit or chapter that must be answered before the student can proceed to the next unit or chapter;

(17) include a reinforcement response when a quiz question is answered correctly;

(18) include a response when a quiz question is answered incorrectly;

(19) include a final examination in which the student must correctly answer 70 percent of the questions;

(20) allow the student to go back and review any unit at any time, except during the final examination;

(21) provide a course evaluation at the end of the course. At a minimum, the evaluation must ask the student to report any difficulties caused by the online education delivery method;

(22) provide a completion certificate when the course and exam have been completed and the provider has verified the completion. Electronic certificates are sufficient and shall include the name of the provider, date and location of the course, educational program identification that was provided by the department, hours of instruction or continuing education hours, and licensee's or attendee's name and license, certification, or registration number or the last four digits of the licensee's or attendee's Social Security number; and

(23) allow the commissioner the ability to electronically review the class to determine if credit can be approved.

~~(d)~~ (e) The final examination must be either an encrypted online examination or a paper examination that is monitored by a proctor who certifies that the student took the examination.

Sec. 71. Minnesota Statutes 2022, section 326B.0981, subdivision 8, is amended to read:

Subd. 8. **Facilities.** Except for Internet education offered pursuant to subdivision ~~5a~~ 4, each course of study must be conducted in a classroom or other facility that is adequate to comfortably accommodate the instructors and the number of students enrolled. The sponsor may limit the number of students enrolled in a course.

Sec. 72. Minnesota Statutes 2022, section 326B.33, subdivision 7, is amended to read:

Subd. 7. **Power limited technician.** (a) Except as otherwise provided by law, no individual shall install, alter, repair, plan, lay out, or supervise the installing, altering, repairing, planning, or laying out of electrical wiring, apparatus, or equipment for technology circuits or systems unless:

(1) the individual is licensed by the commissioner as a power limited technician; and

(2) the electrical work is:

(i) for a licensed contractor and the individual is an employee, partner, or officer of, or is the licensed contractor; or

(ii) performed under the direct supervision of a master electrician or power limited technician also employed by the individual's employer on technology circuits, systems, apparatus, equipment, or facilities that are owned or leased by the employer and that are located within the limits of property operated, maintained, and either owned or leased by the employer.

(b) An applicant for a power limited technician's license shall (1) be a graduate of a four-year electrical course offered by an accredited college or university; or (2) have had at least 36 months' experience, acceptable to the commissioner, in planning for, laying out, supervising, installing, altering, and repairing wiring, apparatus, or equipment for power limited systems, provided however, that up to 12 months (2,000 hours) of experience credit for successful completion of a two-year post high school electrical course or other technical training approved by the commissioner may be allowed.

(c) Licensees must attain 16 hours of continuing education acceptable to the board every renewal period.

~~(d) A company holding an alarm and communication license as of June 30, 2003, may designate one individual who may obtain a power limited technician license without passing an examination administered by the commissioner by submitting an application and license fee of \$30.~~

~~(e) A person who has submitted an application by December 30, 2007, to take the power limited technician examination administered by the department is not required to meet the qualifications set forth in paragraph (b).~~

Sec. 73. Minnesota Statutes 2022, section 326B.33, subdivision 21, is amended to read:

Subd. 21. **Exemptions from licensing.** (a) An individual who is a maintenance electrician is not required to hold or obtain a license under sections 326B.31 to 326B.399 if:

(1) the individual is engaged in the maintenance and repair of electrical equipment, apparatus, and facilities that are owned or leased by the individual's employer and that are located within the limits of property operated, maintained, and either owned or leased by the individual's employer;

(2) the individual is supervised by:

(i) the responsible master electrician for a contractor who has contracted with the individual's employer to provide services for which a contractor's license is required; or

(ii) a licensed master electrician, a licensed maintenance electrician, an electrical engineer, or, if the maintenance and repair work is limited to technology circuits or systems work, a licensed power limited technician; and

(3) the individual's employer has on file with the commissioner a current certificate of responsible person, signed by the responsible master electrician of the contractor, the licensed master electrician, the licensed maintenance electrician, the electrical engineer, or the licensed power limited technician, and stating that the person signing the certificate is responsible for ensuring that the maintenance and repair work performed by the employer's employees complies with the Minnesota Electrical Act and the rules adopted under that act. The employer must pay a filing fee to file a certificate of responsible person with the commissioner. The certificate shall expire two years from the date of filing. In order to maintain a current certificate of responsible person, the employer must resubmit a certificate of responsible person, with a filing fee, no later than two years from the date of the previous submittal.

(b) Employees of a licensed electrical or technology systems contractor or other employer where provided with supervision by a master electrician in accordance with subdivision 1, or power limited technician in accordance with subdivision 7, paragraph (a), clause (1), are not required to hold a license under sections 326B.31 to 326B.399 for the planning, laying out, installing, altering, and repairing of technology circuits or systems except planning, laying out, or installing:

(1) in other than residential dwellings, class 2 or class 3 remote control circuits that control circuits or systems other than class 2 or class 3, except circuits that interconnect these systems through communication, alarm, and security systems are exempted from this paragraph;

(2) class 2 or class 3 circuits in electrical cabinets, enclosures, or devices containing physically unprotected circuits other than class 2 or class 3; or

(3) technology circuits or systems in hazardous classified locations as covered by ~~chapter 5~~ of the National Electrical Code.

(c) Companies and their employees that plan, lay out, install, alter, or repair class 2 and class 3 remote control wiring associated with plug or cord and plug connected appliances other than security or fire alarm systems installed in a residential dwelling are not required to hold a license under sections 326B.31 to 326B.399.

(d) Heating, ventilating, air conditioning, and refrigeration contractors and their employees are not required to hold or obtain a license under sections 326B.31 to 326B.399 when performing heating, ventilating, air conditioning, or refrigeration work as described in section 326B.38.

(e) Employees of any electrical, communications, or railway utility, cable communications company as defined in section 238.02, or a telephone company as defined under section 237.01 or its employees, or of any independent contractor performing work on behalf of any such utility, cable communications company, or telephone company, shall not be required to hold a license under sections 326B.31 to 326B.399:

(1) while performing work on installations, materials, or equipment which are owned or leased, and operated and maintained by such utility, cable communications company, or telephone company in the exercise of its utility, antenna, or telephone function, and which:

(i) are used exclusively for the generation, transformation, distribution, transmission, or metering of electric current, or the operation of railway signals, or the transmission of intelligence and do not have as a principal function the consumption or use of electric current or provided service by or for the benefit of any person other than such utility, cable communications company, or telephone company; and

(ii) are generally accessible only to employees of such utility, cable communications company, or telephone company or persons acting under its control or direction; and

(iii) are not on the load side of the service point or point of entrance for communication systems;

(2) while performing work on installations, materials, or equipment which are a part of the street lighting operations of such utility; or

(3) while installing or performing work on outdoor area lights which are directly connected to a utility's distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction.

(f) An owner shall not be individual who physically performs electrical work on a residential dwelling that is located on a property the individual owns and actually occupies as a residence or owns and will occupy as a residence upon completion of its construction is not required to hold or obtain a license under sections 326B.31 to 326B.399 if the residential dwelling has a separate electrical utility service not shared with any other residential dwelling.

(g) Companies and their employees licensed under section 326B.164 shall not be required to hold or obtain a license under sections 326B.31 to 326B.399 while performing elevator work.

Sec. 74. Minnesota Statutes 2022, section 326B.36, subdivision 2, is amended to read:

Subd. 2. **Technology systems.** (a) The installation of the technology circuits or systems described in paragraph (b), except:

- (1) minor work performed by a contractor;
- (2) work performed by a heating, ventilating, or air conditioning contractor as described in section 326B.38; and
- (3) work performed by cable company employees when installing cable communications systems or telephone company employees when installing telephone systems,

must be inspected as provided in this section for compliance with the applicable provisions of the National Electrical Code and the applicable provisions of the National Electrical Safety Code, as those codes were approved by the American National Standards Institute.

(b) The inspection requirements in paragraph (a) apply to:

(1) class 2 or class 3 remote control circuits that control circuits or systems other than class 2 or class 3, except circuits that interconnect these systems exempted by section 326B.33, subdivision 21, paragraph (b), other than fire alarm; class 2 or class 3 circuits in electrical cabinets, enclosures, or devices containing physically unprotected circuits other than class 2 or class 3; or technology circuits and systems in hazardous classified locations as covered by ~~chapter 5 of~~ the National Electrical Code;

(2) fire alarm systems, other than in one- or two-family dwellings, as defined in ~~articles 100 and 760 of~~ the National Electrical Code;

(3) technology circuits and systems contained within critical care areas of health care facilities as defined by the safety standards identified in section 326B.35, including, but not limited to, anesthesia and resuscitative alarm and alerting systems, medical monitoring, and nurse call systems; and

(4) physical security systems within detention facilities; and

~~(5) circuitry and equipment for indoor lighting systems as defined in article 411 of the National Electrical Code.~~

(c) For the purposes of this subdivision "minor work" means the adjustment or repair and replacement of worn or defective parts of a technology circuit or system. Minor work may be inspected under this section at the request of the owner of the property or the person doing the work.

(d) Notwithstanding this subdivision, if an electrical inspector observes that a contractor, employer, or owner has not complied with accepted standards when the work was performed, as provided in the most recent editions of the National Electrical Code and the National Electrical Safety Code as approved by the American National Standards

Institute, the inspector may order the contractor, employer, or owner who has performed the work to file ~~a request for electrical inspection~~ an electrical permit, pay an inspection fee, and make any necessary repairs to comply with applicable standards and require that the work be inspected.

Sec. 75. Minnesota Statutes 2023 Supplement, section 326B.36, subdivision 7, is amended to read:

Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall not be subject to inspection under sections 326B.31 to 326B.399:

(1) when owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing electrical maintenance work only as defined by rule;

(2) when owned or leased, and operated and maintained by any electrical, communications, or railway utility, cable communications company as defined in section 238.02, or telephone company as defined under section 237.01, in the exercise of its utility, antenna, or telephone function; and

(i) are used exclusively for the generations, transformation, distribution, transmission, load control, or metering of electric current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility, cable communications company, or telephone company; and

(ii) are generally accessible only to employees of such utility, cable communications company, or telephone company or persons acting under its control or direction; and

(iii) are not on the load side of the service point or point of entrance for communication systems;

(3) when used in the street lighting operations of an electrical utility;

(4) when used as outdoor area lights which are owned and operated by an electrical utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction;

(5) when the installation, material, and equipment are in facilities subject to the jurisdiction of the federal Mine Safety and Health Act; or

(6) when the installation, material, and equipment is part of an elevator installation for which the elevator contractor, licensed under section 326B.164, is required to obtain a permit from the authority having jurisdiction as provided by section 326B.184, and the inspection has been or will be performed by an elevator inspector certified and licensed by the department. This exemption shall apply only to installations, material, and equipment permitted or required to be connected on the load side of the disconnecting means required for elevator equipment under the National Electrical Code Article 620, and elevator communications and alarm systems within the machine room, car, hoistway, or elevator lobby.

Sec. 76. Minnesota Statutes 2022, section 326B.46, subdivision 6, is amended to read:

Subd. 6. **Well contractor exempt from licensing and bond; conditions.** No license, registration, or bond under sections 326B.42 to 326B.49 is required of a well contractor or a limited well/boring contractor who is licensed and bonded under section 103I.525 or 103I.531 and is engaged in the work or business of designing and installing:

(1) water service pipe from a well to a pressure tank;

(2) a frost-free water hydrant with an antisiphon device on a well water service pipe located entirely outside of a building requiring potable water;

(3) a control valve, located outside the building, on a well water service pipe; or

(4) a main control valve located within two feet of the pressure tank on the distribution supply line.

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

Sec. 77. Minnesota Statutes 2022, section 626.892, subdivision 12, is amended to read:

Subd. 12. **Interaction with other laws.** (a) Sections 179A.21, subdivision 2, and 572B.11, paragraph (a), and rules for arbitrator selection promulgated pursuant to section 179A.04 shall not apply to discipline-related grievance arbitrations involving peace officers governed under this section.

(b) Notwithstanding any contrary provision of law, home rule charter, ordinance, or resolution, peace officers, through their certified exclusive representatives, shall not have the right to negotiate for or agree to a collective bargaining agreement or a grievance arbitration selection procedure with their employers that is inconsistent with this section.

(c) The arbitrator selection procedure for peace officer grievance arbitrations established under this section supersedes any inconsistent provisions in chapter 179A or 572B or in Minnesota Rules, chapters 5500 to 5530 and ~~7315 to~~ 7325. Other arbitration requirements in those chapters remain in full force and effect for peace officer grievance arbitrations, except as provided in this section or to the extent inconsistent with this section.

Sec. 78. **REVISOR INSTRUCTION.**

The revisor of statutes shall renumber Minnesota Statutes, section 179.35, subdivision 5, as Minnesota Statutes, section 179.35, subdivision 7.

Sec. 79. **REVISOR INSTRUCTION.**

In each of the statutory sections listed in Column A, the revisor of statutes shall replace the statutory citation in Column B with the statutory citation listed in Column C.

| <u>Column A</u> | <u>Column B</u> | <u>Column C</u> |
|--|---|---|
| <u>175.007, subdivision 1, paragraph (b)</u> | <u>177.24, subdivision 1, paragraph (a), clause (2)</u> | <u>177.23, subdivision 13</u> |
| <u>222.50, subdivision 5, clause (4), item (ii)</u> | <u>177.24, subdivision 1, paragraph (b)</u> | <u>177.24, subdivision 1, paragraph (a)</u> |
| <u>550.136, subdivision 3, paragraph (a), clause (2)</u> | <u>177.24, subdivision 1, paragraph (b), clause (1), item (iii)</u> | <u>177.24, subdivision 1, paragraph (a), clause (3)</u> |
| <u>551.06, subdivision 3, paragraph (a), clause (2)</u> | <u>177.24, subdivision 1, paragraph (b), clause (1), item (iii)</u> | <u>177.24, subdivision 1, paragraph (a), clause (3)</u> |
| <u>571.922, paragraph (a), clause (2), item (i)</u> | <u>177.24, subdivision 1, paragraph (b), clause (1), item (iii)</u> | <u>177.24, subdivision 1, paragraph (a), clause (3)</u> |

Sec. 80. **REPEALER.**

Minnesota Rules, part 5510.0310, subpart 13, is repealed.

Sec. 81. **REPEALER.**

Minnesota Rules, part 5200.0080, subpart 7, is repealed.

EFFECTIVE DATE. This section is effective August 1, 2024."

Delete the title and insert:

"A bill for an act relating to labor; adopting labor policy provisions; amending Minnesota Statutes 2022, sections 13.79, subdivision 1; 177.23, by adding subdivisions; 177.24, subdivision 1, by adding a subdivision; 177.30; 179.01, subdivisions 1, 9, 16; 179.06; 179.08; 179.11; 179.12; 179.254, subdivision 1; 179.256; 179.26; 179.27; 179.35, subdivision 1; 179.40; 179.43; 179A.02; 179A.03, subdivision 17; 179A.06, subdivisions 1, 2, 3; 179A.08, subdivision 2; 179A.10, subdivision 1; 179A.104, subdivision 1; 179A.12, subdivision 1; 179A.15; 179A.16, subdivisions 1, 7; 179A.18, subdivisions 2, 3; 179A.19, subdivision 6; 179A.20, subdivision 4; 179A.23; 181.941, subdivision 4; 181.943; 181.950, by adding a subdivision; 181.951, subdivision 1; 181A.08; 181A.12, subdivision 1, by adding subdivisions; 182.664, subdivisions 3, 5; 182.665; 182.666, subdivision 6; 182.667, by adding a subdivision; 326.02, subdivision 5; 326B.0981, subdivisions 3, 4, 8; 326B.33, subdivisions 7, 21; 326B.36, subdivision 2; 326B.46, subdivision 6; 626.892, subdivision 12; Minnesota Statutes 2023 Supplement, sections 177.27, subdivisions 2, 4, 7; 177.42, subdivision 2; 181.212, subdivision 7; 181.531, subdivision 3; 181.939, subdivision 2; 181.953, subdivisions 1, 3, by adding a subdivision; 182.6526, subdivision 1; 182.677, subdivisions 1, 2; 204B.19, subdivision 6; 326B.36, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 181; 182; repealing Minnesota Rules, parts 5200.0080, subpart 7; 5510.0310, subpart 13."

The motion prevailed and the amendment was adopted.

Bahner moved to amend S. F. No. 3852, the second engrossment, as amended, as follows:

Page 26, line 13, delete everything after "given" and insert a period

Page 26, line 14, delete "a"

Page 26, line 15, delete everything before "and" and insert "one or more sites in Minnesota"

Page 26, line 23, after "compensation" insert ", based on the employer's good faith estimate,"

Page 26, line 27, after "compensation" insert ", including, but not limited to, any health or retirement benefits,"

The motion prevailed and the amendment was adopted.

Moller moved to amend S. F. No. 3852, the second engrossment, as amended, as follows:

Page 31, delete subdivision 5a and insert:

"Subd. 5a. **Oral fluid testing.** (a) When drug and alcohol testing or cannabis testing is otherwise authorized under section 181.951, an employer may request an employee or job applicant to undergo oral fluid testing according to the procedures under this subdivision as an alternative to using the services of a testing laboratory under subdivision 1.

(b) The employee must be informed of the test result at the time of the oral fluid test. Within 48 hours of an oral fluid test that indicates a positive test result or that is inconclusive or invalid, the employee or job applicant may request drug or alcohol testing or cannabis testing at no cost to the employee or job applicant using the services of a testing laboratory under subdivision 1, and according to the existing laboratory testing standards in subdivisions 1 to 5. The rights, notice, and limitations in subdivision 6, paragraph (b), and subdivisions 7 to 8 and 10 to 11 apply to an employee or job applicant and a laboratory test conducted pursuant to this paragraph.

(c) If the laboratory test under paragraph (b) indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.

(d) Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under sections 181.950 to 18.957, unless stated otherwise."

The motion prevailed and the amendment was adopted.

Mekeland moved to amend S. F. No. 3852, the second engrossment, as amended, as follows:

Page 6, line 7, after the period, insert "The commissioner must allow a reasonable period of time to respond that is proportional to the volume of records requested."

A roll call was requested and properly seconded.

The question was taken on the Mekeland amendment and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|-----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mekeland | Perryman | Torkelson |
| Anderson, P. E. | Dotseth | Igo | Mueller | Petersburg | Urdahl |
| Anderson, P. H. | Engen | Jacob | Murphy | Pfarr | West |
| Backer | Fogelman | Johnson | Myers | Quam | Wiener |
| Bakeberg | Franson | Joy | Nadeau | Rarick | Wiens |
| Baker | Garofalo | Kiel | Nash | Robbins | Zelevnikar |
| Bennett | Gillman | Knudsen | Neu Brindley | Schomacker | |
| Bliss | Grossell | Koznick | Niska | Schultz | |
| Burkel | Harder | Kresha | Novotny | Scott | |
| Daniels | Heintzeman | Lawrence | O'Driscoll | Skraba | |
| Davids | Hudella | Lislegard | Olson, B. | Swedzinski | |

Those who voted in the negative were:

| | | | | | |
|-------------|---------|------------|-------------------|-----------------|------------|
| Acomb | Cha | Fischer | Hassan | Huot | Kraft |
| Agbaje | Clardy | Frazier | Hemmingsen-Jaeger | Hussein | Lee, F. |
| Bahner | Coulter | Frederick | Her | Jordan | Lee, K. |
| Becker-Finn | Curran | Freiberg | Hicks | Keeler | Liebling |
| Berg | Edelson | Gomez | Hill | Klevorn | Lillie |
| Bierman | Elkins | Greenman | Hollins | Koegel | Long |
| Brand | Feist | Hansen, R. | Hornstein | Kotzya-Witthuhn | Moller |
| Carroll | Finke | Hanson, J. | Howard | Kozlowski | Nelson, M. |

| | | | | | |
|-----------|------------|-------------|------------|-----------|--------------|
| Newton | Pelowski | Pursell | Smith | Virnig | Spk. Hortman |
| Noor | Pérez-Vega | Rehm | Stephenson | Wolgamott | |
| Norris | Pinto | Reyer | Tabke | Xiong | |
| Olson, L. | Pryor | Sencer-Mura | Vang | Youakim | |

The motion did not prevail and the amendment was not adopted.

Schultz moved to amend S. F. No. 3852, the second engrossment, as amended, as follows:

Page 2, delete sections 2 and 3

Page 2, lines 17 to 27, reinstate the stricken language

Page 2, lines 28 to 30, reinstate the stricken language and delete the new language

Page 3, lines 1 to 3, 9, 15, reinstate the stricken language and delete the new language

Page 3, lines 4 to 8 and 19 to 28, reinstate the stricken language

Page 4, lines 1 to 12, reinstate the stricken language

Page 4, line 13, reinstate "(f)" and delete "(c)"

Page 4, line 18, delete "(a)"

Page 4, line 19, delete "and" and reinstate ", (c), (d), and (e)"

Page 4, line 23, reinstate "(g)(1)" and delete "(d)(1)"

Page 4, line 24, reinstate the stricken language and delete the new language

Page 5, lines 8 and 17, reinstate the stricken language and delete the new language

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Schultz amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|---------|----------|----------|------------|---------|
| Altendorf | Baker | Davids | Franson | Heintzeman | Johnson |
| Anderson, P. E. | Bennett | Davis | Garofalo | Hudella | Joy |
| Anderson, P. H. | Bliss | Dotseth | Gillman | Hudson | Kiel |
| Backer | Burkel | Engen | Grossell | Igo | Knudsen |
| Bakeberg | Daniels | Fogelman | Harder | Jacob | Koznick |

| | | | | | |
|-----------|--------------|------------|------------|------------|------------|
| Kresha | Myers | O'Driscoll | Rarick | Swedzinski | Witte |
| Lawrence | Nadeau | Olson, B. | Robbins | Torkelson | Zelevnikar |
| Lislegard | Nash | Perryman | Schomacker | Urdahl | |
| Mekeland | Neu Brindley | Petersburg | Schultz | West | |
| Mueller | Niska | Pfarr | Scott | Wiener | |
| Murphy | Novotny | Quam | Skraba | Wiens | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Noor | Stephenson |
| Agbaje | Elkins | Her | Kotyza-Witthuhn | Norris | Tabke |
| Bahner | Feist | Hicks | Kozlowski | Olson, L. | Vang |
| Becker-Finn | Fischer | Hill | Kraft | Pelowski | Virmig |
| Berg | Frazier | Hollins | Lee, F. | Pérez-Vega | Wolgamott |
| Bierman | Frederick | Hornstein | Lee, K. | Pinto | Xiong |
| Brand | Freiberg | Howard | Liebling | Pryor | Youakim |
| Carroll | Gomez | Huot | Lillie | Pursell | Spk. Hortman |
| Cha | Greenman | Hussein | Long | Rehm | |
| Clardy | Hansen, R. | Jordan | Moller | Reyer | |
| Coulter | Hanson, J. | Keeler | Nelson, M. | Sencer-Mura | |
| Curran | Hassan | Klevorn | Newton | Smith | |

The motion did not prevail and the amendment was not adopted.

