

STATE OF MINNESOTA

# Journal of the House

NINETY-THIRD SESSION — 2023

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SIXTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 1, 2023

The House of Representatives convened at 2:00 p.m. and was called to order by Dan Wolgamott, Speaker pro tempore.

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

A quorum was present.

Igo and Joy were excused until 6:00 p.m. Reyer was excused until 7:30 p.m.

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

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**REPORTS OF CHIEF CLERK**

S. F. No. 1362 and H. F. No. 1141, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Freiberg moved that S. F. No. 1362 be substituted for H. F. No. 1141 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2904 and H. F. No. 2774, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Hansen, R., moved that S. F. No. 2904 be substituted for H. F. No. 2774 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 27, 2023

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 Files:

H. F. No. 16, relating to health; prohibiting conversion therapy with children or vulnerable adults; prohibiting medical assistance coverage for conversion therapy; prohibiting the misrepresentation of conversion therapy services or products.

H. F. No. 146, relating to children; preventing the use of subpoenas to gather information for out-of-state laws interfering in the use of gender-affirming health care; amending child custody and child welfare provisions related to out-of-state laws interfering in the use of gender-affirming health care; amending provisions related to warrants, arrests, and extraditions related to out-of-state laws on gender-affirming health care.

H. F. No. 366, relating to health care; limiting the release of health records in cases related to reproductive health; prohibiting certain acts by certain health-related licensing boards; prohibiting disqualification on background study for accessing or providing reproductive health care; preventing the enforcement of certain judgments related to

reproductive health; restricting the enforcement of subpoenas issued in cases related to reproductive health; creating a cause of action for penalties and court costs for lawsuits related to reproductive health; prohibiting extradition of persons charged in another state for acts committed or services received in Minnesota related to reproductive health.

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 Acts of the 2023 Session of the State Legislature have been received from the Office of the Governor and are 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 2023</i>	<i>Date Filed 2023</i>
	16	28	10:13 a.m. April 27	April 27
	146	29	10:12 a.m. April 27	April 27
	366	31	10:14 a.m. April 27	April 27

Sincerely,

STEVE SIMON  
Secretary of State

**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

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

H. F. No. 2369, A bill for an act relating to labor; establishing protections for transportation network company drivers; providing a civil action; proposing coding for new law as Minnesota Statutes, chapter 181C.

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

The report was adopted.

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

Nelson, M., from the Committee on Labor and Industry Finance and Policy to which was referred:

H. F. No. 2988, A bill for an act relating to commerce; modifying workers' compensation self-insurance provisions; amending Minnesota Statutes 2022, sections 79A.01, subdivision 4; 79A.04, subdivisions 7, 9, 10, 16, by adding a subdivision; 79A.08; 79A.13; 79A.24, subdivision 4; 79A.25, subdivisions 1, 2, 3, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
WORKERS' COMPENSATION SELF-INSURANCE

Section 1. Minnesota Statutes 2022, section 79A.01, subdivision 4, is amended to read:

Subd. 4. **Insolvent self-insurer.** "Insolvent self-insurer" means: (1) a member private self-insurer who has failed to pay compensation as a result of a declaration of bankruptcy or insolvency by a court of competent jurisdiction and whose security deposit has been called by the commissioner pursuant to chapter 176; (2) a member self-insurer who has failed to pay compensation and who has been issued a certificate of default by the commissioner and whose security deposit has been called by the commissioner pursuant to chapter 176; ~~or~~ (3) a member or former member private self-insurer who has failed to pay an assessment required by section 79A.12, subdivision 2, and who has been issued a certificate of default by the commissioner and whose security deposit has been called by the commissioner; or (4) a member private self-insurer whose security deposit has been called by the commissioner pursuant to chapter 176 and in accordance with section 79A.04, subdivision 9a, paragraph (b).

Sec. 2. Minnesota Statutes 2022, section 79A.04, subdivision 7, is amended to read:

Subd. 7. **Perfection of security.** Upon the commissioner sending a request to renew, request to post, or request to increase a security deposit, a perfected security interest is created in the private self-insured's assets in favor of the commissioner to the extent of any then unsecured portion of the self-insured's incurred liabilities. That perfected security interest is transferred to any cash or securities thereafter posted by the private self-insured with the commissioner of management and budget and is released only upon either of the following:

(1) the acceptance by the commissioner of a surety bond or irrevocable letter of credit for the full amount of the incurred liabilities for the payment of compensation; or

(2) the return of cash or securities by the commissioner.

The private self-insured employer loses all right, title, and interest in and any right to control all assets or obligations posted or left on deposit as security. In the event that ~~a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or a court of competent jurisdiction has declared the private self-insurer to be bankrupt or insolvent, or in the event of the issuance of a certificate of default by the commissioner, the commissioner shall liquidate the deposit as provided in this chapter, and transfer it to the self-insurer's security fund for application to the self-insured employer's incurred liability and other current or future obligations of the self-insurers' security fund. In the event that a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or a court of competent jurisdiction has declared the private self-insurer to be bankrupt or insolvent, or in the event of the issuance of a certificate of default by the commissioner, all right, title, and interest in and any right to control all assets or obligations which have been posted or deposited as security must be transferred to the self-insurers' security fund.~~

Sec. 3. Minnesota Statutes 2022, section 79A.04, subdivision 9, is amended to read:

Subd. 9. **Insolvency, bankruptcy, or default; utilization of security deposit.** The commissioner of labor and industry shall notify the commissioner and the security fund if the commissioner of labor and industry has knowledge that any private self-insurer has failed to pay workers' compensation benefits as required by chapter 176. The security deposit shall be used to administer and pay the private self-insurers' workers' compensation or assessment obligations or any other current or future obligations of the self-insurers' security fund if any of the following occurs:

(1) the private self-insurer has failed to pay workers' compensation as required by chapter 176 and ~~either:~~

~~(i) the commissioner determines that a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11; or~~

~~(ii) the commissioner determines that a court of competent jurisdiction has declared the private self-insurer to be bankrupt or insolvent; or~~

(2) the commissioner issues a certificate of default against a private self-insurer for failure to pay workers' compensation as required by chapter 176; or

(3) the commissioner issues a certificate of default against a private self-insurer for failure to pay an assessment to the self-insurer's security fund when due.

Sec. 4. Minnesota Statutes 2022, section 79A.04, is amended by adding a subdivision to read:

Subd. 9a. **Bankruptcy; utilization of security deposit.** (a) A private self-insurer must notify the commissioner prior to, or immediately upon, the filing of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, and when a court of competent jurisdiction has declared the private self-insurer to be bankrupt.

(b) If a private self-insurer is (1) the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or (2) a court of competent jurisdiction has declared the private self-insurer to be bankrupt and the private self-insurer has failed to pay workers' compensation as required by chapter 176, the commissioner must call the security and proceed in accordance with this section.

(c) If, upon notice that a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or a court of competent jurisdiction has declared the private self-insurer to be bankrupt but the private self-insurer has not failed to timely pay workers' compensation benefits as required by chapter 176, the commissioner may call the security and proceed in accordance with this section if the commissioner determines that the private self-insurer's payment of workers' compensation benefits would be delayed in any way as a result of the bankruptcy petition or declaration or that the private self-insurer would otherwise be unable to fulfill its obligations under chapter 79A or 176.

(d) In making the determination provided for in paragraph (c) to call a private self-insurer's security and proceed in accordance with this section, the commissioner must consult with the commissioner of labor and industry to determine if the commissioner of labor and industry has knowledge that the private self-insurer has failed to pay workers' compensation benefits as required by chapter 176. The commissioner shall also consider the following:

(1) the self-insurer's most recent actuarial statement, including but not limited to estimated future liability and posted security;

(2) the self-insurer's claims history and claims projections;

(3) the circumstances surrounding the self-insurer's petition to file bankruptcy; and

(4) any other circumstances the commissioner deems relevant.

(d) In making the determination under paragraph (c), the commissioner must also meet and confer with the private self-insurer and the security fund. The initial meet and confer must occur within 30 days of the filing of the petition for chapter 11 bankruptcy. Failure to participate in the meet and confer process by the self-insurer may result in a default determination to immediately transfer the posted security and claims obligations to the security fund. During the meet and confer, the commissioner may ask the self-insurer to provide additional information. Additionally, the security fund may inspect the private self-insurer's most recent actuarial study on file with the commissioner as well as its current security deposit amount required by the commissioner. Data disclosed during the meet and confer must remain confidential. Nothing in this section shall limit the fund's authority to seek information directly from its members.

Sec. 5. Minnesota Statutes 2022, section 79A.04, subdivision 10, is amended to read:

Subd. 10. **Notice; obligation of fund.** In the event of ~~bankruptcy~~, insolvency, or certificate of default, the commissioner shall immediately notify by certified mail the commissioner of management and budget, the surety, the issuer of an irrevocable letter of credit, and any custodian of the security required in this chapter. At the time of notification, the commissioner shall also call the security and transfer and assign it to the self-insurers' security fund. The commissioner shall also immediately notify by certified mail the self-insurers' security fund, and order the security fund to assume the insolvent self-insurers' obligations for which it is liable under chapter 176. The security fund shall commence payment of these obligations within 14 days of receipt of this notification and order. Payments shall be made to claimants whose entitlement to benefits can be ascertained by the security fund, with or without proceedings before the Department of Labor and Industry, the Office of Administrative Hearings, the Workers' Compensation Court of Appeals, or the Minnesota Supreme Court. Upon the assumption of obligations by the security fund pursuant to the commissioner's notification and order, the security fund has the right to immediate possession of any posted or deposited security and the custodian, surety, or issuer of any irrevocable letter of credit or the commissioner, if in possession of it, shall turn over the security, proceeds of the surety bond, or letter of credit to the security fund together with the interest that has accrued since the date of the self-insured employer's insolvency. The security fund has the right to the immediate possession of all relevant workers' compensation claim files and data of the self-insurer, and the possessor of the files and data must turn the files and data, or complete copies of them, over to the security fund within five days of the notification provided under this subdivision. If the possessor of the files and data fails to timely turn over the files and data to the security fund, it is liable to the security fund for a penalty of \$500 per day for each day after the five-day period has expired. The security fund is entitled to recover its reasonable attorney fees and costs in any action brought to obtain possession of the workers' compensation claim files and data of the self-insurer, and for any action to recover the penalties provided by this subdivision. The self-insurers' security fund may administer payment of benefits or it may retain a third-party administrator to do so.

Sec. 6. Minnesota Statutes 2022, section 79A.04, subdivision 16, is amended to read:

Subd. 16. **Certificate to self-insure; revocation.** If, following a private self-insurer's ~~bankruptcy~~, insolvency, or certificate of default, the commissioner calls its security and proceeds in accordance with this section, the commissioner shall revoke the certificate to self-insure of the private self-insurer as soon as practicable but no later than 30 days after its security has been called. No insolvent self-insurer, as defined in section 79A.01, subdivision 4, shall be eligible to receive another grant of authority to self-insure unless either: (1) the insolvent self-insurer's posted security was sufficient to pay all direct and indirect administrative and professional expenses of the security fund related to the insolvent self-insurer, and all losses, including estimated future liability, allocated loss expense, and unallocated loss expense of the insolvent self-insurer; or (2) the insolvent self-insurer pays the security fund an amount equal to all such losses and expenses the security fund has paid or will be required to pay related to this insolvent self-insurer.

Sec. 7. Minnesota Statutes 2022, section 79A.08, is amended to read:

**79A.08 LEGISLATIVE INTENT.**

It is the intent of the legislature in enacting sections 79A.08 to 79A.10 to provide for the continuation of workers' compensation benefits delayed due to the failure of a private self-insured employer to meet its compensation obligations, whenever the commissioner of commerce issues a certificate of default or there is a declaration of ~~bankruptcy or~~ insolvency by a court of competent jurisdiction. With respect to the continued liability of a surety for claims that arise under a bond after termination of that bond and to a surety's liability for the cost of administration of claims, it is the intent of the legislature to provide that that liability ceases upon lawful termination of that bond. This applies to all surety bonds which are purchased by the self-insured employer after July 1, 1988. The legislature finds and declares that the establishment of the self-insurers' security fund is a necessary component of a complete system of workers' compensation, required by chapter 176, to have adequate provisions for the comfort, health, safety, and general welfare of any and all workers and their dependents to the extent of relieving the consequences of any industrial injury or death, and full provision for securing the payment of compensation.

Sec. 8. Minnesota Statutes 2022, section 79A.13, is amended to read:

**79A.13 AUDIT; ANNUAL REPORT.**

The trustees shall annually contract for an independent certified audit of the financial activities of the fund. An annual report on the financial status of the fund as of June 30 shall be submitted to the commissioner and to each member.

The security fund shall be established on July 1, 1988, or 90 days after July 1, 1988, whichever occurs later. All applications for private self-insurers which are made after July 1, 1988, prior to the establishment of the security fund, shall comply with all requirements of this chapter. Applications for private self-insurers which are made after January 1, 1988, but prior to July 1, 1988, shall, prior to the establishment of the security fund, comply with the requirements of this chapter. The security fund shall be liable for payment of benefits only for members where there has been a declaration of ~~bankruptcy or~~ insolvency by a court of competent jurisdiction after the date on which the security fund is established, or where the commissioner has issued a certificate of default which has occurred after the date on which the security fund is established.

Sec. 9. Minnesota Statutes 2022, section 79A.24, subdivision 4, is amended to read:

Subd. 4. **Custodial accounts.** (a) All surety bonds, irrevocable letters of credit, and documents showing issuance of any irrevocable letter of credit shall be deposited in accordance with the provisions of section 79A.071.

(b) Upon the commissioner sending a request to renew, request to post, or request to increase a security deposit, a perfected security interest is created in the commercial self-insurance group's and member's assets in favor of the commissioner to the extent of any then unsecured portion of the commercial self-insurance group's incurred liabilities. The perfected security interest is transferred to any cash or securities thereafter posted by the commercial self-insurance group with the commissioner of management and budget and is released only upon either of the following:

(1) the acceptance by the commissioner of a surety bond or irrevocable letter of credit for the full amount of the incurred liabilities for the payment of compensation; or

(2) the return of cash or securities by the commissioner. The commercial self-insurance group loses all right, title, and interest in and any right to control all assets or obligations posted or left on deposit as security. In the event of a declaration of ~~bankruptcy or~~ insolvency by a court of competent jurisdiction, or in the event of the

issuance of a certificate of default by the commissioner, the commissioner shall liquidate the deposit as provided in this chapter, and transfer it to the commercial self-insurance group security fund for application to the commercial self-insurance group's incurred liability.

(c) No securities in physical form on deposit with the commissioner of management and budget or the commissioner or custodial accounts assigned to the state shall be released or exchanged without an order from the commissioner. No security can be exchanged more than once every 90 days.

(d) Any securities deposited with the commissioner of management and budget or with a custodial account assigned to the commissioner of management and budget or letters of credit or surety bonds held by the commissioner may be exchanged or replaced by the depositor with any other acceptable securities or letters of credit or surety bond of like amount so long as the market value of the securities or amount of the surety bonds or letter of credit equals or exceeds the amount of the deposit required. If securities are replaced by surety bond, the commercial self-insurance group must maintain securities on deposit in an amount sufficient to meet all outstanding workers' compensation liability arising during the period covered by the deposit of the replaced securities.

Sec. 10. Minnesota Statutes 2022, section 79A.25, subdivision 1, is amended to read:

Subdivision 1. **Notice of insolvency, ~~bankruptcy~~, or default.** The commissioner of labor and industry shall notify the commissioner and the commercial self-insurance group security fund if the commissioner of labor and industry has knowledge that any commercial self-insurance group has failed to pay workers' compensation benefits as required by chapter 176. If the commissioner determines that a court of competent jurisdiction has declared the commercial self-insurance group to be ~~bankrupt~~ or insolvent and the commercial self-insurance group has failed to pay workers' compensation as required by chapter 176 or if the commissioner issues a certificate of default against a commercial self-insurance group for failure to pay workers' compensation as required by chapter 176, then the security deposit posted by the commercial self-insurance group shall be utilized to administer and pay the commercial self-insurance group's workers' compensation obligation.

Sec. 11. Minnesota Statutes 2022, section 79A.25, subdivision 2, is amended to read:

Subd. 2. **Mandatory revocation of certificate to self-insure.** (a) The commissioner shall revoke the commercial self-insurance group's certificate to self-insure once notified of the commercial self-insurance group's ~~bankruptcy~~, insolvency, or upon issuance of a certificate of default. The revocation shall be completed as soon as practicable, but no later than 30 days after the commercial self-insurance group's security has been called.

(b) The commissioner shall also revoke a commercial self-insurance group's authority to self-insure on the following grounds:

- (1) failure to comply with any lawful order of the commissioner;
- (2) failure to comply with any provision of chapter 176;
- (3) a deterioration of the commercial self-insurance group's financial condition affecting its ability to pay obligations in chapter 176;
- (4) committing an unfair or deceptive act or practice as defined in section 72A.20; or
- (5) failure to abide by the plan of operation of the Workers' Compensation Reinsurance Association.