Zelevnikar moved to amend S. F. No. 3852, the second engrossment, as amended, as follows:

Page 31, line 26, after the period, insert "A service provider does not include any industry that the legislature has declared has a workforce crisis."

Page 32, after line 3, insert:

"Subd. 3. **Legislative Finding.** The legislature finds and declares that there is a workforce crisis in the child care industry in light of the shortage of child care providers in the state and the need to increase quality and affordable child care options."

Speaker pro tempore Tabke called Moller to the Chair.

Greenman moved to amend the Zelevnikar amendment to S. F. No. 3852, the second engrossment, as amended, as follows:

Page 1, delete lines 3 and 4

Page 1, line 7, before "providers" insert "workers and"

A roll call was requested and properly seconded.

The question was taken on the Greenman amendment to the Zeleznikar amendment and the roll was called. There were 69 yeas and 61 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|------------|-------------------|------------|-------------|--------------|
| Acomb | Edelson | Hassan | Klevorn | Newton | Smith |
| Agbaje | Elkins | Hemmingsen-Jaeger | Koegel | Noor | Stephenson |
| Bahner | Feist | Her | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hicks | Kraft | Olson, L. | Vang |
| Berg | Fischer | Hill | Lee, F. | Pelowski | Virmig |
| Bierman | Frazier | Hollins | Lee, K. | Pérez-Vega | Wolgamott |
| Brand | Frederick | Hornstein | Liebling | Pinto | Xiong |
| Carroll | Freiberg | Howard | Lillie | Pryor | Youakim |
| Cha | Gomez | Huot | Lislegard | Pursell | Spk. Hortman |
| Clardy | Greenman | Hussein | Long | Rehm | |
| Coulter | Hansen, R. | Jordan | Moller | Reyer | |
| Curran | Hanson, J. | Keeler | Nelson, M. | Sencer-Mura | |

Those who voted in the negative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zeleznikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

The motion prevailed and the amendment to the amendment was adopted.

Zeleznikar withdrew the Zeleznikar amendment, as amended, to S. F. No. 3852, the second engrossment, as amended.

Neu Brindley moved to amend S. F. No. 3852, the second engrossment, as amended, as follows:

Page 27, line 6, after the period, insert "If the board votes to adopt a rule or policy that will increase nursing home costs, it must be submitted to the legislature to be accepted or rejected, and if accepted, funding must be approved to cover any increased costs."

Agbaje moved to amend the Neu Brindley amendment to S. F. No. 3852, the second engrossment, as amended, as follows:

Page 1, line 4, delete "be submitted to" and insert "notify" and delete everything after "legislature" and insert a period

Page 1, delete line 5

A roll call was requested and properly seconded.

The question was taken on the Agbaje amendment to the Neu Brindley amendment and the roll was called. There were 69 yeas and 62 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|------------|--------------|
| Acomb | Edelson | Hassan | Klevorn | Nelson, M. | Sencer-Mura |
| Agbaje | Elkins | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Bahner | Feist | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Becker-Finn | Finke | Hicks | Kozlowski | Norris | Tabke |
| Berg | Fischer | Hill | Kraft | Olson, L. | Vang |
| Bierman | Frazier | Hollins | Lee, F. | Pelowski | Virnig |
| Brand | Frederick | Hornstein | Lee, K. | Pérez-Vega | Wolgamott |
| Carroll | Freiberg | Howard | Liebling | Pinto | Xiong |
| Cha | Gomez | Huot | Lillie | Pryor | Spk. Hortman |
| Clardy | Greenman | Hussein | Lislegard | Pursell | |
| Coulter | Hansen, R. | Jordan | Long | Rehm | |
| Curran | Hanson, J. | Keeler | Moller | Reyer | |

Those who voted in the negative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Youakim |
| Bennett | Gillman | Knudsen | Niska | Schultz | Zelevnikar |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

The motion prevailed and the amendment to the amendment was adopted.

Neu Brindley withdrew the Neu Brindley amendment, as amended, to S. F. No. 3852, the second engrossment, as amended.

Schultz offered an amendment to S. F. No. 3852, the second engrossment, as amended.

POINT OF ORDER

Olson, L., raised a point of order pursuant to rule 4.05, relating to Amendment Limits, that the Schultz amendment was not in order. Speaker pro tempore Moller ruled the point of order well taken and the Schultz amendment out of order.

Schultz appealed the decision of Speaker pro tempore Moller.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Moller stand as the judgment of the House?" and the roll was called. There were 67 yeas and 64 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|-------------------|-----------|-----------------|-------------|--------------|
| Acomb | Elkins | Her | Kotzya-Witthuhn | Norris | Tabke |
| Agbaje | Feist | Hicks | Kozlowski | Olson, L. | Vang |
| Bahner | Finke | Hill | Kraft | Pelowski | Virnig |
| Becker-Finn | Fischer | Hollins | Lee, F. | Pérez-Vega | Wolgamott |
| Berg | Frazier | Hornstein | Lee, K. | Pinto | Xiong |
| Bierman | Frederick | Howard | Liebling | Pryor | Youakim |
| Brand | Freiberg | Huot | Lillie | Pursell | Spk. Hortman |
| Carroll | Gomez | Hussein | Long | Rehm | |
| Cha | Greenman | Jordan | Moller | Reyer | |
| Clardy | Hansen, R. | Keeler | Nelson, M. | Sencer-Mura | |
| Coulter | Hanson, J. | Klevorn | Newton | Smith | |
| Curran | Hemmingsen-Jaeger | Koegel | Noor | Stephenson | |

Those who voted in the negative were:

| | | | | | |
|-----------------|----------|------------|--------------|------------|------------|
| Altendorf | Davis | Heintzeman | Lawrence | O'Driscoll | Skraba |
| Anderson, P. E. | Dotseth | Hudella | Lislegard | Olson, B. | Swedzinski |
| Anderson, P. H. | Edelson | Hudson | Mekeland | Perryman | Torkelson |
| Backer | Engen | Igo | Mueller | Petersburg | Urdahl |
| Bakeberg | Fogelman | Jacob | Murphy | Pfarr | West |
| Baker | Franson | Johnson | Myers | Quam | Wiener |
| Bennett | Garofalo | Joy | Nadeau | Rarick | Wiens |
| Bliss | Gillman | Kiel | Nash | Robbins | Witte |
| Burkel | Grossell | Knudsen | Neu Brindley | Schomacker | Zeleznikar |
| Daniels | Harder | Koznick | Niska | Schultz | |
| Davids | Hassan | Kresha | Novotny | Scott | |

So it was the judgment of the House that the decision of Speaker pro tempore Moller should stand.

S. F. No. 3852, A bill for an act relating to labor; making policy and technical changes to programs and provisions under the Department of Labor and Industry; making policy and technical changes to provisions under the Bureau of Mediation Services; amending Minnesota Statutes 2022, sections 13.79, subdivision 1; 13.7905, by adding a subdivision; 177.23, by adding subdivisions; 177.24, subdivision 1, by adding a subdivision; 177.30; 178.011, subdivision 9; 178.012, subdivision 1; 178.035, subdivisions 2, 4, 6, 7; 178.036, subdivisions 3, 4, 5, 6, 7; 178.044, subdivision 3; 178.07, subdivisions 1, 3; 178.09, subdivision 2; 178.091, subdivisions 2, 4, by adding subdivisions; 178.10; 179.01, subdivisions 1, 9, 16; 179.06; 179.08; 179.11; 179.12; 179.254, subdivision 1; 179.256; 179.26; 179.27; 179.35, subdivision 1; 179.40; 179.43; 179A.02; 179A.03, subdivision 17; 179A.06, subdivisions 1, 2, 3; 179A.08, subdivision 2; 179A.10, subdivision 1; 179A.104, subdivision 1; 179A.12, subdivision 1; 179A.15; 179A.16, subdivisions 1, 7; 179A.18, subdivisions 2, 3; 179A.19, subdivision 6; 179A.20, subdivision 4; 179A.23; 181.941, subdivision 4; 181.943; 181.950, by adding a subdivision; 181.951, subdivision 1; 181A.08; 181A.12, subdivision 1, by adding subdivisions; 182.664, subdivisions 3, 5; 182.665; 182.666, subdivision 6; 182.667, by adding a subdivision; 326.02, subdivision 5; 326B.0981, subdivisions 3, 4, 8; 326B.33, subdivisions 7, 21; 326B.36, subdivision 2; 326B.46, subdivision 6; 626.892, subdivision 12; Minnesota Statutes 2023 Supplement, sections 177.27, subdivisions 2, 4, 7; 177.42, subdivision 2; 178.01; 181.212, subdivision 7; 181.213, subdivision 1; 181.531, subdivision 3; 181.939, subdivision 2; 181.953, subdivisions 1, 3, by adding a subdivision; 182.6526, subdivision 1; 182.677, subdivisions 1, 2; 204B.19, subdivision 6; 326B.36, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 178; 181; 182; repealing Minnesota Statutes 2022, section 178.036, subdivision 10; Minnesota Rules, parts 5200.0080, subpart 7; 5200.0400; 5510.0310, subpart 13.

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 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|------------|--------------|
| Acomb | Edelson | Hassan | Klevorn | Nelson, M. | Sencer-Mura |
| Agbaje | Elkins | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Bahner | Feist | Her | Kotzya-Witthuhn | Noor | Stephenson |
| Becker-Finn | Finke | Hicks | Kozlowski | Norris | Tabke |
| Berg | Fischer | Hill | Kraft | Olson, L. | Vang |
| Bierman | Frazier | Hollins | Lee, F. | Pelowski | Virnig |
| 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 | |

Those who voted in the negative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zelevnikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

The bill was passed, as amended, and its title agreed to.

S. F. No. 3567 was reported to the House.

Pryor moved to amend S. F. No. 3567, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3782, the first engrossment:

"ARTICLE 1 GENERAL EDUCATION

Section 1. Minnesota Statutes 2023 Supplement, section 13.32, subdivision 5, is amended to read:

Subd. 5. **Directory information.** (a) Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

(1) this subdivision; and

(2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

(b) When conducting the directory information designation and notice process required by federal law, an educational agency or institution shall give parents and students notice of the right to refuse to let the agency or institution designate specified data about the student as directory information. This notice may be given by any means reasonably likely to inform the parents and students of the right.

(c) An educational agency or institution may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this subdivision. This paragraph does not apply to a postsecondary institution.

(d) When requested, educational agencies or institutions must share personal student contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

(e) When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under section 125A.08, paragraph (b), clause (1), whether public or private, with the Department of Employment and Economic Development, as required for coordination of services to students with disabilities under sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

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

Sec. 2. Minnesota Statutes 2022, section 120A.35, is amended to read:

120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS ~~OBSERVANCE~~ AND CULTURAL OBSERVANCES.

Reasonable efforts must be made by a school district to accommodate any pupil who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. A school board must provide annual notice to parents of the school district's policy relating to a pupil's absence from school ~~for religious observance under this section~~.

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

Sec. 3. **[121A.73] SCHOOL CELL PHONE POLICY.**

A school district or charter school must adopt a policy on students' possession and use of cell phones in school by March 15, 2025. The Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals must collaborate to make best practices available to schools on a range of different strategies in order to minimize the impact of cell phones on student behavior, mental health, and academic attainment.

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

Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended to read:

Subd. 2. **Digital instruction.** (a) An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.

(b) When online instruction is provided, an online teacher as defined under subdivision 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.

(c) Students receiving online instruction full time shall be reported as enrolled in an online instructional site under subdivision 1, paragraph (g).

(d) Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.

(e) Digital instruction shall be accessible to students under ~~section~~ sections 504 and 508 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

(f) An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or the department.

(g) An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under section 120A.21.

Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended to read:

Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and 124D.08 and chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.

(b) Any kindergarten through grade 12 student may apply to take a supplemental online course under subdivision 1, paragraph (j). The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:

(1) apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;

(2) apply to take supplemental online courses for up to 50 percent of the student's scheduled course load; ~~and~~

(3) apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit; and

(4) enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

(c) A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.

(d) A supplemental online course provider must have a current, approved application to be listed by the Department of Education as an approved provider. The supplemental online course provider must:

- (1) use an application form specified by the Department of Education;
- (2) notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;
- (3) notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;
- (4) request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and
- (5) track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.

(e) A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.

(f) A supplemental online course provider may request that the Department of Education review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.

(g) A supplemental online course provider must participate in continuous improvement cycles with the Department of Education.

Sec. 6. Minnesota Statutes 2022, section 124D.12, is amended to read:

124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.

Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use of flexible learning year programs. It is anticipated that the open selection of the type of flexible learning year operation from a variety of alternatives will allow each district seeking to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester plans, extended learning year plans, and flexible all-year plans. ~~A school district with an approved four-day week plan in the 2014-2015 school year may continue under a four-day week plan through the end of the 2019-2020 school year. Future approvals are contingent upon meeting the school district's performance goals established in the district's plan under section 120B.11. The commissioner must establish clear criteria for evaluating a district's application to use a four-day school week plan, at least annually accept district applications to use a four-day school week plan, and determine whether each application meets the criteria.~~ The commissioner must give a school district one school year's notice before revoking approval of its flexible learning year program. Approval of a four-day school week plan may not be revoked for six years from the date it is granted.

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

Sec. 7. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended to read:

Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by, the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs (a) and (b), a district, as defined in this subdivision, may:

(1) purchase real or personal property under an installment contract or may lease real or personal property with an option to purchase under a lease purchase agreement, by which installment contract or lease purchase agreement title is kept by the seller or vendor or assigned to a third party as security for the purchase price, including interest, if any; and

(2) annually levy the amounts necessary to pay the district's obligations under the installment contract or lease purchase agreement.

(b) The obligation created by the installment contract or the lease purchase agreement must not be included in the calculation of net debt for purposes of section 475.53, and does not constitute debt under other law. An election is not required in connection with the execution of the installment contract or the lease purchase agreement.

(c) The proceeds of the levy authorized by this subdivision must not be used to acquire a facility to be primarily used for athletic or school administration purposes.

(d) For the purposes of this subdivision, "district" means:

(1) Special School District No. 1, Minneapolis, Independent School District No. 625, St. Paul, Independent School District No. 709, Duluth, or Independent School District No. 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been determined by the commissioner to be in compliance with Department of Education rules relating to equality of educational opportunity and where the acquisition, as defined in section 475.51, subdivision 7, of property under this subdivision is determined by the commissioner to contribute to the implementation of the ~~desegregation~~ approved achievement and integration plan; or

(2) other districts eligible for revenue under section 124D.862 if the facility acquired under this subdivision is to be primarily used for a joint program ~~for interdistrict desegregation and the commissioner determines that the joint programs are~~ is being undertaken to implement the districts' ~~desegregation~~ approved achievement and integration plan.

(e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease or rent a district-owned building to itself does not apply to levies otherwise authorized by this subdivision.

(f) For the purposes of this subdivision, any references in subdivision 1 to building or land shall include personal property.

(g) Projects funded under this subdivision are subject to review and comment under section 123B.71, subdivision 8, in the ~~same manner as other school construction projects~~ form and manner prescribed by the commissioner.

Sec. 8. **REVISOR INSTRUCTION.**

The revisor of statutes shall remove the term "state-approved" wherever it appears in Minnesota Statutes, sections 125A.15, 125A.51, and 125A.515, for education in care and treatment facilities.

ARTICLE 2
EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 1, is amended to read:

Subdivision 1. **Required academic standards.** (a) The following subject areas are required for statewide accountability:

- (1) language arts;
- (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent in high school, and to be prepared for the three credits of mathematics in grades 9 through 12, the grade 8 standards include completion of algebra;
- (3) science, including earth and space science, life science, and the physical sciences, including chemistry and physics;
- (4) social studies, including history, geography, economics, and government and citizenship that includes civics;
- (5) physical education;
- (6) health, for which locally developed academic standards apply; and
- (7) the arts. Public elementary and middle schools must offer at least three and require at least two of the following five arts areas: dance; media arts; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

(b) For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

~~(c) The department may modify SHAPE America (Society of Health and Physical Educators) standards and adapt the national standards to accommodate state interest. The modification and adaptations must maintain the purpose and integrity of the national standards. The department must make available sample assessments, which school districts may use as an alternative to local assessments, to assess students' mastery of the physical education standards beginning in the 2018-2019 school year.~~

~~(d)~~ (c) A school district may include child sexual abuse prevention instruction in a health curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention instruction may include age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may provide instruction under this paragraph in a variety of ways, including at an annual assembly or classroom presentation. A school district may also provide parents information on the warning signs of child sexual abuse and available resources.

~~(e)~~ (d) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.

Sec. 2. Minnesota Statutes 2022, section 120B.022, subdivision 1a, is amended to read:

Subd. 1a. **Foreign World language and culture; proficiency certificates.** (a) World languages teachers and other school staff should develop and implement world languages programs that acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess, and encourage students' proficiency in multiple world languages. Programs under this section must encompass Indigenous American Indian languages and cultures, among other world languages and cultures. The department shall consult with postsecondary institutions in developing related professional development opportunities for purposes of this section.

(b) Any Minnesota public, charter, or nonpublic school may award Minnesota World Language Proficiency Certificates consistent with this subdivision.

(c) The Minnesota World Language Proficiency Certificate recognizes students who demonstrate ~~listening, speaking, reading, and writing language skills at an overall intermediate-low or intermediate-mid level of proficiency on the American Council on the Teaching of Foreign Languages' Intermediate Low level ACTFL's scale of levels of proficiency. A student's level of proficiency is derived from assessment in the domains of listening, reading, speaking, and writing~~ on a valid and reliable assessment tool.

Sec. 3. Minnesota Statutes 2022, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph (i), and close the academic achievement and opportunity gap under sections 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established to recognize graduating high school students in any school district, charter school, or nonpublic school who demonstrate particular levels of proficiency in one or more languages other than English. The levels of proficiency established under this subdivision are based on the ACTFL's proficiency guidelines. A student is eligible for a seal in a language other than English if the student demonstrates an overall Advanced-Low level or an intermediate high level of functional proficiency in listening, speaking, reading, and writing on either assessments derived from assessment in the domains of listening, reading, speaking, and writing on an assessment aligned with American Council on the Teaching of Foreign Languages' (ACTFL) ACTFL proficiency guidelines or on an equivalent valid and reliable assessments in one or more languages in addition to English assessment. Indigenous American Indian languages and American Sign Language is a language are languages other than English for purposes of this subdivision and a world language languages for purposes of subdivision 1a.

(b) In addition to paragraph (a), to be eligible to receive a seal:

~~(1) students must satisfactorily complete all required English language arts credits; and,~~

~~(2) students must demonstrate mastery of Minnesota's English language proficiency standards.~~

(c) Consistent with this subdivision, a high school student who demonstrates an overall intermediate high ACTFL level of functional proficiency derived from assessment in the domains of listening, reading, speaking, and writing in one language in addition to English is eligible to receive the state bilingual gold seal. A high school student who demonstrates an overall intermediate high ACTFL level of functional-native proficiency derived from assessment in the domains of listening, reading, speaking, and writing in more than one language in addition to English is eligible to receive the state multilingual gold seal. A high school student who demonstrates an overall advanced-low and above ACTFL level of functional proficiency derived from assessment in the domains of listening, reading, speaking, and writing in one language in addition to English is eligible to receive the state bilingual platinum seal. A high school student who demonstrates an overall advanced-low and above ACTFL level of functional proficiency derived from assessment in the domains of listening, reading, speaking, and writing in more than one language in addition to English is eligible to receive the state multilingual platinum seal.

(d) School districts and charter schools may give students periodic opportunities to demonstrate their level of proficiency in listening, speaking, reading, and writing in a language in addition to English. Where valid and reliable assessments are unavailable, a school district or charter school may rely on evaluators trained in assessing under ACTFL proficiency guidelines to assess a student's level of ~~foreign, heritage, or Indigenous~~ non-English language proficiency under this section. School districts and charter schools must maintain appropriate records to identify high school students eligible to receive the state bilingual or multilingual gold and platinum seals upon graduation. The school district or charter school must ~~affix~~ notate the appropriate seal to the transcript of each high school student who meets the requirements of this subdivision and may affix the seal to the student's diploma. A school district or charter school must not charge the high school student a fee for this seal.

(e) A school district or charter school may award elective course credits in world languages to a student who demonstrates the requisite proficiency in a language other than English under this section.

(f) A school district or charter school may award community service credit to a student who demonstrates an overall intermediate high or an overall advanced-low and above ACTFL level of ~~functional~~ proficiency ~~in listening, speaking, reading, and writing~~ derived from assessment in the domains of listening, reading, speaking, and writing in a language other than English and who participates in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or local community.

(g) The commissioner must list on the web page ~~those~~ the assessments that are aligned to ACTFL proficiency guidelines, and establish guidelines on interpreting the scores or ratings from approved assessments.