Sec. 12. Minnesota Statutes 2022, section 79A.25, is amended by adding a subdivision to read:

**Subd. 2a. Discretionary revocation of certificate to self-insure.** (a) A commercial self-insurance group must notify the commissioner, prior to or immediately upon a court of competent jurisdiction declaring it to be insolvent. If a commercial self-insurance group has been declared insolvent by a court of competent jurisdiction and the commercial self-insurance group has failed to pay workers' compensation as required by chapter 176, the commissioner must call the security and proceed in accordance with this section.

(b) If a commercial self-insurance group has notified the commissioner that a court of competent jurisdiction has declared it bankrupt but the commercial self-insurance group has not failed to pay workers' compensation benefits as required by chapter 176, the commissioner may call the security and proceed in accordance with this section if the commissioner determines that the commercial self-insurance group's payment of workers' compensation benefits would be delayed in any way as a result of the bankruptcy petition or declaration or that the commercial self-insurance group would otherwise be unable to fulfill its obligations under chapter 79A or 176.

(c) In making the determination provided for in paragraph (b) to call a commercial self-insurance group's security and proceed in accordance with this section, the commissioner must consult with the commissioner of labor and industry to determine if the commissioner of labor and industry has knowledge that the commercial self-insurance group has failed to pay workers' compensation benefits as required by chapter 176. The commissioner shall also consider the following:

(1) the commercial self-insurance group's most recent actuarial statement, including but not limited to estimated future liability and posted security;

(2) the commercial self-insurance group's claims history and claims projections;

(3) the circumstances surrounding the commercial self-insurance group's petition to file bankruptcy; and

(4) any other circumstances the commissioner deems relevant.

(d) The commissioner must also meet and confer with the commercial self-insurance group and the group security fund. The initial meet and confer must occur within 30 days of the filing of the petition for chapter 11 bankruptcy. Failure to participate in the meet and confer process by the commercial self-insurance group may result in a default determination to immediately transfer the posted security and claims obligations to the fund. During the meet and confer, the commissioner may ask the commercial self-insurance group to provide additional information and the commercial self-insurance group security fund may inspect the commercial self-insurance group's most recent actuarial study on file with the commissioner as well as its current security deposit amount required by the commissioner. Data disclosed during the meet and confer must remain confidential. Nothing in this section shall limit the fund's authority to seek information directly from its members.

Sec. 13. Minnesota Statutes 2022, section 79A.25, subdivision 3, is amended to read:

**Subd. 3. Notice by commissioner.** In the event of ~~bankruptcy~~, insolvency, or certificate of default, the commissioner shall immediately notify by certified mail the commissioner of management and budget, the surety, the issuer of an irrevocable letter of credit, and any custodian of the security. At the time of notification, the commissioner shall also call the security and transfer and assign it to the commercial self-insurance group security fund. The commissioner shall also notify by certified mail the commercial self-insurance group's security fund and order the commercial security fund to assume the insolvent commercial self-insurance group's obligations for which it is liable under chapter 176.

ARTICLE 2  
SYSTEM EFFICIENCIES

Section 1. Minnesota Statutes 2022, section 176.081, subdivision 1, is amended to read:

Subdivision 1. **Limitation of fees.** (a) A fee for legal services of 20 percent of the first \$130,000 of compensation awarded to the employee is the maximum permissible fee and does not require approval by the commissioner, compensation judge, or any other party. All fees, including fees for obtaining medical or rehabilitation benefits, must be calculated according to the formula under this subdivision, except as otherwise provided in clause (1) or (2).

(1) The contingent attorney fee for recovery of monetary benefits according to the formula in this section is presumed to be adequate to cover recovery of medical and rehabilitation benefit or services concurrently in dispute. Attorney fees for recovery of medical or rehabilitation benefits or services shall be assessed against the employer or insurer only if the attorney establishes that the contingent fee is inadequate to reasonably compensate the attorney for representing the employee in the medical or rehabilitation dispute. In cases where the contingent fee is inadequate the employer or insurer is liable for attorney fees based on the formula in this subdivision or in clause (2).

For the purposes of applying the formula where the employer or insurer is liable for attorney fees, the amount of compensation awarded for obtaining disputed medical and rehabilitation benefits under sections 176.102, 176.135, and 176.136 shall be the dollar value of the medical or rehabilitation benefit awarded, where ascertainable.

(2) The maximum attorney fee for obtaining a change of doctor or qualified rehabilitation consultant, or any other disputed medical or rehabilitation benefit for which a dollar value is not reasonably ascertainable, is the amount charged in hourly fees for the representation or \$500, whichever is less, to be paid by the employer or insurer.

(3) The fees for obtaining disputed medical or rehabilitation benefits are included in the \$26,000 limit in paragraph (b). An attorney must concurrently file all outstanding disputed issues. An attorney is not entitled to attorney fees for representation in any issue which could reasonably have been addressed during the pendency of other issues for the same injury.

(b) All fees for legal services related to the same injury are cumulative and may not exceed \$26,000. If multiple injuries are the subject of a dispute, the commissioner, compensation judge, or court of appeals shall specify the attorney fee attributable to each injury.

(c) If the employer or the insurer or the defendant is given written notice of claims for legal services or disbursements, the claim shall be a lien against the amount paid or payable as compensation. Subject to the foregoing maximum amount for attorney fees, up to 20 percent of the first \$130,000 of periodic compensation awarded to the employee may be withheld from the periodic payments for attorney fees or disbursements if the payor of the funds clearly indicates on the check or draft issued to the employee for payment the purpose of the withholding, the name of the attorney, the amount withheld, and the gross amount of the compensation payment before withholding. In no case shall fees be calculated on the basis of any undisputed portion of compensation awards. Allowable fees under this chapter shall be available to an attorney who procures a benefit on behalf of the employee and be based solely upon genuinely disputed claims or portions of claims, including disputes related to the payment of rehabilitation benefits or to other aspects of a rehabilitation plan. The existence of a dispute is dependent upon a disagreement after the employer or insurer has had adequate time and information to take a position on liability. Neither the holding of a hearing nor the filing of an application for a hearing alone may determine the existence of a dispute. Except where the employee is represented by an attorney in other litigation pending at the department or at the Office of Administrative Hearings, a fee may not be charged ~~after June 1, 1996,~~ for services with respect to a medical or rehabilitation issue arising under section 176.102, 176.135, or 176.136

performed before the ~~employee has consulted with the department~~ attorney has filed with the commissioner and served on the employer or insurer and the attorney representing the employer or insurer, if any, a request for certification of dispute containing the name of the employer and its insurer, the date of the injury, and a description of the benefits claimed, and the department certifies that there is a dispute and that it has tried to resolve the dispute. If within 30 days of the filing of the request the department has not issued a determination of whether a dispute exists, the dispute shall be certified if all of the following apply:

(1) the insurer has not approved the requested benefit;

(2) the employee, the employee's attorney, or the employee's treating provider has submitted any and all additional information requested by the insurer necessary to determine whether the requested benefit is disputed or approved; and

(3) the insurer has had at least seven calendar days to review any additional information submitted.

In cases of nonemergency surgery, if the employer or insurer has requested a second opinion under section 176.135, subdivision 1a, or an examination under section 176.155, subdivision 1, a dispute shall be certified if 45 days have passed following a written request for an examination or second opinion and the conditions in clauses (1) to (3) have been met.

(d) An attorney who is claiming legal fees for representing an employee in a workers' compensation matter shall file a statement of attorney fees with the commissioner or compensation judge before whom the matter was heard. A copy of the signed retainer agreement shall also be filed. The employee ~~and insurer~~, employer or insurer, and the attorney representing the employer or insurer, if any, shall receive a copy of the statement of attorney fees. The statement shall be on a form prescribed by the commissioner and shall report the number of hours spent on the case.

(e) Employers and insurers may not pay attorney fees or wages for legal services of more than \$26,000 per case.

(f) An attorney must file a statement of attorney fees within 12 months of the date the attorney has submitted the written notice specified in paragraph (c). If the attorney has not filed a statement of attorney fees within the 12 months, the attorney must send a renewed notice of lien to the insurer. If 12 months have elapsed since the last notice of lien has been received by the insurer and no statement of attorney fees has been filed, the insurer must release the withheld money to the employee, except that before releasing the money to the employee, the insurer must give the attorney 30 days' written notice of the pending release. The insurer must not release the money if the attorney files a statement of attorney fees within the 30 days.

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

Sec. 2. Minnesota Statutes 2022, section 176.135, subdivision 1, is amended to read:

Subdivision 1. **Medical, psychological, chiropractic, podiatric, surgical, hospital.** (a) The employer shall furnish any medical, psychological, chiropractic, podiatric, surgical and hospital treatment, including nursing, medicines, medical, chiropractic, podiatric, and surgical supplies, crutches and apparatus, including artificial members, or, at the option of the employee, if the employer has not filed notice as hereinafter provided, Christian Science treatment in lieu of medical treatment, chiropractic medicine and medical supplies, as may reasonably be required at the time of the injury and any time thereafter to cure and relieve from the effects of the injury. This treatment shall include treatments necessary to physical rehabilitation.