(h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges and Universities system must establish criteria to translate the seals into college credits based on the world language course equivalencies identified by the Minnesota State Colleges and Universities faculty and staff and, upon request from an enrolled student, the Minnesota State Colleges and Universities may award foreign language credits to a student who ~~receives~~ received a Minnesota World Language Proficiency Certificate or Minnesota Bilingual or Multilingual Seals under subdivision 1a. A student who demonstrated the requisite level of language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in a Minnesota State Colleges and Universities institution must request college credits for the student's seal or proficiency certificate within three academic years after graduating from high school. The University of Minnesota is encouraged to award students foreign language academic credits consistent with this paragraph.

Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 1, is amended to read:

Subdivision 1. **Graduation requirements.** (a) Students must successfully complete the following high school level credits for graduation:

- (1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;
- (2) three credits of mathematics sufficient to satisfy all of the academic standards in mathematics;
- (3) three credits of science, including one credit to satisfy all the earth and space science standards for grades 9 through 12, one credit to satisfy all the life science standards for grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for grades 9 through 12;
- (4) three and one-half credits of social studies, including credit for a course in government and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~ 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under

section 120B.021, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

(5) one credit of the arts sufficient to satisfy all of the academic standards in the arts;

(6) ~~credits~~ credit sufficient to satisfy the state standards in physical education; and

(7) a minimum of seven elective credits.

(b) Students who begin grade 9 in the 2024-2025 school year and later must successfully complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal finance course that satisfies the graduation requirement must have a field license or out-of-field permission in agricultural education, business, family and consumer science, social studies, or math.

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the following terms have the meanings given them.

(a) "Instruction" means methods of providing learning experiences that enable a student to meet state and district academic standards and graduation requirements including applied and experiential learning.

(b) "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills and career and college readiness.

(c) "World's best workforce" means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

(d) "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

(e) "Ethnic studies" as defined in section 120B.25 has the same meaning for purposes of this section. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.

(f) "Antiracist" means actively working to identify and eliminate racism in all forms in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.

(g) "Culturally sustaining" means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through the education system.

(h) "Institutional racism" means structures, policies, and practices within and across institutions that produce outcomes that disadvantage those who are Black, Indigenous, and People of Color.

(i) "On track for graduation" means that at the end of grade 9, a student has earned at least five credits and has received no more than one failing grade in a semester in a course in language arts, mathematics, science, or social studies. A student is off track for graduation if the student fails to meet either of these criteria.

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1a, is amended to read:

Subd. 1a. **Performance measures.** (a) Measures to determine school district and school site progress in striving to create the world's best workforce must include at least:

(1) the size of the academic achievement gap, rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause (2), ~~and~~ enrichment experiences by student subgroup, and starting in the 2025-2026 school year, participation in honors or gifted and talented programming;

(2) student performance on the Minnesota Comprehensive Assessments;

(3) high school graduation rates; ~~and~~

(4) career and college readiness under section 120B.307; ~~and~~

(5) starting in the 2025-2026 school year, the number and percentage of students, by student subgroup, who are on track for graduation.

(b) Starting in the 2025-2026 school year, a school district that offers advanced placement, international baccalaureate, or dual enrollment programs must report on the following performance measures:

(1) participation in postsecondary enrollment options and concurrent enrollment programs;

(2) the number of students who took an advanced placement exam, and the number of students who passed the exam, disaggregated by student subgroup; and

(3) the number of students who took the international baccalaureate exam, and the number of students who passed the exam, disaggregated by student subgroup.

(c) Performance measures under this subdivision must be reported for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2).

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

Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** (a) A school board, at a public meeting, must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:

(1) clearly defined district and school site goals and benchmarks for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) a process to examine the equitable distribution of teachers and strategies to ensure children in low-income families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that:

(i) integrate high-quality instruction, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining;

(ii) ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees; and

(iii) provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness;

(7) an annual budget for continuing to implement the district plan; ~~and~~

(8) identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota; and

(9) starting in the 2025-2026 school year, a language access plan that specifies the district's process and procedures to render effective language assistance to students and adults who communicate in a language other than English. The language access plan must include:

(i) how the district and its schools will use trained or certified spoken language interpreters for communication related to academic outcomes, progress, and determinations, and placement of students in specialized programs and services;

(ii) how families and communities will be notified of their rights under this plan; and

(iii) a language access continuous improvement training plan for leadership and staff.

(b) A school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.

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

Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended to read:

Subd. 7. **Assessments.** A student who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on high school assessments under ~~subdivision 1a~~ section 120B.302 is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended to read:

Subd. 12. **Test administration.** ~~(a) Consistent with applicable federal law, the commissioner must include appropriate, technically sound accommodations or alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for English learners.~~

~~(b)~~ (a) The Department of Education shall contract for professional and technical services according to competitive solicitation procedures under chapter 16C for purposes of this section.

~~(c)~~ (b) A proposal submitted under this section must include disclosures containing:

(1) comprehensive information regarding test administration monitoring practices; and

(2) data privacy safeguards for student information to be transmitted to or used by the proposing entity.

~~(d)~~ (c) Information provided in the proposal is not security information or trade secret information for purposes of section 13.37.

Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a subdivision to read:

Subd. 17. **Retaliation prohibited.** An employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments under this section is protected under section 181.932, governing disclosure of information by employees.

Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

120B.302 GENERAL REQUIREMENTS; TEST DESIGN.

Subdivision 1. **Definitions** **Developing assessments.** For purposes of conforming with existing federal educational accountability requirements, the commissioner must develop and implement computer-adaptive reading and mathematics assessments for grades 3 through 8, state-developed high school reading and mathematics tests aligned with state academic standards, a high school writing test aligned with state standards when it becomes available, and science assessments ~~under clause (2)~~ that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must:

(1) not develop statewide assessments for academic standards in social studies, health and physical education, and the arts. ~~The commissioner must require;~~ and

~~(1) annual computer adaptive reading and mathematics assessments in grades 3 through 8, and high school reading, writing, and mathematics tests; and~~

(2) require annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the commissioner must not require students to achieve a passing score on high school science assessments as a condition of receiving a high school diploma.

Subd. 2. **Comprehensive assessment system.** The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, ~~consistent with subdivision 1a,~~ must include state-developed tests in the comprehensive assessment system, ~~for each grade level to be tested, state constructed tests developed as computer adaptive reading and mathematics assessments for students that are aligned with the state's required academic standards under section 120B.021, include multiple choice questions, and are administered annually to all students in grades 3 through 8. State-developed high school tests aligned with the state's required academic standards under section 120B.021 and administered to all high school students in a subject other than writing must include multiple choice questions. The commissioner must establish a testing period as late as possible each school year during which schools must administer the Minnesota Comprehensive Assessments to students. The commissioner must publish the testing schedule at least two years before the beginning of the testing period.~~

Subd. 3. **Aligned to academic standards.** (a) The state assessment system must be aligned to the most recent revision of academic standards ~~as described in section 120B.023 in the following manner:~~

~~(1) mathematics;~~

~~(i) grades 3 through 8 beginning in the 2010-2011 school year; and~~

~~(ii) high school level beginning in the 2013-2014 school year;~~

~~(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012 school year; and~~

~~(3) language arts and reading; grades 3 through 8 and high school level beginning in the 2012-2013 school year.~~

~~(b) The grades 3 through 8 computer adaptive assessments and high school tests must be aligned with state academic standards. The commissioner must determine the testing process and the order of administration. The statewide results must be aggregated at the site and district level, consistent with subdivision 1a.~~

~~(c) The commissioner must ensure that for annual computer adaptive assessments:~~

~~(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;~~

~~(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;~~

~~(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and~~

~~(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.~~

~~(d)~~ (b) The commissioner must ensure that all state tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.

Subd. 4. **Use of assessments.** A school, school district, and charter school must administer statewide assessments under this section as the assessments become available to evaluate student progress toward career and college readiness in the context of the state's academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course or place a student's assessment score on the student's transcript.

Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

120B.305 ASSESSMENT REPORTING REQUIREMENTS.

~~Subdivision 1. **Reporting requirements.** A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student progress toward career and college readiness in the context of the state's academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.~~

Subd. 2. ~~**Computer adaptive assessments**~~ **Reporting requirements.** (a) Reporting of state assessment results must:

- (1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;
- (2) include a growth indicator of student achievement; and
- (3) determine whether students have met the state's academic standards.

~~(b) The 3rd through 8th grade computer adaptive assessment results and high school test results must be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must ensure that for annual computer-adaptive assessments:~~

(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;

(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;

(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and

(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.

(c) The commissioner, in consultation with the chancellor of the Minnesota State Colleges and Universities, must establish empirically derived benchmarks on the high school tests that reveal a trajectory toward career and college readiness consistent with section 136F.302, subdivision 1a. The commissioner must disseminate to the public the computer-adaptive assessments and high school test results upon receiving those results.

Subd. 3. **Public reporting.** (a) The commissioner must include the following components in the statewide public reporting system:

(1) uniform statewide computer-adaptive assessments of all students in grades 3 through 8 and testing at the high school levels that provides appropriate, technically sound accommodations or alternate assessments;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including consistent attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) state results on the ACT test; ~~and~~

(4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement-; and

(5) comparison of statewide assessment results among school sites and school districts.

(b) The commissioner shall report test results publicly and to stakeholders, including the performance achievement levels developed from students' unweighted test scores in each tested subject and a listing of demographic factors that strongly correlate with student performance, including student homelessness, as data are available, among other factors. The test results must not include personally identifiable information as defined in Code of Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that compares performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools and school districts a more comprehensive report containing testing information that meets local needs for evaluating instruction and curriculum. The commissioner shall disseminate to charter school authorizers a more comprehensive report containing testing information that contains anonymized data where cell count data are sufficient to protect student identity and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

~~(c) The grades 3 through 8 computer adaptive assessments and high school tests must be aligned with state academic standards. The commissioner must determine the testing process and the order of administration. The statewide results must be aggregated at the site and district level, consistent with subdivision 1a.~~

Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended to read:

Subd. 4. **Student performance data.** In developing policies and assessment processes to hold schools and districts accountable for high levels of academic standards under section 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to report summary student performance and growth levels and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data measured at the school, school district, and statewide level. The commissioner shall~~ use the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and student categories of:

(1) homelessness;

(2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);

(3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);

(4) home language;

(5) English learners under section 124D.59;

(6) free or reduced-price meals; and

(7) other categories designated by federal law to organize and report the data so that state and local policy makers can understand the educational implications of changes in districts' demographic profiles over time as data are available.

Any report the commissioner disseminates containing summary data on student performance must integrate student performance and the demographic factors that strongly correlate with that performance.

Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance reports and public reporting.** (a) The commissioner shall report:

(1) student academic performance data under section 120B.35, subdivisions 2 and 3;

(2) academic progress consistent with federal expectations;

(3) school safety and student engagement and connection under section 120B.35, subdivision 3, paragraph (d);

(4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);

(5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause (2), whose progress and performance levels are meeting career and college readiness benchmarks under sections 120B.307 and 120B.35, subdivision 3, paragraph (e);

(6) longitudinal data on the progress of eligible districts in reducing disparities in students' academic achievement and realizing racial and economic integration under section 124D.861;

(7) the acquisition of English, and where practicable, native language academic literacy, including oral academic language, and the academic progress of all English learners enrolled in a Minnesota public school course or program who are currently or were previously counted as English learners under section 124D.59;

(8) two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;

(9) staff characteristics excluding salaries;

(10) student enrollment demographics;

(11) foster care status, including all students enrolled in a Minnesota public school course or program who are currently or were previously in foster care, student homelessness, and district mobility; and

(12) extracurricular activities.

(b) The school performance report for a school site and a school district must include school performance reporting information and calculate proficiency rates as required by the most recently reauthorized Elementary and Secondary Education Act.

(c) The commissioner shall develop, annually update, and post on the department website school performance reports consistent with paragraph (a) and section 120B.11.

(d) The commissioner must make available performance reports by the beginning of each school year.

(e) A school or district may appeal its results in a form and manner determined by the commissioner and consistent with federal law. The commissioner's decision to uphold or deny an appeal is final.

(f) School performance data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance reports to the department's public website no later than ~~September 1, except that in years when the reports reflect new performance standards, the commissioner shall post the school performance reports no later than October~~ December 1.

Sec. 15. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

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

(b) "School-sponsored media" means material that is:

(1) prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in a school district or charter school;

(2) distributed or generally made available to students in the school; and

(3) prepared by a student journalist under the supervision of a student media adviser.

School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.

(c) "School official" means a school principal under section 123B.147 or other person having administrative control or supervision of a school.

(d) "Student journalist" means a school district or charter school student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.

(e) "Student media adviser" means a qualified teacher, as defined in section 122A.16, that a school district or charter school employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.

Subd. 2. **Student journalists; protected conduct.** (a) Except as provided in subdivision 3, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with subdivision 3, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. A school district or charter school must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.

(b) A school district or charter school must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph (a) or the First Amendment of the United States Constitution.

(c) Notwithstanding the rights or freedoms of this subdivision or the First Amendment of the United States Constitution, nothing in this section inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.

Subd. 3. Unprotected expression. (a) This section does not authorize or protect student expression that:

(1) is defamatory;

(2) is profane, harassing, threatening, or intimidating;

(3) constitutes an unwarranted invasion of privacy;

(4) violates federal or state law;

(5) causes a material and substantial disruption of school activities; or

(6) is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with section 121A.03 or 121A.031.

(b) Nothing in this section authorizes the publication of an advertisement by school-sponsored media that promotes the purchase of a product or service that is unlawful for purchase or use by minors.

(c) A school or district must not authorize any prior restraint of school-sponsored media except under this subdivision.

Subd. 4. Student journalist policy. School districts and charter schools must adopt and post a student journalist policy consistent with this section.

EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.

Sec. 16. Minnesota Statutes 2022, section 124D.09, subdivision 2, is amended to read:

Subd. 2. **Purpose.** The purpose of this section is to promote rigorous academic pursuits, to facilitate career preparation, and to provide a wider variety of options to high school pupils by encouraging and enabling secondary pupils to enroll full time or part time in nonsectarian courses or programs in eligible postsecondary institutions, as defined in subdivision 3.

Sec. 17. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution.

(b) If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. The institution must notify the pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based upon the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

(c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; ~~and,~~

(2) ~~the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.~~

Sec. 18. Minnesota Statutes 2022, section 124D.09, subdivision 7, is amended to read:

Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier of (1) three weeks prior to the date by which a student must register for district courses for the following school year, or (2) March 1 of each year, a district must provide up-to-date information on the district's website and in materials that are distributed to parents and students about the program, including information about enrollment requirements and the ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the district in planning, a pupil must inform the district by October 30 or May 30 of each year of the pupil's intent to enroll in postsecondary courses during the following ~~school year~~ academic term. A pupil is bound by notifying or not notifying the district by October 30 or May 30.

Sec. 19. Minnesota Statutes 2022, section 124D.09, subdivision 9, is amended to read:

Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A postsecondary institution may provide information about its programs to a secondary school or to a pupil or parent, ~~and it may advertise or otherwise recruit or solicit a secondary pupil to enroll in its programs on educational and programmatic grounds only except, notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020 school years only, an eligible postsecondary institution may advertise or otherwise recruit or solicit a secondary pupil residing in a school district with 700 students or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

(b) An institution must not enroll secondary pupils, for postsecondary enrollment options purposes, in remedial, developmental, or other courses that are not college level except when a student eligible to participate and enrolled in the graduation incentives program under section 124D.68 enrolls full time in a middle or early college program. A middle or early college program must be specifically designed to allow the student to earn dual high school and college credit with a well-defined pathway to allow the student to earn a postsecondary degree or credential. In this case, the student must receive developmental college credit and not college credit for completing remedial or developmental courses.

(c) Once a pupil has been enrolled in any postsecondary course under this section, the pupil must not be displaced by another student.

(d) If a postsecondary institution enrolls a secondary school pupil in a course under this section, the postsecondary institution also must enroll in the same course an otherwise enrolled and qualified postsecondary student who qualifies as a veteran under section 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's established enrollment timelines were not practicable for that student.

(e) A postsecondary institution must allow secondary pupils to enroll in online courses under this section consistent with the institution's policy regarding postsecondary pupil enrollment in online courses.

Sec. 20. Minnesota Statutes 2022, section 124D.09, subdivision 10, is amended to read:

Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a postsecondary faculty member and offered at a secondary school, or another location, according to an agreement between a public school board and the governing body of an eligible public postsecondary system or an eligible private postsecondary institution, as defined in subdivision 3. All provisions of this section apply to a pupil, public school board, district, and the governing body of a postsecondary institution, except as otherwise provided. A secondary school and a postsecondary institution that enrolls eligible pupils in courses according to agreements must annually report to the commissioner the participation rates of pupils enrolled in courses according to agreements, including the number of pupils enrolled and the number of courses taken for postsecondary or dual credit.

(b) To encourage students, especially American Indian students and students of color, to consider teaching as a profession, participating schools, school districts, and postsecondary institutions are encouraged to develop and offer an "Introduction to Teaching" or "Introduction to Education" course under this subdivision. For the purpose of applying for grants under this paragraph, "eligible institution" includes schools and districts that partner with an accredited college or university in addition to postsecondary institutions identified in subdivision 3, paragraph (a). Grant recipients under this paragraph must annually report to the commissioner in a form and manner determined by the commissioner on the participation rates of students in courses under this paragraph, including the number of students who apply for admission to colleges or universities with teacher preparation programs and the number of students of color and American Indian students who earned postsecondary credit. Grant recipients must also describe recruiting efforts intended to ensure that the percentage of participating students who are of color or American Indian meets or exceeds the overall percentage of students of color or American Indian students in the school.

Sec. 21. Minnesota Statutes 2022, section 124D.09, subdivision 10b, is amended to read:

Subd. 10b. **Concurrent Enrollment Advisory Board; membership; duties.** (a) A postsecondary institution offering courses taught by the secondary teacher according to subdivision 10 must establish an advisory board. The purpose of the advisory board is to engage stakeholders in concurrent enrollment decisions. The duties of the board must include the following:

- (1) providing strategic advice and input relating to concurrent enrollment issues;
- (2) recommend and review proposals for concurrent enrollment course offerings;
- (3) serve as a coordinating entity between secondary education and postsecondary institutions; and
- (4) increase the understanding and collaboration among concurrent enrollment partners, stakeholders, the legislature, and the public.

(b) The advisory board at each institution must consist of 16 members in addition to a concurrent enrollment faculty coordinator who shall serve as the chair and convene the meetings. A postsecondary institution may elect to have an advisory board of less than 16 members if the institution determines that the extent of its concurrent program warrants a smaller board. Except for the original members, advisory board members must serve three-year staggered terms. Advisory board members, appointed by the postsecondary institution, must be balanced based on geography and school size, and include, if practical, representatives from the following:

- (1) postsecondary faculty members;
- (2) school superintendents;

(3) secondary and postsecondary students;

~~(3)~~ (4) high school principals;

~~(4)~~ (5) concurrent enrollment teachers;

~~(5)~~ (6) high school counselors;

~~(6)~~ (7) charter school administrators;

~~(7)~~ (8) school board members;

~~(8)~~ (9) secondary academic administrators;

~~(9)~~ (10) parents; and

~~(10)~~ (11) other local organizations.

(c) Members of the board serve without compensation.

(d) The board shall report to the postsecondary institution periodically as requested by the postsecondary institution to provide advice and proposals described in paragraph (a).

(e) The postsecondary institution shall provide administrative services and meeting space for the board to do its work.

(f) A board established under this section expires when the postsecondary institution no longer offers concurrent enrollment course offerings.

(g) The postsecondary institution shall appoint the first members to the advisory board by October 31, 2015, or by October 15 following the year it establishes a concurrent enrollment program. The postsecondary institution shall designate the terms of the first members so that an approximately equal number serve terms of two, three, and four years.

Sec. 22. Minnesota Statutes 2022, section 124D.09, subdivision 11, is amended to read:

Subd. 11. **Participation in high school activities.** Enrolling in a course under this section shall not, by itself, prohibit a pupil from participating in activities sponsored by the pupil's high school, including but not limited to accessing scholarships awarded, sponsored, or disbursed by the school, or participating in leadership roles or national organizations sponsored by the pupil's high school.

Sec. 23. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 12, is amended to read:

Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit a course under this section.

(b) A district must grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who must determine the number of

credits that must be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board must grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits is final.

(c) A school board must adopt a policy regarding weighted grade point averages for any high school or dual enrollment course. A school board must adopt an identical policy regarding weighted grade point averages for credits earned via postsecondary coursework as it gives to credits earned via concurrent enrollment coursework. The policy must state whether the district offers weighted grades. A school board must annually publish on its website a list of courses for which a student may earn a weighted grade.

(d) The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil must provide the school with a copy of the pupil's grades in each course taken for secondary credit under this section, including interim or nonfinal grades earned during the academic term. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

(e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

(f) The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

Sec. 24. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

Subdivision 1. **Notice.** ~~Within ten 30 calendar days after the enrollment of any pupil in an instructional program for English learners beginning of the school year, the district or charter school in which the pupil resides English learner identified for participation in an instructional program for English learners is enrolled must notify the parent by mail parents. For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during that school year, the district or charter school shall notify the children's parents during the first two weeks of the child being placed in a language instruction educational program.~~ This notice must:

- (1) be in writing in English and in the primary language of the pupil's parents;
- (2) inform the parents that their child has been enrolled in an instructional program for English learners;
- (3) contain a simple, nontechnical description of the purposes, method and content of the program;

(4) inform the parents that they have the right to visit the educational program for English learners in which their child is enrolled;

(5) inform the parents of the time and manner in which to request and receive a conference for the purpose of explaining the nature and purpose of the program; and

(6) inform the parents of their rights to withdraw their child from an educational program for English learners and the time and manner in which to do so.

The department shall, at the request of the district, prepare the notice in the primary language of the parent.