(b) The employer shall pay for the reasonable value of nursing services provided by a member of the employee's family in cases of permanent total disability.

(c) Exposure to rabies is an injury and an employer shall furnish preventative treatment to employees exposed to rabies.

(d) The employer shall furnish replacement or repair for artificial members, glasses or spectacles, artificial eyes, podiatric orthotics, dental bridge work, dentures or artificial teeth, hearing aids, canes, crutches, or wheel chairs damaged by reason of an injury arising out of and in the course of the employment. If an item under this paragraph is customized specifically for the injured worker, the item is the property of the injured worker. For the purpose of this paragraph, "injury" includes damage wholly or in part to an artificial member. In case of the employer's inability or refusal ~~seasonably~~ to timely provide the items required to be provided under this paragraph, the employer is liable for the reasonable expense incurred by or on behalf of the employee in providing the same, including costs of copies of any medical records or medical reports that are in existence, obtained from health care providers, and that directly relate to the items for which payment is sought under this chapter, limited to the charges allowed by subdivision 7, and attorney fees incurred by the employee.

(e) Both the commissioner and the compensation judges have authority to make determinations under this section in accordance with sections 176.106 and 176.305.

(f) An employer may require that the treatment and supplies required to be provided by an employer by this section be received in whole or in part from a managed care plan certified under section 176.1351 except as otherwise provided by that section.

(g) An employer may designate a pharmacy or network of pharmacies that employees must use to obtain outpatient prescription and nonprescription medications. An employee is not required to obtain outpatient medications at a designated pharmacy unless the pharmacy is located within 15 miles of the employee's place of residence.

(h) Notwithstanding any fees established by rule adopted under section 176.136, an employer may contract for the cost of medication provided to employees. All requests for reimbursement from the special compensation fund formerly codified under section 176.131 for medication provided to an employee must be accompanied by the dispensing pharmacy's invoice showing its usual and customary charge for the medication at the time it was dispensed to the employee. The special compensation fund shall not reimburse any amount that exceeds the maximum amount payable for the medication under Minnesota Rules, part 5221.4070, subparts 3 and 4, notwithstanding any contract under Minnesota Rules, part 5221.4070, subpart 5, that provides for a different reimbursement amount.

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

Sec. 3. Minnesota Statutes 2022, section 176.135, subdivision 1a, is amended to read:

Subd. 1a. **Nonemergency surgery; second surgical opinion.** (a) The employer or insurer is required to furnish surgical treatment pursuant to subdivision 1 when the surgery is reasonably required to cure and relieve the effects of the personal injury or occupational disease. An employee may not be compelled to undergo surgery. If an employee desires a second opinion on the necessity of the surgery, the employer shall pay the costs of obtaining the second opinion. Except in cases of emergency surgery, the employer or insurer may require the employee to obtain a second opinion on the necessity of the surgery, at the expense of the employer or insurer, before the employee undergoes surgery. ~~Failure to obtain a second surgical opinion shall not be reason for nonpayment of the charges for the surgery. The employer is required to pay the reasonable value of the surgery unless the commissioner or compensation judge determines that the surgery is not reasonably required.~~ If an employer or insurer receives a request for nonemergency surgery, the employer or insurer must respond in writing no later than seven calendar

days after receiving the request from the health care provider or employee by approving the request, denying authorization, requesting additional information, requesting a second opinion under this section, or requesting an examination by the employer's physician under section 176.155.

(b) An employer or insurer requesting a second opinion must notify the employee and the health care provider of the request for a second opinion within seven calendar days of the request for nonemergency surgery. If the employer or insurer denies authorization within seven calendar days of receiving the second opinion, the health care provider may elect to perform the surgery, subject to a determination of compensability by the commissioner or compensation judge.

(c) Failure to obtain a second surgical opinion is not reason for nonpayment of the charges for the surgery. The employer or insurer is required to pay the reasonable value of the surgery unless the commissioner or compensation judge determines that the surgery is not reasonably required.

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

Sec. 4. Minnesota Statutes 2022, section 176.135, subdivision 7, is amended to read:

Subd. 7. **Medical bills and records.** (a) Health care providers shall submit to the insurer an itemized statement of charges in the standard electronic transaction format when required by section 62J.536 or, if there is no prescribed standard electronic transaction format, on a billing form prescribed by the commissioner. Health care providers shall also submit copies of medical records or reports that substantiate the nature of the charge and its relationship to the work injury. Pursuant to Minnesota Rules, part 5219.0300, health care providers may charge for copies of any records or reports that are in existence and directly relate to the items for which payment is sought under this chapter. The commissioner shall adopt, by rule, a schedule of reasonable charges ~~by rule that will apply to charges not covered by paragraphs (d) and (e).~~

A health care provider shall not collect, attempt to collect, refer a bill for collection, or commence an action for collection against the employee, employer, or any other party until the information required by this section has been furnished.

A United States government facility rendering health care services to veterans is not subject to the uniform billing form requirements of this subdivision.

(b) For medical services provided under this section, the codes from the International Classification of Diseases, Tenth Edition, Clinical Modification/Procedure Coding System (ICD-10), must be used to report medical diagnoses and hospital inpatient procedures when required by the United States Department of Health and Human Services for federal programs. The commissioner must replace the codes from the International Classification of Diseases, Ninth Edition, Clinical Modification/Procedure Coding System (ICD-9), with equivalent ICD-10 codes wherever the ICD-9 codes appear in rules adopted under this chapter. The commissioner must use the General Equivalence Mappings established by the Centers for Medicare and Medicaid Services to replace the ICD-9 diagnostic codes with ICD-10 codes in the rules.

(c) The commissioner shall amend rules adopted under this chapter as necessary to implement the ICD-10 coding system in paragraph (b). The amendments shall be adopted by giving notice in the State Register according to the procedures in section 14.386, paragraph (a). The amended rules are not subject to expiration under section 14.386, paragraph (b).

(d) The requirements in this paragraph and paragraph (e) apply to each request for copies of existing medical records that are required to be maintained in electronic format by state or federal law.

(1) If an authorized requestor of copies of medical records submits a written request for advance notice of the cost of the copies requested, the health care provider must notify the requestor of the estimated cost before sending the copies. If the requestor approves the cost and copies of the records are provided, the payment is the applicable fee under paragraph (e). If the requestor does not pay for the records, the health care provider may charge a fee, which must not exceed \$10.

(2) A health care provider shall not require prepayment for the cost of copies of medical records under this paragraph or Minnesota Rules, chapter 5219, unless there is an outstanding past-due invoice for the requestor concerning a previous request for records from the health care provider.

(3) A health care provider shall provide copies of medical records in electronic format.

(4) The charges under paragraph (e) include any fee for retrieval, download, or other delivery of records.

(e) For any copies of electronic records provided under paragraph (d), a health care provider may not charge more than a total of:

(1) \$10 if there are no records available;

(2) \$30 for copies of records of up to 25 pages;

(3) \$50 for copies of records of up to 100 pages;

(4) \$50, plus an additional 20 cents per page for pages 101 and above; or

(5) \$500 for any request.

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

Sec. 5. Minnesota Statutes 2022, section 176.155, subdivision 1, is amended to read:

Subdivision 1. **Employer's physician.** (a) The injured employee must submit to examination by the employer's physician, if requested by the employer, and at reasonable times thereafter upon the employer's request. Examinations shall not be conducted in hotel or motel facilities. The examination must be scheduled at a location within 150 miles of the employee's residence unless the employer can show cause to the department to order an examination at a location further from the employee's residence. The employee is entitled upon request to have a personal physician or witness present at any such examination. Each party shall defray the cost of that party's physician.

(b) Any report or written statement made by the employer's physician as a result of an examination of the employee, regardless of whether the examination preceded the injury or was made subsequent to the injury, ~~shall be made available, upon request and without charge, to the injured employee or representative of the employee or whether litigation is pending, must be served upon the employee and the attorney representing the employee, if any, no later than 14 calendar days within the issuance of the report or written statement.~~

(c) The employer shall pay reasonable travel expenses incurred by the employee in attending the examination including mileage, parking, and, if necessary, lodging and meals. The employer shall also pay the employee for any lost wages resulting from attendance at the examination.

(d) A self-insured employer or insurer who is served with a claim petition pursuant to section 176.271, subdivision 1, or 176.291, shall schedule any necessary examinations of the employee, if an examination by the employer's physician or health care provider is necessary to evaluate benefits claimed. The examination shall be

completed and the report of the examination shall be served on the employee and filed with the commissioner within 120 days of service of the claim petition. Any request for a good cause extension pursuant to paragraph (e) must be made within 120 days of service of the claim petition, except that a request may be made after 120 days of service of a claim petition in the following circumstances:

(1) a change to the employee's claim regarding the nature and extent of the injury;

(2) a change to the permanency benefits claimed by the employee, including a change in permanent partial disability percentage;

(3) a new claim for indemnity benefits; or

(4) the employment relationship is not admitted by the uninsured employer.

(e) No evidence relating to the examination or report shall be received or considered by the commissioner, a compensation judge, or the court of appeals in determining any issues unless the report has been served and filed as required by this section, unless a written extension has been granted by the commissioner or compensation judge. The commissioner or a compensation judge shall extend the time for completing the adverse examination and filing the report upon good cause shown. The extension must not be for the purpose of delay and the insurer must make a good faith effort to comply with this subdivision. Good cause shall include but is not limited to:

(1) that the extension is necessary because of the limited number of physicians or health care providers available with expertise in the particular injury or disease, or that the extension is necessary due to the complexity of the medical issues, or

(2) that the extension is necessary to gather additional information which was not included on the petition as required by section 176.291.

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

Sec. 6. Minnesota Statutes 2022, section 176.239, subdivision 6, is amended to read:

Subd. 6. **Scope of the administrative decision.** If benefits have been discontinued due to the employee's return to work, the commissioner shall determine whether, as a result of occurrences arising during the initial 14 calendar days after the return to work, the employee is entitled to additional payment of temporary total, temporary partial, or permanent total compensation.

If periodic payment of temporary total, temporary partial, or permanent total compensation has been discontinued for reasons other than a return to work, the commissioner shall determine whether the employer has reasonable grounds to support the discontinuance. Only ~~information or~~ reasons specified on the notice of discontinuance shall provide a basis for a discontinuance, unless the parties agree otherwise.

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

Sec. 7. Minnesota Statutes 2022, section 176.239, subdivision 7, is amended to read:

Subd. 7. **Interim administrative decision.** After considering the information provided by the parties at the administrative conference and exhibits filed by the parties with the office, the commissioner shall issue to all interested parties a written decision on payment of compensation. Administrative decisions under this section shall be issued within five working days from the close of the conference. Disputed issues of fact shall be determined by a preponderance of the evidence.

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

Sec. 8. Minnesota Statutes 2022, section 176.291, is amended to read:

**176.291 DISPUTES; PETITIONS; PROCEDURE.**

(a) Where there is a dispute as to a question of law or fact in connection with a claim for compensation, a party may serve on all other parties and file a petition with the office stating the matter in dispute. The petition shall be on a form prescribed by the commissioner and shall be signed by the petitioner.

(b) The petition shall also state and include, where applicable:

(1) names and residence or business address of parties;

(2) facts relating to the employment at the time of injury, including amount of wages received;

(3) extent and character of each injury;

(4) notice to or knowledge by employer of injury;

(5) copies of written medical reports or medical records supporting each claim asserted;

(6) copies of other information in support of the claim;

~~(6)~~ (7) names and addresses of all known witnesses intended to be called in support of ~~the~~ each injury and claim;

~~(7)~~ (8) the desired location of any hearing and estimated time needed to present evidence at the hearing;

~~(8)~~ (9) any requests for a prehearing or settlement conference;

~~(9)~~ (10) a list of all known third parties, including the Departments of Human Services and Employment and Economic Development, who may have paid any medical bills or other benefits to the employee for the injuries or disease alleged in the petition or for the time the employee was unable to work due to the injuries or disease, together with a listing of the amounts paid by each;

~~(10)~~ (11) the nature and extent of ~~the~~ each claim; and

~~(11)~~ (12) a request for an expedited hearing which must include an attached affidavit of significant financial hardship which complies with the requirements of section 176.341, subdivision 6.

(c) Incomplete petitions may be stricken or dismissed from the calendar as provided by section 176.305, subdivision 4. Within ~~30~~ 14 days of a request by a party, an employee who has filed a claim petition pursuant to section 176.271 or this section shall furnish a list of physicians and health care providers from whom the employee has received treatment for the same or a similar condition as well as authorizations to release relevant information, data, and records to the requester. The petition may be stricken from the calendar upon motion of a party for failure to timely provide the required list of health care providers or authorizations.

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

Sec. 9. Minnesota Statutes 2022, section 176.305, subdivision 4, is amended to read:

Subd. 4. **Striking from calendar.** A compensation judge, after receiving a properly served motion, may strike a case from the active trial calendar after the employee has been given 30 days to correct ~~the deficiency~~ a deficient petition if it is shown that the information on the petition or included with the petition is incomplete. Once a case is



stricken, it may not be reinstated until the missing information is provided to the adverse parties and filed with the compensation judge. If a case has been stricken from the calendar for ~~one year~~ 180 days or more and no corrective action has been taken, the compensation judge may, upon the judge's own motion or a motion of a party which is properly served on all parties, dismiss the case. The petitioner must be given at least 30 days' advance notice of the proposed dismissal before the dismissal is effective.

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

Sec. 10. Minnesota Statutes 2022, section 176.331, is amended to read:

**176.331 PROCEEDINGS WHEN ANSWER NOT FILED.**

Except in cases involving multiple employers or multiple insurers, if an adverse party fails to file and serve an answer or obtain an extension from the office or the petitioner as required by section 176.321, subdivision 3, the office shall set the matter for an immediate pretrial conference and hearing ~~and~~ for prompt award or other order. The adverse party that failed to file an answer or appear at a pretrial conference may appear at the hearing, present evidence and question witnesses, but shall not be granted a continuance except upon a showing of good cause.

If an adverse party who fails to serve and file an answer is neither insured for workers' compensation liability nor a licensed self-insured as required by section 176.181 and the special compensation fund is a party to the proceeding, the compensation judge may enter an order awarding benefits to the petitioning party without a hearing if so requested by the special compensation fund.

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

ARTICLE 3  
PERMANENT PARTIAL DISABILITY SCHEDULE

Section 1. Minnesota Statutes 2022, section 176.101, subdivision 2a, is amended to read:

Subd. 2a. **Permanent partial disability.** (a) Compensation for permanent partial disability is as provided in this subdivision. Permanent partial disability must be rated as a percentage of the whole body in accordance with rules adopted by the commissioner under section 176.105. During the 2026 regular legislative session, and every even-year legislative session thereafter, the Workers' Compensation Advisory Council must consider whether the permanent partial disability schedule in paragraph (b) represents adequate compensation for permanent impairment.

(b) The percentage determined pursuant to the rules adopted under section 176.105 must be multiplied by the corresponding amount in the following table at the time permanent partial disability is payable according to paragraph (c):

Impairment Rating (percent)	Amount
less than 5.5	\$ <del>78,800</del> <u>114,260</u>
5.5 to less than 10.5	<del>84,000</del> <u>121,800</u>
10.5 to less than 15.5	<del>89,300</del> <u>129,485</u>
15.5 to less than 20.5	<del>94,500</del> <u>137,025</u>
20.5 to less than 25.5	<del>99,800</del> <u>139,720</u>
25.5 to less than 30.5	<del>105,000</del> <u>147,000</u>
30.5 to less than 35.5	<del>115,500</del> <u>150,150</u>
35.5 to less than 40.5	<del>126,000</del> <u>163,800</u>
40.5 to less than 45.5	<del>136,500</del> <u>177,450</u>

45.5 to less than 50.5	<del>147,000</del> <u>177,870</u>
50.5 to less than 55.5	<del>173,300</del> <u>181,965</u>
55.5 to less than 60.5	<del>199,500</del> <u>209,475</u>
60.5 to less than 65.5	<del>225,800</del> <u>237,090</u>
65.5 to less than 70.5	<del>252,000</del> <u>264,600</u>
70.5 to less than 75.5	<del>278,300</del> <u>292,215</u>
75.5 to less than 80.5	<del>330,800</del> <u>347,340</u>
80.5 to less than 85.5	<del>383,300</del> <u>402,465</u>
85.5 to less than 90.5	<del>435,800</del> <u>457,590</u>
90.5 to less than 95.5	<del>488,300</del> <u>512,715</u>
95.5 up to and including 100	<del>540,800</del> <u>567,840</u>

An employee may not receive compensation for more than a 100 percent disability of the whole body, even if the employee sustains disability to two or more body parts.

~~(b)~~ (c) Permanent partial disability is payable upon cessation of temporary total disability under subdivision 1. If the employee requests payment in a lump sum, then the compensation must be paid within 30 days. This lump-sum payment may be discounted to the present value calculated up to a maximum five percent basis. If the employee does not choose to receive the compensation in a lump sum, then the compensation is payable in installments at the same intervals and in the same amount as the employee's temporary total disability rate on the date of injury. Permanent partial disability is not payable while temporary total compensation is being paid.