Sec. 25. Minnesota Statutes 2022, section 124D.61, is amended to read:

124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.

A district that enrolls one or more English learners must implement an educational program that includes at a minimum the following requirements:

(1) identification and reclassification criteria for English learners and program entrance and exit criteria for English learners must be documented by the district, applied uniformly to English learners, and made available to parents and other stakeholders upon request;

(2) language development instruction that is designed to effectively increase the language proficiency of English learners and that addresses Minnesota's English language development standards under Minnesota Rules, parts 3501.1200 and 3501.1210;

~~(2)~~ (3) a written plan of services that describes programming by English proficiency level made available to parents upon request. The plan must articulate the amount and scope of service offered to English learners through an educational program for English learners;

~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream, and all staff working with English learners which are: (i) coordinated with the district's professional development activities; (ii) related to the needs of English learners; and (iii) ongoing;

~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of the school day; and

~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education, permit English learners to participate fully and on an equal basis with their contemporaries in public school classes provided for these subjects. To the extent possible, the district must assure to pupils enrolled in a program for English learners an equal and meaningful opportunity to participate fully with other pupils in all extracurricular activities.

Sec. 26. **REPEALER.**

Minnesota Statutes 2022, section 120B.31, subdivisions 2 and 6, are repealed.

ARTICLE 3
TEACHERS

Section 1. Minnesota Statutes 2022, section 122A.092, is amended by adding a subdivision to read:

Subd. 9. **Ableism and disability justice.** A teacher preparation program is encouraged to include instruction for teacher candidates on ableism and disability justice, provided by a person with a disability.

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

Sec. 2. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision to read:

Subd. 1a. **Special education requirements.** (a) The Professional Educator Licensing and Standards Board must approve an application for a Tier 1 license in a special education field if:

(1) the application meets all the requirements under subdivision 1;

(2) the district or charter school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(3) the district or charter school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and

(4) the applicant demonstrates satisfactory progress toward professional licensure.

(b) A teacher with a Tier 1 license in a special education field may assume the functions as a teacher for a period of time not to exceed three years.

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

Sec. 3. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2, is amended to read:

Subd. 2. **Professional requirements.** ~~(a) An applicant for a Tier 1 license must have a bachelor's degree to teach a class or course outside a career and technical education or career pathways course of study, unless the applicant meets an exemption identified in subdivision 2a.~~

~~(b) An applicant for a Tier 1 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study:~~

~~(1) an associate's degree;~~

~~(2) a professional certification; or~~

~~(3) five years of relevant work experience.~~

Sec. 4. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision to read:

Subd. 1a. **Special education requirements.** The Professional Educator Licensing and Standards Board must approve an application for a Tier 2 license in a special education field if:

(1) the application meets all the requirements under subdivision 1;

(2) the district or charter school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(3) the district or charter school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and

(4) the applicant demonstrates satisfactory progress toward professional licensure.

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.183, subdivision 2, is amended to read:

Subd. 2. **Coursework.** An applicant for a Tier 3 license must meet the coursework requirement by demonstrating one of the following:

(1) completion of a Minnesota-approved teacher preparation program;

(2) completion of a state-approved teacher preparation program that includes field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The field-specific student teaching requirement does not apply to an applicant that has two years of field-specific teaching experience;

(3) ~~submission of a content-specific~~ a recommendation for licensure through the licensure via portfolio process;

(4) a professional teaching license from another state, evidence that the applicant's license is in good standing, and two years of field-specific teaching experience; or

(5) three years of teaching experience under a Tier 2 license and evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

Sec. 6. Minnesota Statutes 2023 Supplement, section 122A.184, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards Board must issue a Tier 4 license to an applicant who provides information sufficient to demonstrate all of the following:

(1) the applicant meets all requirements for a Tier 3 license under section 122A.183, and: (i) has completed a teacher preparation program under section 122A.183, subdivision 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from the National Board for Professional Teaching Standards;

(2) the applicant has at least three years of field-specific teaching experience as a teacher of record;

(3) the applicant has obtained a passing score on all required licensure exams under section 122A.185; and

(4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant has completed the renewal requirements in section 122A.187.

Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical knowledge and examinations or assessments of licensure field specific content. An applicant is exempt from the examination requirements if the applicant ~~completed~~:

(1) completed a board-approved teacher preparation program;

(2) completed licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio has been ~~approved~~ recommended; or

(3) obtained national board certification from the National Board for Professional Teaching Standards; or

~~(3)~~ (4) completed a state-approved teacher preparation program in another state and passed licensure examinations in that state, if applicable. The content examination requirement does not apply if no relevant content exam exists.

(b) All testing centers in the state must provide monthly opportunities for untimed content and pedagogy examinations. These opportunities must be advertised on the test registration website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free, comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee.

Sec. 8. Minnesota Statutes 2022, section 122A.185, subdivision 3, is amended to read:

Subd. 3. **Testing accommodations.** The board and the entity administering the content, and pedagogy, ~~and skills~~ examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, and pedagogy, ~~and skills~~ examinations that the applicant received during the applicant's secondary or postsecondary education.

Sec. 9. Minnesota Statutes 2022, section 122A.20, is amended by adding a subdivision to read:

Subd. 4. **Prohibition on teaching assignment.** A school district or charter school may not place a teacher in a teaching assignment if the teacher has been criminally charged in state or federal court with any of the offenses listed in subdivision 1, paragraph (b), or is charged with any other offense not listed in this section that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States.

Sec. 10. Minnesota Statutes 2023 Supplement, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive

representative of the teachers must implement the state teacher evaluation plan under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices, improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

- (1) must, for probationary teachers, provide for all evaluations required under subdivision 5;
- (2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator. For the years when a tenured teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review;
- (3) must include a rubric of performance standards for teacher practice that: (i) is based on ~~professional teaching standards established in rule~~ the standards of effective practice in Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;
- (4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;
- (5) may provide time during the school day and school year for peer coaching and teacher collaboration;
- (6) may include job-embedded learning opportunities such as professional learning communities;
- (7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;
- (8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;
- (9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;
- (10) must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners;
- (11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;
- (12) must give teachers not meeting professional teaching standards under clauses (3) to (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 5.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

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

Sec. 11. Minnesota Statutes 2023 Supplement, section 122A.41, subdivision 5, is amended to read:

Subd. 5. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop an annual teacher evaluation and peer review process for probationary and nonprobationary teachers through joint agreement. If a school board and the exclusive representative of the teachers in the district do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan developed under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 2;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator;

(3) must include a rubric of performance standards for teacher practice that: (i) is based on ~~professional teaching standards established in rule~~ the standards of effective practice in Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) to (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards

Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 2.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

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

Sec. 12. **[122A.615] ABLEISM AND DISABILITY JUSTICE.**

A school district or charter school is encouraged to include training on ableism and disability justice provided by a person with a disability in its professional development activities for teachers and paraprofessionals, Title I aides, and other instructional support staff.

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

Sec. 13. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 2, is amended to read:

Subd. 2. **Definition.** (a) "Heritage language and culture ~~teachers~~ teacher" means ~~teachers with~~ a teacher who meets the following requirements:

(1) has a familial connection to a the teacher's community's language and culture ~~who use~~;

(2) is proficient in the language and engaged in the culture; and

(3) uses this connection to support students as they learn academic content ~~or~~, become proficient in the language, and engage with the culture of that particular community.

(b) For the purposes of this section, a heritage language and culture teacher of American Sign Language is a teacher with a childhood connection to American Sign Language and whose primary language is American Sign Language.

Sec. 14. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 4, is amended to read:

Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The Professional Educator Licensing and Standards Board shall develop a program to support initial and additional licensure for heritage language and culture teachers. The board may prioritize the participation of heritage language and culture teachers whose own heritage language is within the most common languages spoken by Minnesota students, as indicated by the Department of Education report on primary home languages, and for which there are fewer teacher preparation programs for that licensure area or fewer teachers that hold a license in that area. The program must include:

- (1) a yearlong mentorship program;
 - (2) monthly meetings where applicants receive guidance on completing the portfolio process from a portfolio liaison, dedicated specifically to facilitating this program;
 - (3) a stipend to cover substitute teachers when meetings take place during the school day;
 - (4) a waiver for all portfolio and licensure testing fees; and
 - (5) a portfolio review committee created by the board.
- (b) For applicants seeking an initial license in a world language and culture, the applicant must demonstrate meeting the standards of effective practice in Minnesota Rules, part 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950, through the portfolio process.
- (c) For applicants seeking a dual license, the applicant must demonstrate meeting the standards of effective practice in Minnesota Rules, part 8710.2000, content-specific pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen dual license through the portfolio process.
- (d) For applicants seeking an additional license in a world language and culture, the applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota Rules, part 8710.4950.

Sec. 15. Minnesota Statutes 2023 Supplement, section 122A.70, subdivision 2, is amended to read:

Subd. 2. **Board grants.** (a) The Professional Educator Licensing and Standards Board must make grant application forms available to sites interested in developing, sustaining, or expanding a mentorship program.

(b) The following applicants are eligible for a program grant:

(1) a school district or group of school districts, a school or coalition of schools, or a coalition of teachers may apply for a program grant, charter school, or cooperative unit, on behalf of its participating schools sites;

(2) a Tribal contract school;

(3) a coalition of teachers; and

(4) a coalition of two or more applicants that are individually eligible for a grant.

A higher education institution or nonprofit organization may partner with a an eligible grant applicant but is not eligible as a sole applicant for grant funds.

(c) The Professional Educator Licensing and Standards Board, in consultation with the teacher mentoring task force, must approve or disapprove the applications. To the extent possible, the approved applications must reflect effective mentoring, professional development, and retention components, and be geographically distributed throughout the state. The Professional Educator Licensing and Standards Board must encourage the selected sites to consider the use of its assessment procedures.

Sec. 16. **REPEALER.**

(a) Minnesota Statutes 2022, section 122A.2451, subdivision 9, is repealed.

(b) Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4, is repealed.

ARTICLE 4
SPECIAL EDUCATION

Section 1. Minnesota Statutes 2023 Supplement, section 125A.08, is amended to read:

125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.

Subdivision 1. Individualized education programs. (a) At the beginning of each school year, each school district shall have in effect, for each child with a disability, an individualized education program.

(b) As defined in this section, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services which are appropriate to their needs. Where the individualized education program team has determined appropriate goals and objectives based on the student's needs, including the extent to which the student can be included in the least restrictive environment, and where there are essentially equivalent and effective instruction, related services, or assistive technology devices available to meet the student's needs, cost to the district may be among the factors considered by the team in choosing how to provide the appropriate services, instruction, or devices that are to be made part of the student's individualized education program. The individualized education program team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. Before a school district evaluation team makes a determination of other health disability under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation team must seek written documentation of the student's medically diagnosed chronic or acute health condition signed by a licensed physician or a licensed health care provider acting within the scope of the provider's practice. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individualized education program. The program must address the student's need to develop skills to live and work as independently as possible within the community. The individualized education program team must consider positive behavioral interventions, strategies, and supports that address behavior needs for children. During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. In developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

Subd. 2. Paraprofessionals. (e) For all paraprofessionals employed to work in programs whose role in part is to provide direct support to students with disabilities, the school board in each district shall ensure that:

(1) before or beginning at the time of employment, each paraprofessional must develop sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs, especially disability-specific and behavioral needs, of the students with whom the paraprofessional works;

(2) within five days of beginning to work alone with an individual student with a disability, the assigned paraprofessional must be either given paid time, or time during the school day, to review a student's individualized education program or be briefed on the student's specific needs by appropriate staff;

(3) annual training opportunities are required to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities; and

(4) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

Subd. 3. Functional behavior assessment. (d) A school district may conduct a functional behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

Subd. 4. Developmental adapted physical education assessment. A school district may conduct an assessment for developmental adapted physical education, as defined in Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

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

Sec. 2. **SPECIAL EDUCATION LICENSURE RECIPROCITY WORKING GROUP.**

Subdivision 1. **Working group established.** The Professional Educator Licensing and Standards Board must establish a working group on special education licensure reciprocity.

Subd. 2. **Members.** (a) The board must consult with the organizations identified in paragraph (b) before naming appointed members to the working group.

(b) By July 1, 2024, the board must appoint the following members to the working group:

(1) the executive director of the board or the executive director's designee;

(2) one representative from the board;

(3) two representatives from Minnesota Administrators for Special Education, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(4) two representatives from the Minnesota Association of School Administrators, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(5) two representatives from the Minnesota School Boards Association, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(6) two representatives from Education Minnesota, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(7) four licensed special education teachers, consisting of two members from the seven-county metropolitan area and two members from outside the metropolitan area;

(8) two representatives from the Minnesota Association of Colleges for Teacher Education;

(9) two representatives from alternative teacher preparation programs; and

(10) one representative from the Minnesota Association of Charter Schools.

Subd. 3. **Duties.** The working group must meet on a regular basis and review current statutory and rule requirements for persons with a special education license from another state to qualify for a special education license in Minnesota, and make recommendations on statutory or rule changes necessary to streamline requirements for out-of-state applicants. The working group must submit its recommendations to the board for consideration for inclusion in the board's legislative priorities, and by February 1, 2025, must submit a report to the legislative committees with jurisdiction over kindergarten through grade 12 education.

Subd. 4. **Administrative provisions.** (a) The executive director of the board, or the director's designee, must convene the initial meeting of the working group. Upon request of the working group, the board must provide meeting space and administrative services for the group.

(b) Members of the working group serve without compensation or payment of expenses.

(c) The working group expires February 1, 2025, or upon submission of the report to the legislature required under subdivision 3, whichever is earlier.

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

ARTICLE 5
CHARTER SCHOOLS

Section 1. Minnesota Statutes 2022, section 124E.01, subdivision 1, is amended to read:

Subdivision 1. **Purposes.** The primary purpose of ~~charter~~ mission-driven chartered public schools is to improve ~~all pupil the learning and all student, achievement, and success of all students.~~ Additional purposes include to The additional purposes of chartered public schools are to:

- (1) increase quality learning opportunities for all ~~pupils~~ students;
- (2) encourage the use of different and innovative teaching methods;
- (3) measure learning outcomes and create different and innovative forms of measuring outcomes;
- (4) establish new forms of accountability for schools; or

(5) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

A chartered public school must identify the purposes it will address in the charter contract and document the implementation of those purposes in the school's annual report. Documentation of the implementation of those purposes must be a component of the authorizer's performance review of the school.

Sec. 2. Minnesota Statutes 2023 Supplement, section 124E.02, is amended to read:

124E.02 DEFINITIONS.

- (a) For purposes of this chapter, the terms defined in this section have the meanings given them.
- (b) "Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under section 124E.06, subdivision 4, attesting to its review and approval process before chartering a school.
- (c) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person.
- (d) "Charter management organization" or "CMO" means ~~any a nonprofit or for-profit entity or organization that contracts with a charter school board of directors to provide, manage, or oversee~~ operates or manages a charter school or a network of charter schools or can control all or substantially all of a school's education program or a school's administrative, financial, business, or operational functions.
- (e) "Control" means the ability to affect the management, operations, or policy actions or decisions of a person, whether by owning voting securities, by contract, or otherwise.
- (f) "Educational management organization" or "EMO" means a ~~nonprofit or for-profit entity or organization that provides, manages or oversees~~ operates or manages a charter school or a network of charter schools or can control all or substantially all of ~~the a school's~~ a school's education program, or ~~the a school's~~ a school's administrative, financial, business, or operational functions.

(g) "Immediate family" means ~~an individual whose~~ a relationship by blood, marriage, adoption, or partnership is ~~no more remote than~~ of spouses, parents, grandparents, siblings, children, aunts, uncles, grandchildren, nieces, nephews, or first ~~cousin~~ cousins.

(h) "Market need and demand study" means a study that includes the following for the proposed locations of the school or additional site:

- (1) current and projected demographic information;
- (2) student enrollment patterns;
- (3) information on existing schools and types of educational programs currently available;
- (4) characteristics of proposed students and families;
- (5) availability of properly zoned and classified facilities; and
- (6) quantification of existing demand for the school or site.

(i) "Person" means an individual or entity of any kind.

(j) "Related party" means an affiliate or immediate relative of the other interested party, an affiliate of an immediate relative who is the other interested party, or an immediate relative of an affiliate who is the other interested party.

(k) For purposes of this chapter, the terms defined in section 120A.05 have the same meanings.

Sec. 3. Minnesota Statutes 2023 Supplement, section 124E.03, subdivision 2, is amended to read:

Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts.

(b) A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B.

(c) A charter school must comply with the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(d) A charter school is a district for the purposes of tort liability under chapter 466.

(e) A charter school must comply with the Pledge of Allegiance requirement under section 121A.11, subdivision 3.

(f) A charter school and charter school board of directors must comply with chapter 181 governing requirements for employment.

(g) A charter school must comply with continuing truant notification under section 260A.03.

(h) A charter school must develop and implement a teacher evaluation and peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d). The teacher evaluation process in this paragraph does not create any additional employment rights for teachers.

(i) A charter school must adopt a ~~policy~~, plan, budget, and process, consistent with section 120B.11, to review curriculum, instruction, and student achievement and strive for the world's best workforce.

(j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56 and 121A.575, 121A.60, 121A.61, and 121A.65.

Sec. 4. Minnesota Statutes 2022, section 124E.05, subdivision 2, is amended to read:

Subd. 2. **Roles, responsibilities, and requirements for of authorizers.** ~~The authorizer must participate in department approved training.~~ (a) The role of an authorizer is to ensure that a school it authorizes has the autonomy granted by statute, fulfills the purposes of a chartered public school, and is accountable to the agreed upon terms of the charter school contract in order to safeguard quality educational opportunities for students and maintain public trust and confidence.

(b) An authorizer has the following responsibilities:

(1) to review applications for new schools, determine whether a new school is ready to open, review applications for grade and site expansions, review applications for change in authorizers, and determine whether to approve or deny an application based on the authorizer's approved criteria;

(2) to negotiate and execute the performance charter contracts with the schools it authorizes;

(3) to conduct ongoing monitoring, oversight, and evaluation of the school's academic, operational, and financial performance during the term of the charter contract;

(4) to evaluate the academic, operational, and financial performance of the school as defined in the charter contract prior to the end of the contract to determine the renewal, nonrenewal, or termination of the contract; and

(5) to comply with authorizer requirements in chapter 124E.

(c) An authorizer must document in the authorizer annual report under section 124E.16, subdivision 2, paragraph (b), the annual successful completion of training of its staff members during the previous year relative to chartering and an authorizer's role and responsibilities.

(d) An authorizer must participate in department-approved training.

Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 3, is amended to read:

Subd. 3. **Application process.** (a) An eligible ~~authorizer~~ organization under this section must apply to the commissioner for approval as an authorizer before submitting any affidavit to the commissioner to charter a school. The application for approval as a charter school authorizer must show the applicant's ability to implement the procedures and satisfy the criteria for chartering a school under this chapter. The commissioner must approve or disapprove the application within 45 business days of the deadline for that application period. If the commissioner disapproves the application, the commissioner must notify the applicant of the specific deficiencies in writing and the applicant then has 20 business days to address the deficiencies to the commissioner's satisfaction. After the 20 business days expire, the commissioner has 15 business days to make a final decision to approve or disapprove the application. Failing to address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to be an authorizer. The commissioner, in establishing criteria to approve an authorizer, consistent with subdivision 4, must consider the applicant's:

(1) infrastructure and capacity to serve as an authorizer;

- (2) application criteria and process;
 - (3) contracting process;
 - (4) ongoing oversight and evaluation processes; and
 - (5) renewal criteria and processes.
- (b) A disapproved applicant under this section may resubmit an application during a future application period.

Sec. 6. Minnesota Statutes 2022, section 124E.05, subdivision 5, is amended to read:

Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's performance every five years in a manner and form determined by the commissioner, subject to paragraphs (b) and (c), and may review an authorizer's performance more frequently at the commissioner's own initiative or at the request of a charter school ~~operator chief administrator~~, charter school board ~~member of directors~~, or other interested party. The commissioner, after completing the review, shall transmit a report with findings to the authorizer and the schools authorized by the authorizer.

(b) Consistent with this subdivision, the commissioner must:

- ~~(1) use criteria appropriate to the authorizer and the schools it charters to review the authorizer's performance; and~~
- ~~(2) consult with authorizers, charter school operators, and other charter school stakeholders in developing review criteria under this paragraph.~~

~~(c) The commissioner's form must use existing department data on the authorizer to minimize duplicate reporting to the extent practicable. When reviewing an authorizer's performance under this subdivision, the commissioner must not:~~

- ~~(1) fail to credit;~~
- ~~(2) withhold points; or~~
- ~~(3) otherwise penalize an authorizer for failing to charter additional schools or for the absence of complaints against the authorizer's current portfolio of charter schools.~~

(1) develop the criteria and process of the performance review system in consultation with authorizers, school administrators, charter school boards of directors, and other charter school stakeholders;

(2) publish the authorizer performance review criteria and process at least 12 months before any change or process takes effect, except for changes required to take effect earlier in accordance with state or federal law;

(3) evaluate the authorizer's performance on adherence and implementation of the authorizer's policies, procedures, and processes that are subject to section 124E.05, subdivision 2, paragraph (b);

(4) solicit feedback from the authorizer, charter school administrators, and charter school boards of directors; and

(5) use existing department data on the authorizer to minimize duplicate reporting to the extent practicable.

(c) Consistent with this subdivision the commissioner must not penalize in any way an authorizer for not chartering additional schools or for the absence of complaints against an authorizer or an authorizer's portfolio of schools.

Sec. 7. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 1, is amended to read:

Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an application from a charter school developer, may charter either a licensed teacher under section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed teachers under section 122A.18, subdivision 1, to operate a school subject to the commissioner's approval of the authorizer's affidavit under subdivision 4.