**EFFECTIVE DATE.** This section is effective for injuries occurring on or after October 1, 2023.

#### ARTICLE 4 HOSPITAL OUTPATIENT FEE SCHEDULE

Section 1. Minnesota Statutes 2022, section 176.1364, subdivision 3, is amended to read:

Subd. 3. **Hospital outpatient fee schedule (HOFS).** (a) Effective for hospital outpatient services on or after October 1, 2018, the commissioner shall establish a workers' compensation hospital outpatient fee schedule (HOFS) to establish the payment for hospital bills with charges for services with a J1 or J2 status indicator as listed in the status indicator (SI) column of Addendum B and the comprehensive observation services Ambulatory Payment Classification (APC) 8011 with a J2 status indicator in Addendum A. The commissioner shall publish a link to the HOFS in the State Register before October 1, 2018, and shall maintain the current HOFS on the department's website.

(b) The amount listed for each of the procedures in the HOFS as described in paragraph (a) shall be the relative weight for the procedure multiplied by a HOFS conversion factor that results in the same overall payment for hospital outpatient services under this section as the actual payments made in the most recent 12-month period available before October 1, 2018. The commissioner must establish separate conversion factors to achieve the same overall payment for noncritical access hospitals of 100 or fewer licensed beds and hospitals with more than 100 licensed beds. The commissioner shall establish the two conversion factors according to the requirements in clauses (1) to (4) in consultation with insurer and hospital representatives.

(1) The commissioner shall obtain a suitable sample of de-identified data for Minnesota workers' compensation outpatient cases at Minnesota hospitals for the most recently available 12-month period. The commissioner may obtain de-identified data from any reliable source, including Minnesota hospitals and insurers, or their representatives. Any data provided to the commissioner by a hospital, insurer, or their representative under this subdivision is nonpublic data under section 13.02, subdivision 9.

(2) The sample must be divided into a data set for hospitals over 100 licensed beds, and 100 or fewer licensed beds, excluding critical access hospitals.

(3) For each data set the commissioner shall:

(i) calculate the total amount of the actual payments made in the most recent 12-month period available before October 1, 2018, adjusted for inflation to July 2018; and

(ii) apply all of the payment provisions in this section to each claim including, as applicable, payment under the relative value fee schedule or 85 percent of the hospital's usual and customary charge under section 176.136, subdivisions 1a and 1b, to determine the total payment amount using the Medicare conversion factor in effect for the OPSS in effect on July 1, 2018.

(4) The commissioner shall calculate the Minnesota conversion factor to equal the Medicare conversion factor multiplied by the ratio of total payments under clause (3), item (i), divided by the total payments under clause (3), item (ii).

(c) For purposes of this section:

(1) the relative weight is the amount in the "relative weight" column in Addendum B and Addendum A for comprehensive observation services;

(2) references to J1, J2, and H status indicators; Addenda A and B; APC 8011; and HCPCS code G0378 includes any successor status indicators, addenda, APC, or HCPCS code established by the Centers for Medicare and Medicaid Services.

(d) On October 1 of each year, the commissioner shall adjust the HOFS conversion factors based on the market basket index for inpatient hospital services calculated by Medicare and published on its website. The adjustment on each October 1 shall be a percentage equal to the value of that index averaged over the four quarters of the most recent calendar year divided by the value of that index over the four quarters of the prior calendar year.

(e) No later than October 1, 2021, and at least once every three years thereafter, the commissioner shall update the HOFS established under this subdivision by incorporating services with a J1 or J2 status indicator, and the corresponding relative weights, listed in the Addenda A and B most recently available on Medicare's website as of the preceding July 1. If Addenda A and B are not available on Medicare's website on the preceding July 1, the HOFS most recently published on the department's website remains in effect.

(1) Each time the HOFS is updated under this paragraph, the commissioner shall adjust the conversion factors so that there is no difference between the overall payment under the new HOFS and the overall payment under the HOFS most recently in effect, for services in both HOFSS.

(2) The conversion factor adjustments under this paragraph shall be made separately for each hospital category in paragraph (b).

(3) The conversion factor adjustments under this paragraph must be made before making any additional adjustment under paragraph (d).

(f) The commissioner shall give notice in the State Register of the adjusted conversion factor in paragraph (d) no later than October 1 annually. The commissioner shall give notice in the State Register of an updated HOFS under paragraph (e) no later than October 1 of the year in which the HOFS becomes effective. The notice must include a link to the HOFS published on the department's website. The notices, the updated fee schedules, and the adjusted conversion factors are not rules subject to chapter 14, but have the force and effect of law as of the effective date published in the State Register.

(g) Beginning October 1, 2023, to October 1, 2025, the commissioner shall adjust the conversion factors calculated under this subdivision to result in the following:

(1) for services effective October 1, 2023, a three percent overall reduction in total payments for hospital outpatient services;

(2) for services effective October 1, 2024, a three percent overall reduction in total payments for hospital outpatient services; and

(3) for services effective October 1, 2025, a four percent overall reduction in total payments for hospital outpatient services.

Sec. 2. **REPEALER.**

Minnesota Statutes 2022, section 176.1364, subdivision 6, is repealed.

**EFFECTIVE DATE.** This section is effective for services on or after October 1, 2023.

ARTICLE 5  
POST-TRAUMATIC STRESS DISORDER STUDY

Section 1. **POST-TRAUMATIC STRESS DISORDER STUDY.**

(a) The commissioner of labor and industry shall conduct a study to identify systemic or regulatory changes to improve the experience and outcomes of employees with work-related post-traumatic stress disorder. At a minimum, the study must:

(1) identify evidence-based methods and best practices for early detection and treatment of post-traumatic stress disorder;

(2) review models, including those used in other jurisdictions and systems, for delivering mental health wellness training or employee assistance programs, treatment for post-traumatic stress disorder, and benefits related to post-traumatic stress disorder. Review must include outcomes and cost considerations;

(3) identify any programs in other jurisdictions with effective prevention, timely and effective medical intervention, or high return-to-work rates for employees with work-related post-traumatic stress disorder;

(4) review the definition of post-traumatic stress disorder provided in Minnesota Statutes, section 176.011, subdivision 15, paragraph (d), and compare to definitions in other jurisdictions; and

(5) consider the list of occupations subject to the rebuttable presumption in Minnesota Statutes, section 176.011, subdivision 15, paragraph (e).

(b) The Public Employees Retirement Association, the Minnesota State Retirement System, the Minnesota Workers' Compensation Insurers Association, and any relevant state agencies shall cooperate with the commissioner in conducting this study. The commissioner must report the results of the study to the Workers' Compensation Advisory Council and the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over workers' compensation by August 1, 2025. The commissioner may contract with a third party to complete part or all of the study. The commissioner is exempt from the requirements of Minnesota Statutes, sections 16A.15, subdivision 3; 16B.97; and 16B.98, subdivisions 5, 7, and 8; and chapter 16C, and any other state procurement laws and procedures in completing the study.

(c) \$500,000 in fiscal year 2023 is appropriated from the workers' compensation fund to the commissioner of labor and industry to conduct the study in paragraph (a) and for the Department of Labor and Industry's provision of legal, technical, and clerical staff support for the study. This is a onetime appropriation and is available until June 30, 2026.

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

## ARTICLE 6 HOUSEKEEPING

Section 1. Minnesota Statutes 2022, section 176.011, subdivision 11a, is amended to read:

Subd. 11a. **Family farm.** (a) "Family farm" means any farm operation which pays or is obligated to pay cash wages, exclusive of machine hire, to farm laborers for services rendered during the preceding calendar year in an amount:

(1) less than \$8,000; or

(2) less than the statewide average annual wage as described in subdivision ~~20~~ 1b when the farm operation has total liability and medical payment coverage equal to \$300,000 and \$5,000, respectively, under a farm liability insurance policy, and the policy covers injuries to farm laborers.

(b) For purposes of this subdivision, farm laborer does not include any spouse, parent or child, regardless of age, of a farmer employed by the farmer, or any executive officer of a family farm corporation as defined in section 500.24, subdivision 2, or any spouse, parent or child, regardless of age, of such an officer employed by that family farm corporation, or other farmers in the same community or members of their families exchanging work with the employer. Notwithstanding any law to the contrary, a farm laborer shall not be considered as an independent contractor for the purposes of this chapter; provided that a commercial baler or commercial thresher shall be considered an independent contractor.

Sec. 2. Minnesota Statutes 2022, section 176.011, is amended by adding a subdivision to read:

**Subd. 17b. Relative value fee schedule.** "Relative value fee schedule" means the medical fee schedule adopted by rule under section 176.136, subdivision 1a, using the Physician Fee Schedule tables adopted for the federal Medicare program.

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

Sec. 3. Minnesota Statutes 2022, section 176.102, subdivision 3, is amended to read:

Subd. 3. **Review panel.** There is created a rehabilitation review panel composed of the commissioner or a designee, who shall serve as an ex officio member and two members each from employers, insurers, and rehabilitation, two licensed or registered health care providers, one chiropractor, and four members representing labor. The members shall be appointed by the commissioner and shall serve four-year terms which may be renewed. Terms, compensation, and removal for members shall be governed by section 15.0575. Notwithstanding section 15.059, this panel does not expire unless the panel no longer fulfills the purpose for which the panel was established, the panel has not met in the last 18 months, or the panel does not comply with the registration requirements of section 15.0599, subdivision 3. The panel shall select a chair. The panel shall review and make a determination with respect to appeals from orders of the commissioner regarding certification approval of qualified rehabilitation

consultants, qualified rehabilitation consultant firms, and vendors. The hearings are de novo and initiated by the panel under the contested case procedures of chapter 14, and are appealable to the Workers' Compensation Court of Appeals in the manner provided by section 176.421.

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

Sec. 4. Minnesota Statutes 2022, section 176.111, subdivision 16, is amended to read:

Subd. 16. **Cessation of compensation.** Except as provided in this chapter, compensation ceases upon the death or marriage of any dependent. Cessation of benefits requires notice pursuant to subdivision 23.

**EFFECTIVE DATE.** This section is effective for violations on or after August 1, 2023.

Sec. 5. Minnesota Statutes 2022, section 176.111, is amended by adding a subdivision to read:

Subd. 23. **Notice of cessation of dependency benefits.** If an employer intends to discontinue dependency benefits of any individual identified as a dependent in this section, the employer must file with the commissioner, as required under section 176.231, subdivision 6, paragraphs (a) and (e), and serve on the dependent whose benefits are being discontinued written notice within 14 calendar days of discontinuance. The notice shall state the name of the individual whose dependency benefits are being discontinued, the date the individual's benefits will be discontinued, and a statement of facts clearly indicating the reason the individual will no longer receive dependency benefits and is no longer considered a dependent under this section. Any document in the employer's possession which is relied on for the discontinuance shall be attached to the notice. Failure to file this form as required may result in a penalty under section 176.231, subdivision 10.

**EFFECTIVE DATE.** This section is effective for violations on or after August 1, 2023.

Sec. 6. Minnesota Statutes 2022, section 176.1362, subdivision 1, is amended to read:

Subdivision 1. **Payment based on Medicare MS-DRG system.** (a) Except as provided in subdivisions 2 and 3, ~~the maximum~~ reimbursement for inpatient hospital services, articles, and supplies is the lesser of the hospital's total usual and customary charge or 200 percent of the amount calculated for each hospital under the federal Inpatient Prospective Payment System developed for Medicare, using the inpatient Medicare PC-Pricer program or the inpatient PPS Web Pricer for the applicable MS-DRG as provided in this subdivision. All adjustments included in the PC-Pricer program or the inpatient PPS Web Pricer are included in the amount calculated, including but not limited to any outlier payments.

(b) Payment under this section is effective for services, articles, and supplies provided to patients discharged from the hospital on or after January 1, 2016. Payment for services, articles, and supplies provided to patients discharged on January 1, 2016, through December 31, 2016, must be based on the Medicare PC-Pricer program in effect on January 1, 2016.

(c) For patients discharged on or after May 31, 2017, payment for inpatient services, articles, and supplies must be calculated according to the PC-Pricer program identified on Medicare's website as FY 2016.1, updated on January 19, 2016.

(d) For patients discharged on or after October 1, 2017, payment for inpatient services, articles, and supplies must be calculated according to the PC-Pricer program or the inpatient PPS Web Pricer posted on the Department of Labor and Industry's website as follows:

(1) No later than October 1, 2017, and October 1 of each subsequent year until October 1, 2021, the commissioner must post on the department's website the version of the PC-Pricer program that is most recently available on Medicare's website as of the preceding July 1. If no PC-Pricer program is available on the Medicare website on any July 1, the PC-Pricer program most recently posted on the department's website remains in effect.

The commissioner must publish notice of the applicable PC-Pricer program in the State Register no later than October 1 of each year.

(2) Beginning on October 1, 2021, payment for inpatient services, articles, and supplies must be calculated using the inpatient PPS Web Pricer available on Medicare's website using the applicable dates of inpatient hospitalization. The department must publish the link to the inpatient PPS Web Pricer on its website.

(e) The MS-DRG grouper software or program that corresponds to or is included with the applicable version of the PC-Pricer program or inpatient PPS Web Pricer must be used to determine payment under this subdivision.

(f) Hospitals must bill workers' compensation insurers using the same codes, formats, and details that are required for billing for hospital inpatient services by the Medicare program. The bill must be submitted to the insurer within the time period required by section 62Q.75, subdivision 3. For purposes of this section, "insurer" includes both workers' compensation insurers and self-insured employers.

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

Sec. 7. **REPEALER.**

Minnesota Statutes 2022, section 176.223, is repealed."

Delete the title and insert:

"A bill for an act relating to workers' compensation; adopting recommendations of the 2023 Workers' Compensation Advisory Committee; modifying workers' compensation self-insurance; improving system efficiencies; modifying the permanent partial disability schedule; requiring a post-traumatic stress disorder study and report; making housekeeping changes; appropriating money; amending Minnesota Statutes 2022, sections 79A.01, subdivision 4; 79A.04, subdivisions 7, 9, 10, 16, by adding a subdivision; 79A.08; 79A.13; 79A.24, subdivision 4; 79A.25, subdivisions 1, 2, 3, by adding a subdivision; 176.011, subdivision 11a, by adding a subdivision; 176.081, subdivision 1; 176.101, subdivision 2a; 176.102, subdivision 3; 176.111, subdivision 16, by adding a subdivision; 176.135, subdivisions 1, 1a, 7; 176.1362, subdivision 1; 176.1364, subdivision 3; 176.155, subdivision 1; 176.239, subdivisions 6, 7; 176.291; 176.305, subdivision 4; 176.331; repealing Minnesota Statutes 2022, sections 176.1364, subdivision 6; 176.223."

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. No. 2369 was read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1362 and 2904 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Wolgamott and Stephenson introduced:

H. F. No. 3294, A bill for an act relating to retirement; Teachers Retirement Association; higher education individual retirement account plan; lowering the normal retirement age to age 64; increasing employee and employer contributions; extending the end of the amortization period to 2053; increasing the pension adjustment revenue for school districts; appropriating money; amending Minnesota Statutes 2022, sections 126C.10, subdivision 37; 354.05, subdivision 38; 354.42, subdivisions 2, 3; 354B.23, subdivision 1; 356.215, subdivision 11.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I have the honor to inform the House of Representatives that the Senate is ready to meet with the House in a Joint Convention on Monday, May 1, 2023, at 6:00 p.m., for the purpose of electing members to the Board of Regents of the University of Minnesota.

THOMAS S. BOTTERN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2292, A bill for an act relating to early childhood; modifying provisions for early learning scholarships, Head Start, and early education programs; providing for early childhood educator programs; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 119A.52; 121A.17, subdivision 3; 121A.19; 124D.13, by adding a subdivision; 124D.141, subdivision 2; 124D.162; 124D.165, subdivisions 2, 3, 4, 6; 125A.13; 179A.03, subdivision 18; proposing coding for new law in Minnesota Statutes, chapter 122A.



The Senate has appointed as such committee:

Senators Kunesh, Wiklund, and Duckworth.

Said House File is herewith returned to the House.