(b) "Application" under this section means the charter school business plan a charter school developer submits to an authorizer for approval to establish a charter school. This application must include:

(1) the proposed school's:

(i) mission and vision statements;

(ii) purposes and goals;

(iii) educational program design and how the program will improve student learning, success, and achievement;

(iv) plan to address the social and emotional learning needs of students and student support services;

(v) plan to provide special education management and services;

(vi) plan for staffing the school with appropriately qualified and licensed personnel;

(vii) financial plan;

(viii) governance and management structure and plan;

(ix) market need and demand study; and

(x) plan for ongoing outreach and dissemination of information about the school's offerings and enrollment procedure to families that reflect the diversity of Minnesota's population and targeted groups under section 124E.17, subdivision 1, paragraph (a);

(2) the school developer's experience and background, including criminal history and bankruptcy background checks; and

(3) any other information the authorizer requests; ~~and,~~

~~(4) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

(c) An authorizer shall not approve an application submitted by a charter school developer under paragraph (a) if the application does not comply with subdivision 3, paragraph (e), and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit submitted by an authorizer under subdivision 4 if the affidavit does not comply with subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

Sec. 8. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 4, is amended to read:

Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish and operate a school, the authorizer must file an affidavit with the commissioner stating its intent to charter a school. An authorizer must file a separate affidavit for each school it intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of the year the new charter school plans to serve students. The affidavit must state:

~~(1) the terms and conditions under which the authorizer would charter a school, including a market need and demand study; and~~

~~(2) how the authorizer intends to oversee:~~

~~(i) the fiscal and student performance of the charter school; and~~

~~(ii) compliance with the terms of the written contract between the authorizer and the charter school board of directors under section 124E.10, subdivision 1.~~

(b) The commissioner must approve or disapprove the authorizer's affidavit within 60 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer then has 20 business days to address the deficiencies. The commissioner must notify the authorizer of the commissioner's final approval or final disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer does not address deficiencies to the commissioner's satisfaction, the commissioner's disapproval is final. An authorizer who fails to obtain the commissioner's approval is precluded from chartering the school that is the subject of this affidavit.

(c) The grades and number of primary enrollment sites in an approved affidavit may only be modified under subdivision 5.

Sec. 9. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 5, is amended to read:

Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to amend the school charter to add grades or primary enrollment sites beyond those defined in the original affidavit approved by the commissioner. After approving the school's application, the authorizer shall submit a supplemental affidavit in the form and manner prescribed by the commissioner. The authorizer must file a supplemental affidavit to the commissioner by October 1 to be eligible to add grades or sites in the next school year. The supplemental affidavit must document ~~to the authorizer's satisfaction:~~

~~(1) the need for the additional grades or sites with supporting long-range enrollment projections for site expansion, a market need and demand study with long-range enrollment projections;~~

~~(2) a longitudinal record of student academic performance and growth on statewide assessments under chapter 120B or on other academic assessments that measure longitudinal student performance and growth approved by the charter school's board of directors and agreed upon with the authorizer for grade expansion, the need for the additional grades with supporting long-range enrollment projections;~~

~~(3) a history of sound school finances and a plan to add grades or sites that sustains the school's finances a longitudinal record of at least the three most recent years of student academic proficiency and growth on statewide assessments under chapter 120B or on other academic assessments that measure at least the three most recent years of longitudinal student proficiency and growth approved by the charter school's board of directors and agreed upon with the authorizer;~~

(4) ~~board capacity to administer and manage the additional grades or sites~~ at least three years of sound school finances and a plan to add grades or sites that sustains the school's finances; and

(5) ~~for site expansion, a market need and demand study~~ board capacity to administer and manage the additional grades or sites.

(b) The commissioner shall have 30 business days to review and comment on the supplemental affidavit. The commissioner shall notify the authorizer in writing of any deficiencies in the supplemental affidavit and the authorizer then has 20 business days to address any deficiencies in the supplemental affidavit to the commissioner's satisfaction. The commissioner must notify the authorizer of final approval or final disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit. The school may not add grades or sites until the commissioner has approved the supplemental affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

Sec. 10. Minnesota Statutes 2022, section 124E.07, is amended to read:

124E.07 BOARD OF DIRECTORS.

Subdivision 1. **Initial board of directors.** Before entering into a contract or other agreement for professional or other services, goods, or facilities, the operators authorized to organize and operate a school must establish a board of directors composed of at least five members ~~who are not related parties.~~ The initial board members must not be related parties. The initial board continues to serve until a timely election for members of the ongoing charter school board of directors is held according to the school's articles and bylaws under subdivision 4. The initial board of directors and school developers must comply with the training requirements in subdivision 7 upon the incorporation of the school.

Subd. 2. **Ongoing board of directors.** ~~The ongoing board must be elected before the school completes its third year of operation.~~ The initial board must begin the transition to the ongoing board structure by the end of the first year of operation and complete the transition by the end of the second year of operation. The terms of board members shall begin on July 1. Terms shall be no less than two years. The bylaws shall set the number of terms an individual may serve on the board and as an officer of the board. Board elections must be held during the school year but may not be conducted on days when the school is closed.

Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall have at least five ~~nonrelated members and include:~~ The board members must not be related parties. The ongoing board must include: (1) at least one licensed teacher ~~who is employed as a teacher at the school or provides instruction under contract between the charter school and a cooperative;~~ (2) at least one parent or legal guardian of a student enrolled in the charter school who is not an employee of the charter school; and (3) at least one interested community member ~~who resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school.~~ A community member serving on the board must reside in Minnesota, must not have a child enrolled in the school, and must not be an employee of the charter school.

(b) To serve as a licensed teacher on a charter school board, an individual must:

(1) be employed by the school or provide at least 720 hours of service under a contract between the charter school and a teacher cooperative;

(2) be a qualified teacher as defined under section 122A.16, either serving as a teacher of record in a field in which the individual has a field license, or providing services to students the individual is licensed to provide; and

(3) not serve in an administrative or supervisory capacity for more than 240 hours in a school calendar year.

(c) The board structure must be defined in the bylaws. The board structure may include (1) be a majority of teachers under this paragraph or (b), (2) be a majority of parents or, (3) be a majority of community members, or it may (4) have no clear majority.

(d) The chief financial officer and the chief administrator may only serve as an ex-officio nonvoting board members member. No charter school employees shall serve on the board other than teachers under clause (1) paragraph (b). Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.

(b) (e) A contractor providing facilities, goods, or services to a charter school must not serve on the board of directors. In addition, an individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

(e) (f) A violation of paragraph (b) (e) renders a contract voidable at the option of the commissioner or the charter school board of directors. A member of a charter school board of directors who violates paragraph (b) (e) is individually liable to the charter school for any damage caused by the violation.

(d) (g) Any employee, agent, contractor, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school is ineligible to serve on the board of directors of a school chartered by that authorizer.

(h) An individual is prohibited from serving on more than one charter school board at the same time in either an elected or ex-officio capacity.

Subd. 4. **Board structure.** Board bylaws shall outline the process and procedures for changing the board's governance structure, consistent with chapter 317A. A board may change its governance structure only:

(1) by a majority vote of the board of directors and a majority vote of the licensed teachers employed by the school as teachers, including licensed teachers providing instruction under a contract between the school and a cooperative; and

(2) by a majority vote of the licensed teachers employed by the school as teachers who provide instruction to students, including licensed teachers providing instruction under a contract between the school and a cooperative; and

(2) (3) with the authorizer's approval.

Any change in board governance structure must conform with the board composition established under this section.

Subd. 5. **Eligible voters Board elections.** (a) Staff members employed at the school, including teachers providing instruction under a contract with a cooperative, members of the board of directors, and all parents or legal guardians of children enrolled in the school are the voters eligible to elect the members of the school's board of directors. A charter school must notify eligible voters of the school board election dates at least 30 days before the election.

(b) The board of directors must establish and publish election policies and procedures on the school's website.

(c) The board of directors must notify eligible voters of the school board election dates and voting procedures at least 30 calendar days before the election and post this information on the school's website.

(d) The board of directors must notify eligible voters of the candidates' names, biographies, and candidate statements at least ten calendar days before the election and post this information on the school's website.

Subd. 6. **Duties.** (a) The board of directors also shall decide and is responsible for all decision making on policy matters related to operating the school, including budgeting, curriculum programming, personnel, and operating procedures. ~~The board shall adopt a nepotism policy.~~ The board ~~shall~~ must adopt personnel evaluation policies and practices that, at a minimum:

- (1) carry out the school's mission and goals;
- (2) evaluate how charter contract goals and commitments are executed;
- (3) evaluate student achievement, postsecondary and workforce readiness, and student engagement and connection goals;
- (4) establish a teacher evaluation process under section 124E.03, subdivision 2, paragraph (h); and
- (5) provide professional development related to the individual's job responsibilities.

(b) The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

Subd. 7. **Training.** ~~Every charter school board member shall attend annual training throughout the member's term. All new board members shall attend initial training on the board's role and responsibilities, employment policies and practices, and financial management. A new board member who does not begin the required initial training within six months after being seated and complete that training within 12 months after being seated is automatically ineligible to continue to serve as a board member. The school shall include in its annual report the training each board member attended during the previous year.~~

(a) Every charter school board member and nonvoting ex-officio member who is a charter school director or chief administrator must attend board training.

(b) Prior to beginning their term, a new board member must complete training on a charter school board's role and responsibilities, open meeting law, and data practices law. An ex-officio member, who is a charter school director or chief administrator, must complete this training within three months of starting employment at the school.

(c) A new board member must complete training on employment policies and practices under chapter 181; public school funding and financial management; and the board's roles and responsibilities regarding student success, achievement, and performance within 12 months of being seated on the board or the individual is automatically ineligible to continue to serve as a board member. A board member who does not complete training within the 12-month period is ineligible to be elected or appointed to a charter school board for a period of 18 months.

(d) Every charter school board member must complete annual training throughout the member's term based on an annual assessment of the training needs of individual members and the full board. Ongoing training includes but is not limited to budgeting, financial management, recruiting and hiring a charter school director or chief administrator, evaluating a charter school director or chief administrator, governance-management relationships, student support services, student discipline, state standards, cultural diversity, succession planning, strategic planning, program oversight and evaluation, compensation systems, human resources policies, effective parent and community relationships, authorizer contract and relationships, charter school law, legal liability, board recruitment and elections, board meetings and operations, policy development and review, and school health and safety.

(e) The organization or person providing training under paragraphs (b), (c), and (d) must certify the individual's completion of the training provided.

(f) The charter school is responsible for covering the costs related to board training. The charter school must include in its annual report the training each board member completed during the previous year.

(g) The board must ensure that an annual assessment of the board's performance is conducted and the results are reported in the school's annual report.

Subd. 8. **Meetings and information.** (a) Board of director meetings must comply with chapter 13D governing open meetings.

(b) A charter school shall publish and maintain on the school's official website: (1) the meeting minutes of the board of directors and of members and committees having board-delegated authority, within 30 days following the earlier of the date of board approval or the next regularly scheduled meeting, and for at least 365 days from the date of publication; (2) directory information for the board of directors and for the members of committees having board-delegated authority; and (3) identifying and contact information for the school's authorizer.

(c) A charter school must include identifying and contact information for the school's authorizer in other school materials it makes available to the public.

Sec. 11. Minnesota Statutes 2022, section 124E.10, subdivision 2, is amended to read:

Subd. 2. **Limits on charter school agreements.** (a) A school must disclose to the commissioner any potential contract, lease, or purchase of service from ~~an~~ its authorizer ~~or a board member, employee, contractor, volunteer, or agent of its authorizer~~. The contract, lease, or purchase must be accepted through an open bidding process and be separate from the charter contract. The school must document the open bidding process. An authorizer must not enter into a contract to provide management and financial services to a school it authorizes, unless the school documents receiving at least two competitive bids.

(b) Notwithstanding paragraph (a), a charter school may enter into a contract for legal services without opening a bidding process. The school must disclose the contract to the commissioner in accordance with paragraph (a).

~~(b)~~ (c) An authorizer must not condition granting or renewing a charter on:

(1) the charter school being required to contract, lease, or purchase services from the authorizer; or

(2) the bargaining unit status of school employees.

Sec. 12. Minnesota Statutes 2022, section 124E.10, subdivision 4, is amended to read:

Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The duration of the contract with an authorizer must be for the term contained in the contract according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally terminate a contract during the term of the contract for any ground listed in paragraph (b). At least 60 business days before not renewing or terminating a contract, the authorizer shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action in reasonable detail and describe the informal hearing process, consistent with this paragraph. The charter school's board of directors may request in writing an informal hearing before the authorizer within 15 business days after receiving notice of nonrenewal or termination of the contract. Failure by the board of directors to make a written request for an informal hearing within the 15-business-day period shall be treated as acquiescence to the proposed action. Upon receiving a timely written request for a hearing, the authorizer shall give ten business days' notice to the charter school's board of directors of the hearing date. The hearing must be recorded by audio recording, video recording, or a court reporter. The authorizer must preserve the recording for three years and make the recording available to the public. The authorizer shall conduct an informal hearing before taking final action. The authorizer shall take final action to renew or not renew a contract no later than 20 business days before the proposed date for terminating the contract or the end date of the contract.

(b) An authorizer may terminate or not renew a contract upon any of the following grounds:

(1) failure to demonstrate satisfactory academic achievement for all students, including the requirements for pupil performance contained in the contract;

(2) failure to meet generally accepted standards of fiscal management;

(3) violations of law; or

(4) other good cause shown.

If the authorizer terminates or does not renew a contract under this paragraph, the school must be dissolved according to the applicable provisions of chapter 317A.

(c) The commissioner, after providing reasonable notice to the board of directors of a charter school and the existing authorizer, and after providing an opportunity for a public hearing, may terminate the existing contract between the authorizer and the charter school board if the charter school has a history of:

(1) failure to meet pupil performance requirements, consistent with state law;

(2) financial mismanagement or failure to meet generally accepted standards of fiscal management; or

(3) repeated or major violations of the law.

Sec. 13. Minnesota Statutes 2022, section 124E.10, subdivision 5, is amended to read:

Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors of a charter school serving enrolled students mutually agree not to renew the contract, or if the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed. The authorizer and the school board must jointly submit a written and signed letter of their intent to the commissioner to mutually not renew the contract. The authorizer that is a party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the

school, including unmet contract outcomes and other outstanding contractual obligations. The charter contract between the proposed authorizer and the school must identify and provide a plan to address any outstanding obligations from the previous contract. The proposed authorizer must submit the proposed contract at least 105 business days before the end of the existing charter contract. The commissioner has 30 business days to review and make a determination on the change in authorizer. The proposed authorizer and the school have 15 business days to respond to the determination and address any issues identified by the commissioner. The commissioner must make a final determination no later than 45 business days before the end of the current charter contract. If the commissioner does not approve a change in authorizer, the school and the current authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the commissioner does not approve a change in authorizer and the current authorizer and the school do not withdraw their letter and enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

Sec. 14. Minnesota Statutes 2023 Supplement, section 124E.11, is amended to read:

124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.

(a) A charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

- (1) pupils within an age group or grade level;
- (2) pupils who are eligible to participate in the graduation incentives program under section 124D.68; or
- (3) residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

(b) A charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), must enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its website, a lottery policy and process that it must use when accepting pupils by lot.

(c) Admission to a charter school must be free to any eligible pupil who resides within the state. A charter school must give enrollment preference to a Minnesota resident pupil over pupils that do not reside in Minnesota. A charter school must require a pupil who does not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f). A charter school must give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A staff member is eligible for an enrollment preference for the staff member's child if the individual is expected to perform work for the school for at least 480 hours in a school calendar year. A charter school that is located in Duluth township in St. Louis County and admits students in kindergarten through grade 6 must give enrollment preference to students residing within a five-mile radius of the school and to the siblings of enrolled children.

(d) A person may not be admitted to a charter school: (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its website a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

(e) Except as permitted in paragraphs (d) and (i), a charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.

(f) The charter school or any agent of the school must not distribute any services or goods, payments, or other incentives of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

(g) Once a student who resides in Minnesota is enrolled in the school in kindergarten through grade 12, or in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until the student formally withdraws, the school receives a request for the transfer of educational records from another school, the school receives a written election by the parent or legal guardian of the student withdrawing the student, or the student is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.

(h) A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause (iv).

(i) A charter school serving at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing may give enrollment preference to students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may not limit admission based on the student's eligibility for additional special education services.

Sec. 15. Minnesota Statutes 2023 Supplement, section 124E.12, subdivision 1, is amended to read:

Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten program established under section 124E.06, subdivision 3, must employ or contract with necessary teachers, as defined by section 122A.06, subdivision 2, or contract with a cooperative formed under chapter 308A to provide necessary teachers, who hold valid licenses to perform the particular service for which they are employed in the school. A charter school may not contract with a CMO or EMO to provide necessary teachers. A charter school's preschool or prekindergarten program must employ or contract with teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction established under section 124E.06, subdivision 3. The commissioner may reduce the charter school's state aid under section 127A.43 if the school employs a teacher who is not appropriately licensed or approved by the Professional Educator Licensing and Standards Board. The school may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services. The school may discharge teachers and nonlicensed employees. The charter school board is subject to section 181.932 governing whistle-blowers. When offering employment to a prospective employee, a charter school must give that employee a written description of the terms and conditions of employment and the school's personnel policies.

Sec. 16. Minnesota Statutes 2022, section 124E.12, subdivision 2, is amended to read:

Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license, may perform administrative, supervisory, or instructional leadership duties. The board of directors shall establish qualifications for all persons who hold administrative, supervisory, or instructional leadership roles. The qualifications shall cover at least: instruction and assessment; human resource and personnel management; financial management; legal and compliance management; effective communication; and board, authorizer, and community relationships. The board of directors shall use those qualifications as the basis for job descriptions, hiring, and performance evaluations of those who hold administrative, supervisory, or instructional leadership roles.~~

~~(b) The board of directors and an individual who does not hold a valid administrative license and who serves in an administrative, supervisory, or instructional leadership position shall develop a professional development plan. The school's annual report must include public personnel information documenting the professional development plan.~~

(a) A charter school board of directors must establish qualifications for all persons who hold administrative, academic supervision, or instructional leadership positions. The qualifications must include a requirement that a person hold a minimum of a four-year degree from an accredited institution or equivalent experience. Other qualifications for these positions shall include, as appropriate for the specific position: instruction and assessment, curriculum design, human resource and personnel management, professional ethics, child development, financial management, legal and compliance management, special education oversight, contract management, effective communication, cultural competency, board and authorizer relationships, parent relationships, and community partnerships. A charter school board of directors must use those qualifications as the basis for the job description, hiring, and performance evaluation of the charter school director or chief administrator. The charter school director or chief administrator must use those qualifications as the basis for the job descriptions, hiring, and performance reviews for the administrative staff, academic program supervisors, and instructional leaders who report to the charter school director or chief administrator.

(b) A person who does not hold a valid administrator's license may perform administrative, academic supervision, or instructional leadership duties. A person without a valid administrator's license serving as a charter school director or chief administrator must complete a minimum of 25 hours annually of competency-based training corresponding to the individual's annual professional development needs and plan approved by the charter school board of directors. Training includes but is not limited to: instruction and curriculum; state standards; teacher and staff hiring, development, support, and evaluation; social-emotional learning; data collection and usage; assessment methodologies; use of technology for learning and management; charter school law and requirements; code of professional ethics; financial management and state accounting requirements; grant management; legal and compliance management; special education management; health and safety laws; restorative justice; cultural competencies; effective communication; parent relationships; board and management relationships; community partnerships; charter contract and authorizer relationships; and public accountability.

(c) A person serving as a charter school director or chief administrator with a valid administrator's license must complete a minimum of ten hours of competency-based training during the first year of employment on the following: charter school law and requirements, board and management relationships, and charter contract and authorizer relationships.

(d) The training a person must complete under paragraphs (b) and (c) may not be self-instructional. The organization or instructor providing the training must certify completion of the training. The person must submit the certification of completion of training to the charter school board of directors and certifications must be maintained in the personnel file. Completing required training must be a component of annual performance evaluations.

(e) All professional development training completed by the charter school director or chief administrator in the previous academic year must be documented in the charter school's annual report.

(f) No charter school administrator may serve as a paid administrator or consultant with another charter school without the knowledge and a two-thirds vote of approval of the boards of directors of the charter schools involved in such an arrangement. The boards of directors involved in such arrangements must send notice of this arrangement to authorizers upon approval by the boards.

(g) No charter school administrator may serve on the board of directors of another charter school.

Sec. 17. Minnesota Statutes 2022, section 124E.14, is amended to read:

124E.14 CONFLICTS OF INTEREST.

(a) No member of the board of directors, employee, officer, or agent of a charter school shall participate in selecting, awarding, or administering a contract if a conflict of interest exists. A conflict exists when:

- (1) the board member, employee, officer, or agent;
- (2) the immediate family of the board member, employee, officer, or agent;
- (3) the partner of the board member, employee, officer, or agent; or
- (4) an organization that employs, or is about to employ any individual in clauses (1) to (3),

has a financial or other interest in the entity with which the charter school is contracting. A violation of this prohibition renders the contract void.

(b) The conflict of interest provisions under this section do not apply to compensation paid to a teacher employed as a teacher by the charter school or a teacher who provides instructional services to the charter school through a cooperative formed under chapter 308A when the teacher also serves on the charter school board of directors.

(c) A charter school board member, employee, or officer is a local official for purposes of section 471.895 with regard to receipt of gifts as defined under section 10A.071, subdivision 1, paragraph (b). A board member, employee, or officer must not receive compensation from a group health insurance provider.

(d) No charter school employee or board member may serve on the board or decision-making committee of the school's authorizer. An employee or school board member must disclose to the school's board of directors any paid compensation they receive from the school's authorizer.

Sec. 18. Minnesota Statutes 2023 Supplement, section 124E.16, subdivision 1, is amended to read:

Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under this subdivision. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing auditing procedures. ~~A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing municipal contracting.~~ The audit must comply with the requirements of sections 123B.75 to 123B.83 governing school district finance, except when the commissioner and authorizer approve a deviation made necessary because of school program finances. The commissioner, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

(b) The charter school must submit an audit report to the commissioner and its authorizer annually by December 31.

(c) The charter school, with the assistance of the auditor conducting the audit, must include with the report, as supplemental information: (1) a copy of a new management agreement or an amendment to a current agreement with a CMO or EMO signed during the audit year; and (2) a copy of a service agreement or contract with a company or individual totaling over five percent of the audited expenditures for the most recent audit year. The agreements must detail the terms of the agreement, including the services provided and the annual costs for those services.

(d) A charter school independent audit report shall include audited financial data of an affiliated building corporation under section 124E.13, subdivision 3, or other component unit.

(e) If the audit report finds that a material weakness exists in the financial reporting systems of a charter school, the charter school must submit a written report to the commissioner explaining how the charter school will resolve that material weakness. An auditor, as a condition of providing financial services to a charter school, must agree to make available information about a charter school's financial audit to the commissioner and authorizer upon request.

Sec. 19. Minnesota Statutes 2022, section 124E.17, is amended to read:

124E.17 DISSEMINATION OF INFORMATION.

Subdivision 1. **Charter school information.** (a) Charter schools must disseminate information about ~~how to use the charter school offerings to targeted groups, among others. Targeted groups include low income families and communities, students of color, and students who are at risk of academic failure.~~ the school's offerings and enrollment procedures to families that reflect the diversity of Minnesota's population and targeted groups. Targeted groups include low-income families and communities, students of color, students at risk of academic failure, and students underrepresented in the school's student body relative to Minnesota's population. The school must document its dissemination activities in the school's annual report. The school's dissemination activities must be a component of the authorizer's performance review of the school.

(b) Authorizers and the commissioner must disseminate information to the public on how to form and operate a charter school. Authorizers, operators, and the commissioner also may disseminate information to interested stakeholders about the successful best practices in teaching and learning demonstrated by charter schools.

Subd. 2. **Financial information.** (a) Upon request of an individual, the charter school must make available in a timely fashion financial statements showing all operations and transactions affecting the school's income, surplus, and deficit during the last annual accounting period; and a balance sheet summarizing assets and liabilities on the closing date of the accounting period. A charter school also must include that same information about its authorizer in other school materials that it makes available to the public.

(b) Upon request of an individual, an authorizer must make available in a timely fashion financial statements showing all operations and transactions affecting the authorizer's income, surplus, and deficit during the last annual accounting period, and a balance sheet summarizing assets and liabilities on the closing date of the accounting period.

Sec. 20. Minnesota Statutes 2022, section 124E.26, is amended to read:

124E.26 USE OF STATE MONEY.

Subdivision 1. **Purchasing buildings.** A charter school may not use state money to purchase land or buildings. The charter school may own land and buildings if obtained through nonstate sources.

Subd. 2. **Procurement policy required.** Prior to the expenditure of any state funds, a charter school must adopt a procurement policy consistent with subdivision 4.

Subd. 3. **All purchases.** All purchases using state funds must be made consistent with the procurement policy adopted under subdivision 2.

Subd. 4. **Required policy components.** A charter school procurement policy must at a minimum include:

- (1) conflict of interest provisions consistent with section 124E.14;
- (2) thresholds for purchases by employees without board approval;
- (3) a requirement to use a competitive bidding process for a purchase that is \$25,000 or more; and
- (4) a prohibition on breaking up a procurement into smaller components to avoid the thresholds established in clauses (2) and (3).

Subd. 5. **Reduction in aid.** If a charter school makes a purchase without a procurement policy adopted by the school's board or makes a purchase not in conformity with the school's procurement policy, the commissioner may reduce that charter school's state aid in an amount equal to the purchase.

Subd. 6. **Property, financial investments, and contracting.** A charter school is subject to and must comply with sections 15.054 and 118A.01 to 118A.06 governing government property and financial investments and sections 471.38, 471.391, 471.392, and 471.425 governing municipal contracting.

ARTICLE 6 NUTRITION AND LIBRARIES

Section 1. Minnesota Statutes 2023 Supplement, section 124D.111, subdivision 2a, is amended to read:

Subd. 2a. **Federal child and adult care food program and federal summer food service program; criteria and notice.** (a) The commissioner must post on the department's website eligibility criteria and application information for nonprofit organizations interested in applying to the commissioner for approval as a multisite sponsoring organization under the federal child and adult care food program and federal summer food service program. The posted criteria and information must inform interested nonprofit organizations about:

(1) the criteria the commissioner uses to approve or disapprove an application, including how an applicant demonstrates financial viability for the Minnesota program, among other criteria;

(2) the commissioner's process and time line for notifying an applicant when its application is approved or disapproved and, if the application is disapproved, the explanation the commissioner provides to the applicant; and

(3) any appeal or other recourse available to a disapproved applicant.

(b) The commissioner must evaluate financial eligibility as part of the application process. An organization applying to be a prospective ~~sponsor~~ nonprofit multisite sponsoring organization for the federal child and adult ~~care~~ food ~~care~~ program or the federal summer food service program must provide documentation of financial viability as an organization. Documentation must include:

(1) evidence that the organization has operated for at least one year and has filed at least one tax return;

(2) the most recent tax return submitted by the organization and corresponding forms and financial statements;

(3) a profit and loss statement and balance sheet or similar financial information; and

(4) evidence that at least ten percent of the organization's operating revenue comes from sources other than the United States Department of Agriculture child nutrition program and that the organization has additional funds or a performance bond available to cover at least one month of reimbursement claims.

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

Sec. 2. **[134.205] METROPOLITAN LIBRARY SERVICE AGENCY.**

Notwithstanding Minnesota Rules, part 3530.1000, item A, beginning April 1, 2024, the Metropolitan Library Service Agency may employ an executive director who does not hold a master's degree in library science.

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

ARTICLE 7
HEALTH AND SAFETY

Section 1. Minnesota Statutes 2022, section 120B.21, is amended to read:

120B.21 MENTAL HEALTH EDUCATION.

(a) School districts and charter schools are encouraged to provide mental health instruction for students in grades 4 through 12 aligned with local health standards and integrated into existing programs, curriculum, or the general school environment of a district or charter school. The commissioner, in consultation with the commissioner of human services, commissioner of health, and mental health organizations, must, by July 1, 2020, and July 1 of each even-numbered year thereafter, provide districts and charter schools with resources gathered by Minnesota mental health advocates, including:

(1) age-appropriate model learning activities for grades 4 through 12 that encompass the mental health components of the National Health Education Standards and the benchmarks developed by the department's quality teaching network in health and best practices in mental health education; and

(2) a directory of resources for planning and implementing age-appropriate mental health curriculum and instruction in grades 4 through 12 that includes resources on suicide and self-harm prevention. A district or charter school providing instruction or presentations on preventing suicide or self-harm must use either the resources provided by the commissioner or other evidence-based instruction.

(b) Starting in the 2026-2027 school year, school districts and charter schools must provide mental health instruction in accordance with paragraph (a).

Sec. 2. **[121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH.**

(a) Beginning October 1, 2024, to the extent space is available, a school district or charter school must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.

(b) The space must provide a student privacy to receive mental health care.

(c) A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.

(d) A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.

Sec. 3. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:

Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that are:

- (1) purchased without a prescription;
- (2) used by a pupil who is 18 years old or older;
- (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
- (4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- (5) used off the school grounds;
- (6) used in connection with athletics or extra curricular activities;
- (7) used in connection with activities that occur before or after the regular school day;
- (8) provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12;
- (9) prescription asthma or reactive airway disease medications self-administered by a pupil with an asthma inhaler, consistent with section 121A.221, if the district has received a written authorization from the pupil's parent permitting the pupil to self-administer the medication, the inhaler is properly labeled for that student, and the parent has not requested school personnel to administer the medication to the pupil. The parent must submit written authorization for the pupil to self-administer the medication each school year; or
- (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that (i) the pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and requires immediate access to epinephrine auto-injectors that the parent provides properly labeled to the school for the pupil as needed.

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

Sec. 4. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

Subd. 4. **Administration.** Drugs and medicine subject to this section must be administered in a manner consistent with instructions on the label. Drugs and medicine subject to this section must be administered, to the extent possible, according to school board procedures that must be developed in consultation:

- (1) with a ~~school~~ licensed nurse, in a district that employs a ~~school~~ licensed nurse under section 148.171;

(2) with a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;

(3) with a public or private health or health-related organization, in a district that contracts with a public or private health or health-related organization, according to section 121A.21; or

(4) with the appropriate party, in a district that has an arrangement approved by the commissioner of education, according to section 121A.21.

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

Sec. 5. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

(b) Registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under section 148.235, subdivision 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

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

Sec. 6. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency responsible for investigating allegations of maltreatment in child foster care, family child care, legally nonlicensed child care, and reports involving children served by an unlicensed personal care provider organization under section 256B.0659. Copies of findings related to personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.

(b) The Department of Human Services is the agency responsible for screening and investigating allegations of maltreatment in juvenile correctional facilities listed under section 241.021 located in the local welfare agency's county and in facilities licensed or certified under chapters 245A, 245D, and 245H, except for child foster care and family child care.

(c) The Department of Health is the agency responsible for screening and investigating allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43 to 144A.482 or chapter 144H.

(d) The Department of Education is the agency responsible for screening and investigating allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11, and 13, and chapter 124E. The Department of Education's responsibility to screen and investigate includes allegations of maltreatment involving students 18 ~~to~~ through 21 years of age, including students receiving special education services, up to and including graduation and the issuance of a secondary or high school diploma.

(e) A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

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

ARTICLE 8 STATE AGENCIES

Section 1. Minnesota Statutes 2023 Supplement, section 120B.117, subdivision 4, is amended to read:

Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The report must include programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09, 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must, in coordination with the Office of Higher Education and Department of Education, provide policy and funding recommendations related to state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must include recommendations for state policy and funding needed to achieve the goals of this section, plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The ~~2024 initial~~ report must also include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be if established. The board must consult with the Indian Affairs Council and other ethnic councils along with other community partners, including students of color and American Indian students, in developing the report. ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance by November 3, 2025, for the initial report, and by November 3 each even-numbered year thereafter. The report must be available to the public on the board's website.

Sec. 2. Minnesota Statutes 2022, section 120B.13, subdivision 4, is amended to read:

Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** (a) The commissioner shall submit the following information on rigorous course taking, disaggregated by student subgroup, school district, and postsecondary institution, to the education committees of the legislature by July 1, 2025, and each subsequent year by ~~February~~ July 1:

(1) the number of pupils enrolled in postsecondary enrollment options under section 124D.09, including concurrent enrollment, career and technical education courses offered as a concurrent enrollment course, advanced placement, and international baccalaureate courses in each school district;

(2) the number of teachers in each district attending training programs offered by the college board, International Baccalaureate North America, Inc., or Minnesota concurrent enrollment programs;

(3) the number of teachers in each district participating in support programs;

(4) recent trends in the field of postsecondary enrollment options under section 124D.09, including concurrent enrollment, advanced placement, and international baccalaureate programs;

(5) expenditures for each category in this section and under sections 124D.09 and 124D.091, including career and technical education courses offered as a concurrent enrollment course; and

(6) other recommendations for the state program or the postsecondary enrollment options under section 124D.09, including concurrent enrollment.

(b) The commissioner must include data from the 2022-2023 and 2023-2024 school years in the report due on July 1, 2025.

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

Sec. 3. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended to read:

Subd. 2. **Definition.** For purposes of this section, "health services specialist" means a professional registered nurse who:

(1) is licensed as a public health nurse in Minnesota;

(2) is licensed as a school nurse in Minnesota;

(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools; and

(4) has experience in managing a districtwide health policy, ~~overseeing a budget, and supervising personnel; and.~~

~~(5) has a graduate degree in nursing, public health, education, or a related field.~~

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

Sec. 4. Minnesota Statutes 2022, section 122A.091, subdivision 5, is amended to read:

Subd. 5. ~~**Survey of districts**~~ **Supply and demand report.** ~~(a) The Professional Educator Licensing and Standards Board must survey the state's school districts and teacher preparation programs and submit a report to the education committees of the legislature by February 1, 2019, and each odd-numbered November 1, 2025, and November 1 of each even-numbered year thereafter, on the status of teacher early supply and demand of teachers. The report must be made available on the board's website. The report must include data regarding:~~

~~(1) retirement patterns; the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school;.~~

(2) teacher licensure;

(3) teacher diversity, including whether the state's teacher workforce reflects the diversity of the state's student population;

(4) the teacher shortage, and the substitute teacher shortage, including patterns and shortages in licensure field areas and the economic development regions of the state;.

(5) survey data from school districts and teacher preparation programs; and

~~(b) The report must also include:~~

~~(1) aggregate data on teachers' self-reported race and ethnicity;~~

~~(2) data on how~~ (6) whether districts are making progress in hiring teachers and substitute teachers in the areas of shortage; and.

~~(3) a five-year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five-year period.~~

Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and Standards Board must issue the following teacher licenses to applicants who meet the qualifications prescribed by this chapter:

- (1) Tier 1 license under section 122A.181;
- (2) Tier 2 license under section 122A.182;
- (3) Tier 3 license under section 122A.183; and
- (4) Tier 4 license under section 122A.184.

(b) The Board of School Administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

(c) The Professional Educator Licensing and Standards Board and the Department of Education must enter into a data sharing agreement to share:

(1) educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern; and

(2) data in the staff automated reporting system for the limited purpose of managing and processing funding to school districts and other entities. The board has authority to collect nonlicensed staff data on behalf of the Department of Education, which is responsible for managing the nonlicensed staff data.

(d) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

(e) For purposes of the data sharing agreements under paragraphs (c) and (d), the Professional Educator Licensing and Standards Board, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

Sec. 6. Minnesota Statutes 2022, section 127A.70, subdivision 1, is amended to read:

Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is established to create a seamless system of education that maximizes achievements of all students, from early childhood through elementary, secondary, and postsecondary education, while promoting the efficient use of financial and human resources. The partnership shall consist of major statewide educational groups or constituencies or noneducational statewide organizations with a stated interest in P-20 education. The initial membership of the partnership includes the members serving on the Minnesota P-16 Education Partnership and four legislators appointed as follows:

(1) one senator from the majority party and one senator from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and

(2) one member of the house of representatives appointed by the speaker of the house and one member appointed by the minority leader of the house of representatives.

(b) The chair of the P-16 education partnership must convene the first meeting of the P-20 partnership. Prospective members may be nominated by any partnership member and new members will be added with the approval of a two-thirds majority of the partnership. The partnership will also seek input from nonmember organizations whose expertise can help inform the partnership's work.

(c) Partnership members shall be represented by the chief executives, presidents, or other formally designated leaders of their respective organizations, or their designees. The partnership shall meet at least three times during each calendar year.

~~(d) The P-20 education partnership shall be the state council for the Interstate Compact on Educational Opportunity for Military Children under section 127A.85 with the commissioner or commissioner's designee serving as the compact commissioner responsible for the administration and management of the state's participation in the compact. When conducting business required under section 127A.85, the P-20 partnership shall include a representative from a military installation appointed by the adjutant general of the Minnesota National Guard.~~

Sec. 7. **[127A.82] MILITARY INTERSTATE CHILDREN'S COMPACT STATE COUNCIL.**

Subdivision 1. Establishment; membership. (a) A Military Interstate Children's Compact State Council is established to provide for the coordination among state agencies, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children established in section 127A.85, otherwise known as the Military Interstate Children's Compact, and Interstate Commission activities.

(b) Council membership must include at least:

(1) the commissioner;

(2) a superintendent, appointed by the commissioner, of a school district or charter school with a high concentration of military children;

(3) a representative from a military installation appointed by the adjutant general;

(4) one member of the house of representatives appointed by the speaker of the house;

(5) one senator appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and

(6) other offices and stakeholder groups the council deems appropriate.

If the commissioner determines there is not a school district deemed to contain a high concentration of military children, the commissioner may appoint a superintendent from another school district to represent local education agencies on the council.

(c) The council must appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of section 127A.85.

(d) The compact commissioner responsible for the administration and management of the state's participation in the compact must be appointed by the commissioner.

(e) The compact commissioner and the military family education liaison designated herein shall be ex officio members of the council, unless either is already a full voting member of the council.

(f) Members of the council serve without compensation or payment of expenses.

Subd. 2. Powers and duties; report. (a) The council may develop recommendations to the governor and the legislature designed to facilitate successful educational transitions for children of military families under the compact.

(b) The commissioner must schedule and hold a meeting of the council no less than once per state fiscal year.

(c) The council must produce meeting agendas that are made publicly available before each meeting and maintain meeting minutes that are made publicly available once they are approved by the council.

(d) By January 15 of each odd-numbered year, the council shall submit a report to the governor and to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over kindergarten through grade 12 education policy and finance and military affairs that summarizes the council's progress in meeting its goals and identifies the need for any draft legislation to facilitate successful educational transitions for children of military families.

Sec. 8. [127A.84] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF MILITARY SERVICE MEMBERS.

(a) Notwithstanding section 127A.85, article III, and for the purposes of intrastate student transfers between Minnesota local education agencies, the provisions of the Interstate Compact on Educational Opportunity for Military Children in section 127A.85 apply to minor dependent children of members of the active and activated reserve components of the uniformed services, including but not limited to members of the Minnesota Army National Guard and the Minnesota Air National Guard.

(b) This section does not apply to interstate transfers between Minnesota local education agencies and public or private schools in other states.

(c) For the purposes of this section, the words defined in section 127A.85, article II, have the same meanings.

Sec. 9. [127A.853] PURPLE STAR SCHOOL DESIGNATION.

Subdivision 1. Definition. For purposes of this section, "military-connected student" means a student who has an immediate family member, including a parent or sibling, who: (1) is currently a member of the armed forces serving as either a reservist or on active duty in the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; (2) is currently serving in the National Guard; (3) has recently retired from the armed forces; or (4) is the dependent of a member of the armed forces who was killed in the line of duty.

Subd. 2. Purple Star School. (a) The commissioner of education may designate a school as a Purple Star School if the school:

(1) has a designated staff member serving as a military liaison whose duties include:

(i) identifying military-connected students enrolled at the school;

- (ii) serving as the point of contact between the school and military-connected students and families;
 - (iii) determining appropriate school services available to military-connected students; and
 - (iv) assisting in coordinating school programs relevant to military-connected students;
- (2) maintains easily accessible information on the school website that includes resources for military-connected students and families, including information regarding:
 - (i) student relocation, student enrollment, student registration, and transfer of school records;
 - (ii) academic planning, course offerings, and advanced classes available at the school;
 - (iii) counseling and other support services available for military-connected students enrolled at the school; and
 - (iv) the designated military liaison under clause (1);
- (3) offers a transition program led by students, where appropriate, that assists military-connected students in transitioning into the school;
- (4) offers professional development opportunities for staff members on issues related to military-connected students; and
- (5) offers at least one of the following:
 - (i) a resolution showing support for military-connected students and families;
 - (ii) recognition of the Month of the Military Child or Military Family Month with relevant events hosted by the school; or
 - (iii) a partnership with a local military installation that provides opportunities for active duty military members to volunteer at the school, speak at an assembly, or host a field trip.
- (b) The commissioner must establish a process for schools to seek Purple Star School designation by July 1, 2026. The commissioner may award Purple Star School designations starting in the 2026-2027 school year, and on an ongoing basis as schools meet qualifications for the designation."

Delete the title and insert:

"A bill for an act relating to education; modifying provisions for prekindergarten through grade 12 education including general education, education excellence, teachers, special education, charter schools, nutrition and libraries, health and safety, and state agencies; requiring reports; amending Minnesota Statutes 2022, sections 120A.35; 120B.022, subdivisions 1a, 1b; 120B.13, subdivision 4; 120B.21; 121A.22, subdivisions 2, 4; 121A.2207, subdivision 1; 122A.091, subdivision 5; 122A.092, by adding a subdivision; 122A.181, by adding a subdivision; 122A.182, by adding a subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision; 124D.09, subdivisions 2, 7, 9, 10, 10b, 11; 124D.12; 124D.60, subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5; 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14; 124E.17; 124E.26; 127A.70, subdivision 1; 260E.14, subdivision 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021, subdivision 1; 120B.024, subdivision 1; 120B.11, subdivisions 1, 1a, 2; 120B.117, subdivision 4; 120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.20, subdivision 2; 122A.18, subdivision 1; 122A.181, subdivision 2; 122A.183, subdivision 2;

122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.631, subdivisions 2, 4; 122A.70, subdivision 2; 124D.09, subdivisions 5, 12; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1; 124E.16, subdivision 1; 125A.08; 126C.40, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 121A; 122A; 127A; 134; repealing Minnesota Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451, subdivision 9; Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4."

The motion prevailed and the amendment was adopted.

Tabke moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 7, after line 24, insert:

"Sec. 8. **ALTERNATIVE TO PUBLISHING.**

Notwithstanding any law to the contrary the following school districts may publish their official proceedings on their websites instead of publishing them in a newspaper: Shakopee, Jordan, Prior Lake, and Eastern Carver County. This section expires August 1, 2026.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Tabke moved to amend the Tabke amendment to S. F. No. 3567, the second engrossment, as amended, as follows:

Page 1, line 5, after "contrary" insert a comma

Page 1, line 6, after the colon, insert "Independent School District No. 720," and delete the second comma and insert a semicolon

Page 1, line 7, delete everything before the first period and insert "Independent School District No. 717, Jordan; Independent School District No. 719, Prior Lake-Savage; Independent School District No. 112, Eastern Carver County; Independent School District No. 465, Litchfield; and Independent School District No. 423, Hutchinson"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Tabke amendment, as amended, to S. F. No. 3567, the second engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Urdahl moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 37, after line 2, insert:

"Sec. 10. Minnesota Statutes 2022, section 122A.33, subdivision 2, is amended to read:

Subd. 2. **Annual contract.** (a) Notwithstanding section 122A.58, a person employed as a head varsity coach has an annual contract as a coach that the school board may or may not renew as the board sees fit.

(b) A school board must provide written notice to a coach whose contract the school board declines to renew for the following school year no more than 60 days after the end of the regular season for the activity, as established by the high school league under chapter 128C. The notice requirement of this paragraph does not apply if the school board declines to renew the contract based on the coach's misconduct or failure to perform duties, or the district's financial limitations.

EFFECTIVE DATE. This section is effective July 1, 2024."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Urdahl moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 73, after line 27, insert:

"Sec. 2. **[121A.033] NOTICE; DISSEMINATION OF PRIVATE IMAGES.**

(a) The commissioner of education must, using existing resources, develop a model notice that districts or schools can provide to students and parents or guardians about the legal, social, behavioral, and mental health implications of and impact to students and student families regarding the dissemination of private sexual images as specified in section 617.261. The commissioner may consult with the commissioner of health and the Office of the Attorney General to develop the model notice.

(b) A district or school may provide a copy of the notice developed under paragraph (a) to students and parents or guardians."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bakeberg moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 20, after line 26, insert:

"(d) A school, school district, or charter school may provide a student's parent access to the student's individual student performance data and achievement report that is made available under paragraph (b), clause (1), when the performance data and report is available to the school, school district, or charter school."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Bennett moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 35, delete section 7 and insert:

"Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical knowledge and examinations or assessments of licensure field specific content. ~~An applicant is exempt from the examination requirements if the applicant completed:~~

- ~~(1) a board approved teacher preparation program;~~
- ~~(2) licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio has been approved; or~~
- ~~(3) a state approved teacher preparation program in another state and passed licensure examinations in that state, if applicable.~~ The content examination requirement does not apply if no relevant content exam exists.

(b) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses in elementary education to pass an examination or performance assessment of knowledge, skill, and ability to provide evidence-based literacy instruction. Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must demonstrate their knowledge and understanding of structured literacy as defined in section 120B.1118, and ability to provide instruction and assess student proficiency in reading, on an examination approved or adopted by the board.

(c) For all examinations required under this subdivision, the board may allow applicants to demonstrate their knowledge and understanding through an interview or other performance assessment.

~~(b)~~ (d) All testing centers in the state must provide monthly opportunities for untimed content and pedagogy examinations. These opportunities must be advertised on the test registration website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free,

comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Bennett amendment and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Perryman | Torkelson |
| Anderson, P. E. | Dotseth | Igo | Murphy | Petersburg | Urdahl |
| Anderson, P. H. | Engen | Jacob | Myers | Pfarr | West |
| Backer | Fogelman | Johnson | Nadeau | Quam | Wiener |
| Bakeberg | Franson | Joy | Nash | Rarick | Wiens |
| Baker | Garofalo | Kiel | Neu Brindley | Robbins | Witte |
| Bennett | Gillman | Knudsen | Newton | Schomacker | Zelevnikar |
| Bliss | Grossell | Koznick | Niska | Schultz | |
| Burkel | Harder | Kresha | Novotny | Scott | |
| Daniels | Heintzeman | Lawrence | O'Driscoll | Skraba | |
| Davids | Hudella | Mekeland | Olson, B. | Swedzinski | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hassan | Klevorn | Nelson, M. | Smith |
| Agbaje | Elkins | Hemmingsen-Jaeger | Koegel | Noor | Stephenson |
| Bahner | Feist | Her | Kotyza-Witthuhn | Norris | Tabke |
| Becker-Finn | Finke | Hicks | Kozlowski | Olson, L. | Vang |
| Berg | Fischer | Hill | Kraft | Pelowski | Virmig |
| Bierman | Frazier | Hollins | Lee, F. | Pérez-Vega | Wolgamott |
| Brand | Frederick | Hornstein | Lee, K. | Pinto | Xiong |
| Carroll | Freiberg | Howard | Liebling | Pryor | Youakim |
| Cha | Gomez | Huot | Lillie | Pursell | Spk. Hortman |
| Clardy | Greenman | Hussein | Lislegard | Rehm | |
| Coulter | Hansen, R. | Jordan | Long | Reyer | |
| Curran | Hanson, J. | Keeler | Moller | Sencer-Mura | |

The motion did not prevail and the amendment was not adopted.

Bennett moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 33, delete section 2

Page 34, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to paragraphs (b) and (c). Renewal of a Tier 1 license in a special education field is subject to paragraph (d).

(b) The Professional Educator Licensing and Standards Board must renew a Tier 1 license if:

(1) the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position;

(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license;

(3) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 8, within one year of the board approving the request for the initial Tier 1 license; and

(4) the teacher holding the Tier 1 license met the mental illness training renewal requirement under section 122A.187, subdivision 6.

The requirement in clause (2) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.

(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study, or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.

(d) Notwithstanding paragraph (c), a Tier 1 license in a special education field may not be renewed more than two times. The good cause exception for additional renewals does not apply to a Tier 1 license in a special education field.

EFFECTIVE DATE. This section is effective July 1, 2024."

Renumber the sections in sequence and correct the internal references

The motion did not prevail and the amendment was not adopted.

Bennett moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 47, delete section 2 and insert:

"Sec. 2. **SPECIAL EDUCATION LICENSURE STREAMLINING CHANGES.**

The Professional Educator Licensing and Standards Board must review requirements for a person with a special education license from another state to qualify for a special education license in Minnesota, and make changes necessary to streamline requirements for out-of-state applicants.

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

The motion did not prevail and the amendment was not adopted.

Knudsen moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 22, delete section 14

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Knudsen amendment and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Perryman | Torkelson |
| Anderson, P. E. | Dotseth | Igo | Murphy | Petersburg | Urdahl |
| Anderson, P. H. | Engen | Jacob | Myers | Pfarr | West |
| Backer | Fogelman | Johnson | Nadeau | Quam | Wiener |
| Bakeberg | Franson | Joy | Nash | Rarick | Wiens |
| Baker | Garofalo | Kiel | Neu Brindley | Robbins | Witte |
| Bennett | Gillman | Knudsen | Newton | Schomacker | Zelevnikar |
| Bliss | Grossell | Koznick | Niska | Schultz | |
| Burkel | Harder | Kresha | Novotny | Scott | |
| Daniels | Heintzeman | Lawrence | O'Driscoll | Skraba | |
| Davids | Hudella | Mekeland | Olson, B. | Swedzinski | |

Those who voted in the negative were:

| | | | | | |
|-------------|---------|-----------|-------------------|-----------|-----------------|
| Acomb | Carroll | Feist | Greenman | Hill | Keeler |
| Agbaje | Cha | Finke | Hansen, R. | Hollins | Klevorn |
| Bahner | Clardy | Fischer | Hanson, J. | Hornstein | Koegel |
| Becker-Finn | Coulter | Frazier | Hassan | Howard | Kotyza-Witthuhn |
| Berg | Curran | Frederick | Hemmingsen-Jaeger | Huot | Kozlowski |
| Bierman | Edelson | Freiberg | Her | Hussein | Kraft |
| Brand | Elkins | Gomez | Hicks | Jordan | Lee, F. |

| | | | | | |
|-----------|------------|------------|-------------|------------|--------------|
| Lee, K. | Moller | Pelowski | Rehm | Tabke | Youakim |
| Liebling | Nelson, M. | Pérez-Vega | Reyer | Vang | Spk. Hortman |
| Lillie | Noor | Pinto | Sencer-Mura | Virnig | |
| Lislegard | Norris | Pryor | Smith | Wolgammott | |
| Long | Olson, L. | Pursell | Stephenson | Xiong | |

The motion did not prevail and the amendment was not adopted.

Knudsen moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 21, after line 26, insert:

"Subd. 4. **Report to parents.** (a) By the end of a school year in which a student is administered a statewide assessment, using existing resources, the commissioner must provide a report to the parent or guardian of the student that contains the following information about the student's performance on the assessment:

(1) the student's score on the statewide assessment; and

(2) the student's achievement level on the statewide assessment, identified as does not meet standards, partially meets standards, meets standards, or exceeds standards.

(b) The report must provide information on whether a student that meets or exceeds standards, based on the statewide assessment, is considered grade-level proficient."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Knudsen amendment and the roll was called. There were 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zeleznikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|------------|--------------|
| Acomb | Edelson | Hassan | Klevorn | Nelson, M. | Sencer-Mura |
| Agbaje | Elkins | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Bahner | Feist | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Becker-Finn | Finke | Hicks | Kozlowski | Norris | Tabke |
| Berg | Fischer | Hill | Kraft | Olson, L. | Vang |
| Bierman | Frazier | Hollins | Lee, F. | Pelowski | Virnig |
| 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 and the amendment was not adopted.

Fischer was excused for the remainder of today's session.

Mueller moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 42, after line 18, insert:

"Sec. 12. Minnesota Statutes 2023 Supplement, section 122A.441, is amended to read:

122A.441 SHORT-CALL SUBSTITUTE TEACHER PILOT PROGRAM.

(a) A school district or charter school and applicant may jointly request the Professional Educator Licensing and Standards Board approve an application for a short-call substitute teaching license. The application information must sufficiently demonstrate the following:

(1) the applicant:

(i) holds a minimum of an associate's degree or equivalent and has or will receive substitute training from the school district or charter school; or

(ii) holds a minimum of a high school diploma or equivalent and has been employed as an education support personnel or paraprofessional within the district or charter school for at least one academic year; and

(2) the school district or charter school has obtained the results of a background check completed in accordance with section 123B.03.

(b) The Professional Educator Licensing and Standards Board may issue a temporary teaching license under this section pending a background check under section 122A.18, subdivision 8, and may immediately suspend or revoke the license upon receiving background check information. An applicant submitting an application for a short-call substitute teaching license in accordance with section 122A.18, subdivision 7a, paragraph (a), must not be required to complete a joint application with a district and must not be issued a license pending a background check under section 122A.18, subdivision 8.

(c) The board may prioritize short-call substitute teaching license applications to expedite the review process.

(d) A school district or charter school must provide a substitute teacher who receives a substitute teaching license through the pilot program with substitute teacher training. The board may remove a school district or charter school from the pilot program for failure to provide the required training.

(e) A school district or charter school must not require an employee to apply for a substitute teaching license, or retaliate against an employee that does not apply for a substitute teaching license under the pilot program.

(f) A school district or charter school must compensate an employee working as a short-call substitute teacher under the pilot program with ~~the either the same rate of pay as other short-call substitute teachers in the school district or charter school or the employee's existing rate of pay, whichever is greater of \$200 per day or the employee's regular rate of pay.~~

(g) This section expires on June 30, ~~2025~~ 2027.

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

Renumber the sections in sequence and correct internal references

A roll call was requested and properly seconded.

The question was taken on the Mueller amendment and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zelevnikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Agbaje | Elkins | Her | Kotzya-Witthuhn | Noor | Stephenson |
| Bahner | Feist | Hicks | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hill | Kraft | Olson, L. | Vang |
| Berg | Frazier | Hollins | Lee, F. | Pelowski | Virinig |
| Bierman | Frederick | Hornstein | Lee, K. | Pérez-Vega | Wolgamott |
| Brand | Freiberg | Howard | Liebling | Pinto | Xiong |
| Carroll | Gomez | Huot | Lillie | Pryor | Youakim |
| Cha | Greenman | Hussein | Lislegard | Pursell | Spk. Hortman |
| Clardy | Hansen, R. | Jordan | Long | Rehm | |
| Coulter | Hanson, J. | Keeler | Moller | Reyer | |
| Curran | Hassan | Klevorn | Nelson, M. | Sencer-Mura | |

The motion did not prevail and the amendment was not adopted.

Mueller moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 44, after line 26, insert:

"ARTICLE 4
THE READ ACT

Section 1. Minnesota Statutes 2023 Supplement, section 120B.1117, is amended to read:

120B.1117 TITLE; THE READ ACT.

Subdivision 1. Title. Sections 120B.1117 to 120B.124 may be cited as the "Reading to Ensure Academic Development Act" or the "Read Act."

Subd. 2. Policy. It is the intent of the legislature that public schools promote foundational literacy and grade-level reading proficiency through the use of curriculum, textbooks, instructional materials, instructional practices, interventions, and teacher development and training based solely on the science of reading.

Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 4, is amended to read:

Subd. 4. **Evidence-based.** ~~"Evidence-based" or "science of reading" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension~~ science-based reading research. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system, as defined in subdivision 16.

Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding a subdivision to read:

Subd. 14a. Science-based reading research. "Science-based reading research" means research that:

(1) applies rigorous, systematic, and objective observational or experimental procedures to obtain knowledge relevant to reading development, reading instruction, and reading and writing difficulties; and

(2) explains how proficient reading and writing develop, why some children have difficulties developing key literacy skills, and how schools can best assess and instruct early literacy, including the use of evidence-based literacy instruction practices to promote reading and writing achievement.

Sec. 4. Minnesota Statutes 2023 Supplement, section 122A.091, subdivision 1, is amended to read:

Subdivision 1. **Teacher and administrator preparation and performance data; report.** (a) The Professional Educator Licensing and Standards Board and the Board of School Administrators, in cooperation with board-approved teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Professional Educator Licensing and Standards Board and the Board of School Administrators annually by July 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on their respective websites.

(b) Publicly reported summary data on teacher preparation providers must include:

(1) summary data on teacher educator qualifications and their years of experience either as birth through grade 12 classroom teachers or school administrators;

(2) the current number and percentage of enrolled candidates who entered the program through a transfer pathway disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(3) the current number and percentage of program completers by program who received a Tier 3 or Tier 4 license disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(4) the current number and percentage of program completers who entered the program through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(5) the current number and percentage of program completers who were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(6) the current number and percentage of program completers who entered the program through a transfer pathway and who were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(7) board-adopted survey results measuring initial licensure program quality and structure in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(8) board-adopted survey results from school principals or supervisors on initial licensure program quality and structure; and

(9) the number and percentage of program completers who met or exceeded the state threshold score on ~~the~~ a board-adopted teacher examination or performance assessment required under section 122A.185.

Program reporting must be consistent with subdivision 2.

(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include:

(1) summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and the years of experience either as kindergarten through grade 12 classroom teachers or school administrators;

(2) the average time program graduates in the preceding year needed to complete the program;

(3) the current number and percentage of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(4) the number of credits by graduate program that students in the preceding school year needed to complete to graduate;

(5) survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; and

(6) information under subdivision 3, paragraphs (c) and (d).

Program reporting must be consistent with section 122A.14, subdivision 10.

Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical knowledge and examinations or assessments of licensure field specific content. An applicant is exempt from the examination requirements if the applicant completed:

(1) a board-approved teacher preparation program;

(2) licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio has been approved; or

(3) a state-approved teacher preparation program in another state and passed licensure examinations in that state, if applicable. The content examination requirement does not apply if no relevant content exam exists.

(b) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses in elementary education to pass an examination or performance assessment of knowledge, skill, and ability to teach the science of reading, as defined in section 120B.1118.

~~(b)~~ (c) All testing centers in the state must provide monthly opportunities for untimed content and pedagogy examinations. These opportunities must be advertised on the test registration website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free, comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee.

Sec. 6. **SUSPENSION OF NON-LITERACY MANDATES.**

A school board may adopt a resolution declaring an urgency in meeting the requirements of section 120B.12. If a school board adopts the resolution, the school board is not required to implement mandates established under Laws 2023, chapter 55, articles 1, 2, and 4 to 12 until July 1, 2027.

Sec. 7. **TEACHER PREPARATION IN READING INSTRUCTION.**

A teacher preparation program approved by the Professional Educator Licensing and Standards Board for teachers of elementary education must require instruction in understanding and applying the science of reading. The board must complete audits of all approved teacher preparation programs by January 1, 2025, to determine whether

the program provides students instruction in reading in accordance with section 122A.092, subdivision 5. The board must place a program not in compliance on immediate probation. A program placed on probation must develop and implement an action plan to comply with this section.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mueller amendment and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zelevnikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Agbaje | Elkins | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Bahner | Feist | Hicks | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hill | Kraft | Olson, L. | Vang |
| Berg | Frazier | Hollins | Lee, F. | Pelowski | Virmig |
| Bierman | Frederick | Hornstein | Lee, K. | Pérez-Vega | Wolgamott |
| Brand | Freiberg | Howard | Liebling | Pinto | Xiong |
| Carroll | Gomez | Huot | Lillie | Pryor | Youakim |
| Cha | Greenman | Hussein | Lislegard | Pursell | Spk. Hortman |
| Clardy | Hansen, R. | Jordan | Long | Rehm | |
| Coulter | Hanson, J. | Keeler | Moller | Reyer | |
| Curran | Hassan | Klevorn | Nelson, M. | Sencer-Mura | |

The motion did not prevail and the amendment was not adopted.

Mueller moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 32, after line 28, insert:

"Sec. 26. **SUSPENSION OF NONLITERACY MANDATES.**

A school board may adopt a resolution declaring an urgency in meeting the requirements of Minnesota Statutes, section 120B.12. If a school board adopts the resolution, the school board is not required to implement mandates established under Laws 2023, chapter 55, articles 1, 2, and 4 to 12, until July 1, 2027."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mueller amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|----------|------------|--------------|------------|------------|
| Altendorf | Davids | Heintzeman | Kresha | Novotny | Schultz |
| Anderson, P. E. | Davis | Hudella | Lawrence | O'Driscoll | Scott |
| Anderson, P. H. | Dotseth | Hudson | Mekeland | Olson, B. | Skraba |
| Backer | Engen | Igo | Mueller | Perryman | Swedzinski |
| Bakeberg | Fogelman | Jacob | Murphy | Petersburg | Torkelson |
| Baker | Franson | Johnson | Myers | Pfarr | West |
| Bennett | Garofalo | Joy | Nadeau | Quam | Wiener |
| Bliss | Gillman | Kiel | Nash | Rarick | Wiens |
| Burkel | Grossell | Knudsen | Neu Brindley | Robbins | Witte |
| Daniels | Harder | Koznick | Niska | Schomacker | Zelevnikar |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Agbaje | Elkins | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Bahner | Feist | Hicks | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hill | Kraft | Olson, L. | Urdahl |
| Berg | Frazier | Hollins | Lee, F. | Pelowski | Vang |
| Bierman | Frederick | Hornstein | Lee, K. | Pérez-Vega | Virnig |
| Brand | Freiberg | Howard | Liebling | Pinto | Wolgamott |
| Carroll | Gomez | Huot | Lillie | Pryor | Xiong |
| Cha | Greenman | Hussein | Lislegard | Pursell | Youakim |
| Clardy | Hansen, R. | Jordan | Long | Rehm | Spk. Hortman |
| Coulter | Hanson, J. | Keeler | Moller | Reyer | |
| Curran | Hassan | Klevorn | Nelson, M. | Sencer-Mura | |

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 9, after line 11, insert:

"Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 4, is amended to read:

Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must revise the state's academic standards and graduation requirements and implement a ten-year cycle to review and, consistent with the review, revise state academic standards and related benchmarks, consistent with this subdivision. During each ten-year review and revision cycle, the commissioner also must examine the alignment of each required academic standard and related benchmark with the knowledge and skills students need for career and college readiness and advanced work in the particular subject area. The commissioner must include the contributions of Minnesota American Indian Tribes and communities, including urban Indigenous communities, as related to the academic standards during the review and revision of the required academic standards. The commissioner must embed Indigenous education for all students consistent with recommendations from Tribal Nations and urban Indigenous communities in Minnesota regarding the contributions of American Indian Tribes and communities in Minnesota into the state's academic standards during the review and revision of the required academic standards. The recommendations to embed Indigenous education for all students includes but is not limited to American Indian experiences in Minnesota, including Tribal histories, Indigenous languages, sovereignty issues, cultures, treaty rights, governments, socioeconomic experiences, contemporary issues, and current events.

(b) The commissioner must ensure that the statewide mathematics assessments administered to students in grades 3 through 8 and 11 are aligned with the state academic standards in mathematics, consistent with section 120B.302, subdivision 3, paragraph (a). The commissioner must implement a review of the academic standards and related benchmarks in mathematics beginning in the 2021-2022 school year and every ten years thereafter.

(c) The commissioner must implement a review of the academic standards and related benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

(d) The commissioner must implement a review of the academic standards and related benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

(e) The commissioner must implement a review of the academic standards and related benchmarks in language arts beginning in the 2019-2020 school year and every ten years thereafter.

(f) The commissioner must implement a review of the academic standards and related benchmarks in social studies beginning in the ~~2020-2021~~ 2030-2031 school year and every ten years thereafter.

(g) The commissioner must implement a review of the academic standards and related benchmarks in physical education beginning in the 2026-2027 school year and every ten years thereafter.

(h) School districts and charter schools must revise and align local academic standards and high school graduation requirements in health, world languages, and career and technical education to require students to complete the revised standards beginning in a school year determined by the school district or charter school. School districts and charter schools must formally establish a periodic review cycle for the academic standards and related benchmarks in health, world languages, and career and technical education.

(i) The commissioner of education must embed technology and information literacy standards consistent with recommendations from school media specialists into the state's academic standards and graduation requirements.

~~(j) The commissioner of education must embed ethnic studies as related to the academic standards during the review and revision of the required academic standards."~~

Page 12, after line 28, insert:

"Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 2, is amended to read:

Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business education program or department may fulfill a one-half credit in social studies under subdivision 1, clause (5), if the credit is sufficient to satisfy all of the academic standards in economics.

(b) An agriculture science or career and technical education credit may fulfill the elective science credit required under subdivision 1, clause (4), if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic standards as approved by the district. A student must satisfy either all of the chemistry academic standards or all of the physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under subdivision 1, clause (4).

(c) A career and technical education credit may fulfill a mathematics or arts credit requirement under subdivision 1, clause (2) or (6).

(d) An agricultural, food, and natural resources education teacher is not required to meet the requirements of Minnesota Rules, part 3505.1150, subpart 2, item B, to meet the credit equivalency requirements of paragraph (b) above.

(e) A computer science credit may fulfill a mathematics credit requirement under subdivision 1, clause (2), if the credit meets state academic standards in mathematics.

(f) A Project Lead the Way credit may fulfill a science or mathematics credit requirement under subdivision 1, clause (2) or (4), if the credit meets the state academic standards in science or mathematics.

~~(g) An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements."~~

Page 13, strike lines 16 to 18

Reletter the paragraphs

Page 32, after line 28, insert:

"Sec. 26. Minnesota Statutes 2023 Supplement, section 124D.861, subdivision 2, is amended to read:

Subd. 2. **Plan implementation; components.** (a) The school board of each eligible district must formally develop and implement a long-term plan under this section. The plan must be incorporated into the district's comprehensive strategic plan under section 120B.11.

(b) The plan must contain goals for:

(1) reducing the disparities in academic achievement and in equitable access to effective and more diverse teachers among all students and specific categories of students under section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender, disability, and English learners; and

(2) increasing racial and economic diversity and integration in schools and districts.

(c) The plan must include strategies to validate, affirm, embrace, and integrate cultural and community strengths of all students, families, and employees in the district's curriculum as well as learning and work environments. The plan must address issues of institutional racism as defined in section 120B.11, subdivision 1, in schools that create opportunity and achievement gaps for students, families, and staff who are of color or who are American Indian. Examples of institutional racism experienced by students who are of color or who are American Indian include policies and practices that intentionally or unintentionally result in disparate discipline referrals and suspension, inequitable access to advanced coursework, overrepresentation in lower-level coursework, inequitable participation in cocurricular activities, inequitable parent involvement, and lack of equitable access to racially and ethnically diverse teachers who reflect the racial or ethnic diversity of students because it has not been a priority to hire or retain such teachers.

(d) School districts must use local data, to the extent practicable, to develop plan components and strategies. Plans may include:

(1) innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices;

(2) family engagement initiatives that involve families in their students' academic life and success and improve relations between home and school;

(3) opportunities for students, families, staff, and community members who are of color or American Indian to share their experiences in the school setting with school staff and administration and to inform the development of specific proposals for making school environments more validating, affirming, embracing, and integrating of their cultural and community strengths;

(4) professional development opportunities for teachers and administrators focused on improving the academic achievement of all students, including knowledge, skills, and dispositions needed to be antiracist and culturally sustaining as defined in section 120B.11, subdivision 1, for serving students who are from racially and ethnically diverse backgrounds;

(5) recruitment and retention of teachers, administrators, cultural and family liaisons, paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented in the student population to strengthen relationships with all students, families, and other members of the community;

(6) collection, examination, and evaluation of academic and discipline data for institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and practices that result in the education disparities, in order to propose antiracist changes as defined in section 120B.11, subdivision 1, that increase access, meaningful participation, representation, and positive outcomes for students of color and American Indian students;

(7) increased programmatic opportunities and effective and more diverse instructors focused on rigor and college and career readiness for students who are impacted by racial, gender, linguistic, and economic disparities, including students enrolled in area learning centers or alternative learning programs under section 123A.05, state-approved alternative programs under section 126C.05, subdivision 15, and contract alternative programs under section 124D.69, among other underserved students; or

~~(8) instruction in ethnic studies, as defined in section 120B.25, to provide all students with opportunities to learn about their own and others' cultures and historical experiences; or~~

~~(9)~~ (8) examination and revision of district curricula in all subjects to be inclusive of diverse racial and ethnic groups while meeting state academic standards and being culturally sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied about any group is accurate and based in knowledge from that group.

(e) Among other requirements, an eligible district must implement effective, research-based interventions that include multiple measures of assessment and engagement in order to eliminate academic disparities for students impacted by racial, gender, linguistic, and economic inequities as aligned with section 120B.11.

(f) Eligible districts must create efficiencies and eliminate duplicative programs and services under this section, which may include forming collaborations or a single, seven-county metropolitan areawide partnership of eligible districts for this purpose.

Sec. 27. **SOCIAL STUDIES STANDARDS SUSPENSION.**

The commissioner of education must suspend adoption and implementation of revised social studies standards and benchmarks. School districts and charter schools must continue to provide instruction in social studies aligned with the standards and benchmarks adopted in 2012 until the statewide rules implementing the social studies standards that are revised beginning in the 2030-2031 school year are effective.

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

Page 32, delete section 26 and insert:

"Sec. 26. **REPEALER.**

(a) Minnesota Statutes 2022, section 120B.31, subdivisions 2 and 6, are repealed.

(b) Minnesota Statutes 2023 Supplement, sections 120B.25; and 120B.251, are repealed.

(c) Laws 2023, chapter 55, article 2, section 60, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kresha amendment and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|---------|----------|----------|------------|---------|
| Altendorf | Baker | Davids | Franson | Heintzeman | Johnson |
| Anderson, P. E. | Bennett | Davis | Garofalo | Hudella | Joy |
| Anderson, P. H. | Bliss | Dotseth | Gillman | Hudson | Kiel |
| Backer | Burkel | Engen | Grossell | Igo | Knudsen |
| Bakeberg | Daniels | Fogelman | Harder | Jacob | Koznick |

| | | | | | |
|----------|--------------|------------|------------|-----------|------------|
| Kresha | Nadeau | Olson, B. | Robbins | Torkelson | Zelevnikar |
| Lawrence | Nash | Perryman | Schomacker | Urdahl | |
| Mekeland | Neu Brindley | Petersburg | Schultz | West | |
| Mueller | Niska | Pfarr | Scott | Wiener | |
| Murphy | Novotny | Quam | Skraba | Wiens | |
| Myers | O'Driscoll | Rarick | Swedzinski | Witte | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Agbaje | Elkins | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Bahner | Feist | Hicks | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hill | Kraft | Olson, L. | Vang |
| Berg | Frazier | Hollins | Lee, F. | Pelowski | Virmig |
| Bierman | Frederick | Hornstein | Lee, K. | Pérez-Vega | Wolgamott |
| Brand | Freiberg | Howard | Liebling | Pinto | Xiong |
| Carroll | Gomez | Huot | Lillie | Pryor | Youakim |
| Cha | Greenman | Hussein | Lislegard | Pursell | Spk. Hortman |
| Clardy | Hansen, R. | Jordan | Long | Rehm | |
| Coulter | Hanson, J. | Keeler | Moller | Reyer | |
| Curran | Hassan | Klevorn | Nelson, M. | Sencer-Mura | |

The motion did not prevail and the amendment was not adopted.

Bakeberg moved to amend S. F. No. 3567, the second engrossment, as amended, as follows:

Page 23, after line 27, insert:

"Sec. 15. Minnesota Statutes 2023 Supplement, section 121A.425, subdivision 1, is amended to read:

Subdivision 1. **Disciplinary dismissals prohibited.** (a) A pupil enrolled in the following is not subject to dismissals under this chapter:

(1) a preschool or prekindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or

(2) kindergarten through grade 3.

(b) This provision does not apply to a dismissal from school for less than one school day, except as provided under chapter 125A and federal law for a student receiving special education services.

(c) Notwithstanding this subdivision, expulsions and exclusions may be used ~~only after resources outlined in subdivision 2 have been exhausted, and only~~ in circumstances where there is ~~an ongoing serious~~ a safety threat to the child or others.

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

Sec. 16. Minnesota Statutes 2023 Supplement, section 121A.45, subdivision 1, is amended to read:

Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil without attempting to ~~use nonexclusionary disciplinary policies and practices~~ provide alternative educational services before dismissal proceedings ~~or pupil withdrawal agreements~~, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property.

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

Sec. 17. Minnesota Statutes 2023 Supplement, section 121A.55, is amended to read:

121A.55 POLICIES TO BE ESTABLISHED.

(a) The commissioner of education must promulgate guidelines to assist each school board. Each school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. ~~The policies must include nonexclusionary disciplinary policies and practices consistent with section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems.~~ The policies must be designed to address students' inappropriate behavior from recurring.

(b) The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.

(c) The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission in accordance with section 121A.46, subdivision 5.

(d) For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in section 121A.41, subdivision 13:

(1) for a pupil who remains enrolled in the district or is awaiting enrollment in a new district, a school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. A school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;

(2) a pupil receiving school-based or school-linked mental health services in the district under section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and

(3) a school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the district or charter school website.

(e) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

(f) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

EFFECTIVE DATE. This section is effective July 1, 2024."

Page 32, line 30, before "Minnesota" insert "(a)"

Page 32, after line 30, insert:

"(b) Minnesota Statutes 2023 Supplement, sections 121A.425, subdivision 2; and 121A.611, are repealed.

EFFECTIVE DATE. This section is effective July 1, 2024."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Bakeberg amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Perryman | Torkelson |
| Anderson, P. E. | Dotseth | Igo | Murphy | Petersburg | Urdahl |
| Anderson, P. H. | Engen | Jacob | Myers | Pfarr | West |
| Backer | Fogelman | Johnson | Nadeau | Quam | Wiener |
| Bakeberg | Franson | Joy | Nash | Rarick | Wiens |
| Baker | Garofalo | Kiel | Neu Brindley | Robbins | Witte |
| Bennett | Gillman | Knudsen | Newton | Schomacker | Zeleznikar |
| Bliss | Grossell | Koznick | Niska | Schultz | |
| Burkel | Harder | Kresha | Novotny | Scott | |
| Daniels | Heintzeman | Lawrence | O'Driscoll | Skraba | |
| Davids | Hudella | Mekeland | Olson, B. | Swedzinski | |

Those who voted in the negative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Noor | Stephenson |
| Agbaje | Elkins | Her | Kotzya-Witthuhn | Norris | Tabke |
| Bahner | Feist | Hicks | Kozlowski | Olson, L. | Vang |
| Becker-Finn | Finke | Hill | Kraft | Pelowski | Virnig |
| Berg | Frazier | Hollins | Lee, F. | Pérez-Vega | Wolgamott |
| Bierman | Frederick | Hornstein | Lee, K. | Pinto | Xiong |
| Brand | Freiberg | Howard | Liebling | Pryor | Youakim |
| Carroll | Gomez | Huot | Lillie | Pursell | Spk. Hortman |
| Cha | Greenman | Hussein | Lislegard | Rehm | |
| Clardy | Hansen, R. | Jordan | Long | Reyer | |
| Coulter | Hanson, J. | Keeler | Moller | Sencer-Mura | |
| Curran | Hassan | Klevorn | Nelson, M. | Smith | |

The motion did not prevail and the amendment was not adopted.

S. F. No. 3567, A bill for an act relating to education; modifying provisions for prekindergarten through grade 12 education including general education, education excellence, teachers, Read Act, special education, charter schools, nutrition and libraries, health and safety, early learning, and education partnerships and compacts; requiring reports; amending Minnesota Statutes 2022, sections 120A.05, subdivision 10a, by adding a subdivision; 120A.22, subdivision 12; 120A.35; 120B.022, subdivisions 1a, 1b; 120B.11, as amended; 120B.13, subdivision 4; 120B.234,

subdivisions 1, 2; 121A.22, subdivisions 2, 4; 121A.2207, subdivision 1; 121A.41, subdivision 8; 122A.091, subdivision 5; 122A.181, by adding a subdivision; 122A.182, by adding a subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision; 123B.09, subdivision 10; 123B.37, subdivision 2; 124D.151, as amended; 124D.60, subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5; 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14; 124E.17; 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision 1; 127A.70, subdivision 1; 128C.02, by adding a subdivision; 260E.14, subdivision 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021, subdivision 1; 120B.024, subdivision 1; 120B.1117; 120B.1118, subdivisions 7, 10, by adding a subdivision; 120B.117, subdivision 4; 120B.12, subdivisions 1, 2, 2a, 4, 4a; 120B.123, subdivisions 1, 2, 5; 120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.041, subdivisions 2, 3; 121A.20, subdivision 2; 121A.642, by adding a subdivision; 122A.18, subdivision 1; 122A.181, subdivision 2; 122A.183, subdivision 2; 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.631, subdivisions 2, 4; 122A.70, subdivision 2; 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a; 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124D.901, subdivision 4; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1; 124E.16, subdivision 1; 125A.08; 126C.40, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 127A; 134; repealing Minnesota Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451, subdivision 9; Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4; Laws 2017, First Special Session chapter 5, article 8, section 9.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 69 yeas and 61 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|------------|-------------------|-----------------|-------------|--------------|
| Acomb | Edelson | Hemmingsen-Jaeger | Koegel | Newton | Smith |
| Agbaje | Elkins | Her | Kotyza-Witthuhn | Noor | Stephenson |
| Bahner | Feist | Hicks | Kozlowski | Norris | Tabke |
| Becker-Finn | Finke | Hill | Kraft | Olson, L. | Vang |
| Berg | Frazier | Hollins | Lee, F. | Pelowski | Virnig |
| Bierman | Frederick | Hornstein | Lee, K. | Pérez-Vega | Wolgamott |
| Brand | Freiberg | Howard | Liebling | Pinto | Xiong |
| Carroll | Gomez | Huot | Lillie | Pryor | Youakim |
| Cha | Greenman | Hussein | Lislegard | Pursell | Spk. Hortman |
| Clardy | Hansen, R. | Jordan | Long | Rehm | |
| Coulter | Hanson, J. | Keeler | Moller | Reyer | |
| Curran | Hassan | Klevorn | Nelson, M. | Sencer-Mura | |

Those who voted in the negative were:

| | | | | | |
|-----------------|------------|----------|--------------|------------|------------|
| Altendorf | Davis | Hudson | Mueller | Petersburg | Urdahl |
| Anderson, P. E. | Dotseth | Igo | Murphy | Pfarr | West |
| Anderson, P. H. | Engen | Jacob | Myers | Quam | Wiener |
| Backer | Fogelman | Johnson | Nadeau | Rarick | Wiens |
| Bakeberg | Franson | Joy | Nash | Robbins | Witte |
| Baker | Garofalo | Kiel | Neu Brindley | Schomacker | Zelevnikar |
| Bennett | Gillman | Knudsen | Niska | Schultz | |
| Bliss | Grossell | Koznick | Novotny | Scott | |
| Burkel | Harder | Kresha | O'Driscoll | Skraba | |
| Daniels | Heintzeman | Lawrence | Olson, B. | Swedzinski | |
| Davids | Hudella | Mekeland | Perryman | Torkelson | |

The bill was passed, as amended, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3589, A bill for an act relating to trusts; clarifying in rem jurisdiction for judicial proceedings; amending Minnesota Statutes 2022, sections 501C.0202; 501C.0204, subdivision 1.

THOMAS S. BOTTERN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3436, A bill for an act relating to transportation; modifying various transportation-related provisions, including but not limited to motor vehicles, driving rules, accident reporting requirements, child passenger restraint requirements, roadable aircraft, legislative routes, drivers' licenses and exams, excavation notices, and greater Minnesota transit; establishing criminal penalties; modifying prior appropriations; making technical changes; appropriating money; requiring reports; amending Minnesota Statutes 2022, sections 43A.17, by adding a subdivision; 65B.28, subdivision 2; 161.115, subdivisions 116, 117, by adding a subdivision; 161.321, subdivisions 2, 2b; 168.002, subdivisions 18, 24, 26, 27; 168.013, subdivision 1d; 168.0135, by adding a subdivision; 168.12, subdivision 1; 168.33, subdivision 8a; 168A.085, by adding a subdivision; 168B.035, subdivision 3; 169.011, subdivisions 3a, 44, by adding subdivisions; 169.09, subdivisions 5, 14a, 19; 169.19, subdivision 2; 169.224, subdivision 3; 169.34, subdivision 1; 169.444, subdivision 4; 169.685, subdivisions 4, 5, by adding subdivisions; 169.79, by adding a subdivision; 169.80, by adding a subdivision; 169.801, subdivision 7; 169.974, subdivision 2; 169A.52, subdivision 7; 171.01, subdivisions 40, 41a, 47, by adding a subdivision; 171.06, subdivision 2a; 171.0605, subdivision 2; 171.072; 171.13, subdivision 6, by adding a subdivision; 171.30, subdivisions 2a, 5; 174.03, subdivision 12; 174.22, subdivisions 2b, 7, 12, 14, by adding subdivisions; 174.23, subdivision 2; 174.24, subdivisions 1a, 3b, 3c; 174.247; 174.632, subdivision 2; 174.636, subdivision 1; 216D.01, subdivision 12, by adding subdivisions; 216D.03, by adding a subdivision; 216D.04; 216D.05; 221.033, subdivision 1, by adding a subdivision; 360.013, by adding a subdivision; 360.075, subdivision 1; 473.121, subdivision 19; Minnesota Statutes 2023 Supplement, sections 4.076, subdivision 3; 115E.042, subdivision 4; 161.045, subdivision 3; 168.1235, subdivision 1; 168.1259, subdivision 5; 168.345, subdivision 2; 169.09, subdivision 8; 171.06, subdivision 3; 171.0605, subdivision 5; 171.12, subdivisions 5c, 11; 171.13, subdivision 1a; 171.395, subdivision 1; 171.396; 174.40, subdivision 4a; 256B.0625, subdivision 17; 609.855, subdivision 7; Laws 2021, First Special Session chapter 5, article 2, section 3; Laws 2023, chapter 68, article 1, section 2, subdivision 4; article 2, sections 2, subdivisions 3, 4, 5, 7, 9; 3; proposing coding for new law in Minnesota Statutes, chapters 168; 169; 171; 174; repealing Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605, subdivision 4; 174.22, subdivisions 5, 15; 174.23, subdivision 7; 216D.06, subdivision 3; 221.033, subdivision 2c; Minnesota Statutes 2023

Supplement, section 171.06, subdivisions 9, 10, 11; Minnesota Rules, parts 7411.7600, subpart 3; 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, 4; 8835.0350, subparts 1, 3, 4, 5.

THOMAS S. BOTTERN, Secretary of the Senate

Tabke moved that the House refuse to concur in the Senate amendments to H. F. No. 3436, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3436:

Tabke, Hornstein and Petersburg.

MESSAGES FROM THE SENATE, Continued

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 4579.

THOMAS S. BOTTERN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 4579, A bill for an act relating to energy; providing for and regulating shared-metered utility service in residential buildings; amending Minnesota Statutes 2022, sections 216B.022; 216B.098, subdivision 6; 504B.285, subdivision 4; Minnesota Statutes 2023 Supplement, section 216B.172, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 216B; 504B; repealing Minnesota Statutes 2022, section 504B.215.

The bill was read for the first time.

Hollins moved that S. F. No. 4579 and H. F. No. 4558, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

MOTIONS AND RESOLUTIONS

Sencer-Mura moved that the name of Hussein be added as an author on H. F. No. 2271. The motion prevailed.

Stephenson moved that the name of Myers be added as an author on H. F. No. 2426. The motion prevailed.

Hanson, J., moved that the name of Moller be added as an author on H. F. No. 2513. The motion prevailed.

Hudson moved that the name of Bennett be added as an author on H. F. No. 2651. The motion prevailed.

Norris moved that the name of Freiberg be added as an author on H. F. No. 3314. The motion prevailed.

Fischer moved that the name of Frederick be added as an author on H. F. No. 3411. The motion prevailed.

Greenman moved that the name of Reyer be added as an author on H. F. No. 3438. The motion prevailed.

Berg moved that the name of Lee, K., be added as an author on H. F. No. 3446. The motion prevailed.

Fischer moved that the name of Frederick be added as an author on H. F. No. 3495. The motion prevailed.

Virnig moved that the name of Davids be added as an author on H. F. No. 3558. The motion prevailed.

Finke moved that the name of Lee, K., be added as an author on H. F. No. 3607. The motion prevailed.

Fischer moved that the name of Kraft be added as an author on H. F. No. 3705. The motion prevailed.

Reyer moved that the name of Murphy be added as an author on H. F. No. 3841. The motion prevailed.

Olson, L., moved that the name of Lee, K., be added as an author on H. F. No. 3882. The motion prevailed.

Clardy moved that the name of Hill be added as an author on H. F. No. 4088. The motion prevailed.

Feist moved that the name of Kraft be added as an author on H. F. No. 4200. The motion prevailed.

Wolgamott moved that the name of Kraft be added as an author on H. F. No. 4493. The motion prevailed.

Greenman moved that the name of Lee, K., be added as an author on H. F. No. 4513. The motion prevailed.

O'Driscoll moved that the name of Wolgamott be added as an author on H. F. No. 4520. The motion prevailed.

Smith moved that the names of Jordan and Feist be added as authors on H. F. No. 4630. The motion prevailed.

Kozlowski moved that the name of Hussein be added as an author on H. F. No. 4645. The motion prevailed.

Gillman moved that the name of Gillman be stricken as an author on H. F. No. 4687. The motion prevailed.

Keeler moved that the names of Pérez-Vega and Noor be added as authors on H. F. No. 4832. The motion prevailed.

Witte moved that the name of Bennett be added as an author on H. F. No. 4837. The motion prevailed.

Agbaje moved that the name of Hornstein be added as an author on H. F. No. 4977. The motion prevailed.

Lee, K., moved that the names of Hill and Feist be added as authors on H. F. No. 4996. The motion prevailed.

Bahner moved that the name of Bierman be added as an author on H. F. No. 5032. The motion prevailed.

Lee, F., moved that the name of Agbaje be added as an author on H. F. No. 5075. The motion prevailed.

Kresha moved that the names of West, Zeleznikar and Schultz be added as authors on H. F. No. 5123. The motion prevailed.

Pursell moved that the name of Frederick be added as an author on H. F. No. 5147. The motion prevailed.

Keeler moved that the name of Curran be added as an author on H. F. No. 5200. The motion prevailed.

Norris moved that the name of Kraft be added as an author on H. F. No. 5207. The motion prevailed.

Wiener moved that the name of Knudsen be added as an author on H. F. No. 5227. The motion prevailed.

Myers moved that the name of Witte be added as an author on H. F. No. 5319. The motion prevailed.

Klevorn moved that the name of Kraft be added as an author on H. F. No. 5328. The motion prevailed.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 3:30 p.m., Monday, April 15, 2024. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Monday, April 15, 2024.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