THOMAS S. BOTTERN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2887, A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation, Department of Public Safety, and Metropolitan Council activities; modifying prior appropriations; authorizing the sale and issuance of state bonds; modifying various policy and finance provisions; establishing metropolitan region sales and use tax; requiring Metropolitan Council to implement and enforce transit safety measures; authorizing administrative citations; establishing criminal penalties; establishing an advisory committee, a task force, and a working group; establishing pilot programs; requiring a study; requiring reports; transferring money; amending Minnesota Statutes 2022, sections 13.69, subdivision 1; 43A.17, by adding a subdivision; 151.37, subdivision 12; 161.088, subdivisions 1, 2, 4, 5, as amended, by adding subdivisions; 161.45, subdivisions 1, 2; 161.46, subdivision 2; 163.051, subdivision 1; 168.002, by adding a subdivision; 168.012, by adding a subdivision; 168.013, subdivision 1a; 168.326; 168.327, subdivisions 1, 2, 3, by adding a subdivision; 168.33, subdivision 7; 168.345, subdivision 2; 168.54, subdivision 5; 168A.29, by adding a subdivision; 169.09, subdivision 13, by adding a subdivision; 169.14, by adding a subdivision; 169.345, subdivision 2; 169.475, subdivisions 2, 3; 169.8261; 169.865, subdivision 1a; 171.01, by adding subdivisions; 171.06, subdivisions 2, 3, as amended, 7, by adding subdivisions; 171.061, subdivision 4; 171.0705, by adding a subdivision; 171.13, subdivisions 1, 1a; 171.26; 174.01, by adding a subdivision; 174.03, subdivision 1c; 174.634; 219.015, subdivision 2; 219.1651; 221.0269, by adding a subdivision; 222.37, subdivision 1; 256.9752, by adding a subdivision; 270C.15; 297A.94; 297A.99, subdivision 1; 297A.993, by adding a subdivision; 297B.02, subdivision 1; 297B.03; 297B.09; 299A.01, by adding a subdivision; 299A.705, subdivision 1; 299D.03, subdivision 5; 299F.60, subdivision 1; 299J.16, subdivision 1; 357.021, subdivisions 6, 7; 473.146, subdivision 1, by adding a subdivision; 473.39, by adding a subdivision; 473.859, by adding a subdivision; 609.855, subdivisions 1, 3, 7, by adding a subdivision; Laws 2021, First Special Session chapter 5, article 1, sections 2, subdivision 2; 4, subdivision 4; article 4, section 143; Laws 2022, chapter 39, section 2; proposing coding for new law in Minnesota Statutes, chapters 4; 160; 161; 168; 169; 171; 174; 297A; 473; proposing coding for new law as Minnesota Statutes, chapter 168E; repealing Minnesota Statutes 2022, sections 168.121, subdivision 5; 168.1282, subdivision 5; 168.1294, subdivision 5; 168.1299, subdivision 4; 168.345, subdivision 1; 299A.705, subdivision 2; 360.915, subdivision 5.

The Senate has appointed as such committee:

Senators Dibble, Morrison, Carlson, McEwen, and Jasinski.

Said House File is herewith returned to the House.

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. 100, A bill for an act relating to cannabis; establishing the Office of Cannabis Management; establishing advisory councils; requiring reports relating to cannabis use and sales; legalizing and limiting the possession and use of cannabis and certain hemp products by adults; providing for the licensing, inspection, and regulation of cannabis businesses and hemp businesses; requiring testing of cannabis flower, cannabis products, and certain hemp products; requiring labeling of cannabis flower, cannabis products, and certain hemp products; limiting the advertisement of cannabis flower, cannabis products, and cannabis businesses, and hemp businesses; providing for the cultivation of cannabis in private residences; transferring regulatory authority for the medical cannabis program; taxing the sale of cannabis flower, cannabis products, and certain hemp products; establishing grant and loan programs; clarifying the prohibition on operating a motor vehicle while under the influence of certain products and chemicals; amending criminal penalties; establishing expungement procedures for certain individuals; requiring reports on expungements; providing for expungement of certain evictions; clarifying the rights of landlords and tenants regarding use of certain forms of cannabis; establishing labor standards for the use of cannabis flower, cannabis products, and certain hemp products by employees and testing of employees; providing for the temporary regulation of certain edible cannabinoid products; providing for professional licensing protections; providing for local registration of certain cannabis businesses and hemp businesses operating retail establishments; amending the scheduling of marijuana and tetrahydrocannabinols; classifying data; making miscellaneous cannabis-related changes and additions; making clarifying and technical changes; appropriating money; amending Minnesota Statutes 2022, sections 13.411, by adding a subdivision; 13.871, by adding a subdivision; 34A.01, subdivision 4; 144.99, subdivision 1; 144A.4791, subdivision 14; 151.72; 152.01, by adding subdivisions; 152.02, subdivisions 2, 4; 152.021, subdivisions 1, 2; 152.022, subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 152.11, subdivision 2; 152.22, by adding subdivisions; 152.29, subdivision 4, by adding a subdivision; 152.30; 152.32; 152.33, subdivision 1; 169A.03, by adding subdivisions; 169A.20, subdivision 1; 169A.31, subdivision 1; 169A.51, subdivisions 1, 4; 169A.72; 175.45, subdivision 1; 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by adding a subdivision; 181.951, subdivisions 4, 5, 6, by adding subdivisions; 181.952, by adding a subdivision; 181.953; 181.954; 181.955; 181.957, subdivision 1; 244.05, subdivision 2; 245C.08, subdivision 1; 256.01, subdivision 18c; 256B.0625, subdivision 13d; 256D.024, subdivisions 1, 3; 256J.26, subdivisions 1, 3; 270B.12, by adding a subdivision; 273.13, subdivision 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.61, subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, subdivisions 2, 4, 18; 297A.85; 297D.01; 297D.04; 297D.06; 297D.07; 297D.08; 297D.085; 297D.09, subdivision 1a; 297D.10; 297D.11; 340A.412, subdivision 14; 484.014, subdivision 3; 504B.171, subdivision 1; 609.2112, subdivision 1; 609.2113, subdivisions 1, 2, 3; 609.2114, subdivisions 1, 2; 609.5311, subdivision 1; 609.5314, subdivision 1; 609.5316, subdivision 2; 609A.01; 609A.03, subdivisions 5, 9; 609B.425, subdivision 2; 609B.435, subdivision 2; 624.712, by adding subdivisions; 624.713, subdivision 1; 624.714, subdivision 6; 624.7142, subdivision 1; 624.7151; proposing coding for new law in Minnesota Statutes, chapters 3; 116J; 116L; 120B; 144; 152; 169A; 270C; 289A; 295; 340A; 504B; 609A; 624; proposing coding for new law as Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2022, sections 151.72; 152.027, subdivisions 3, 4; 152.21; 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8, 9, 10, 11, 12, 13, 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, 4; 152.26; 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, 7; 152.28, subdivisions 1, 2, 3; 152.29, subdivisions 1, 2, 3, 3a, 4; 152.30; 152.31; 152.32, subdivisions 1, 2, 3; 152.33, subdivisions 1, 1a, 2, 3, 4, 5, 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2, 3, 4, 5; 152.37.

THOMAS S. BOTTERN, Secretary of the Senate

Stephenson moved that the House refuse to concur in the Senate amendments to H. F. No. 100, that the Speaker appoint a Conference Committee of 5 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.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2212, 2219 and 2819.

THOMAS S. BOTTERN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2212, A bill for an act relating to the Department of Health and Department of Human Services; amending various record and notification requirements; providing for over-the-counter hearing aids; adopting guidelines for physical standards of hospitals; modifying regulations related to lead; amending provisions for administering opiate antagonists; amending transporting requirements for medical cannabis; establishing and modifying grant programs; amending Minnesota Statutes 2022, sections 62J.17, subdivision 5a; 62Q.675; 62U.04, subdivision 11; 144.1481, subdivision 1; 144.2151; 144.222; 144.382, by adding subdivisions; 144.55, subdivision 3; 144.6535, subdivisions 1, 2, 4; 144.9501, subdivisions 17, 26a, 26b, by adding subdivisions; 144.9505, subdivisions 1, 1g, 1h; 144.9508, subdivision 2; 148.512, subdivisions 10a, 10b, by adding subdivisions; 148.513, by adding a subdivision; 148.515, subdivision 6; 148.5175; 148.5195, subdivision 3; 148.5196, subdivision 1; 148.5197; 148.5198; 151.37, subdivision 12; 152.29, subdivision 3a; 153A.13, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, by adding subdivisions; 153A.14, subdivisions 1, 2, 2h, 2i, 2j, 4, 4a, 4b, 4c, 4e, 6, 9, 11, by adding a subdivision; 153A.15, subdivisions 1, 2, 4; 153A.17; 153A.175; 153A.18; 153A.20; 245.4661, subdivision 9; 245.469, subdivision 3; 256.478, by adding subdivisions; 256B.056, by adding a subdivision; 256B.0622, subdivision 8; 256B.0625, subdivision 3a; 256B.0946, subdivision 6; 256B.0947, subdivision 7a; 256D.02, by adding a subdivision; 256D.07; 256I.03, subdivision 15, by adding a subdivision; 256I.04, subdivision 2; 256I.06, subdivision 3; 256I.09; 256J.08, subdivision 21; 256J.09, subdivision 3; 256J.95, subdivision 5; 256P.01, by adding a subdivision; 256P.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 245; repealing Minnesota Statutes 2022, sections 144.9505, subdivision 3; 153A.14, subdivision 5; 256I.03, subdivision 6; Minnesota Rules, parts 4640.1500; 4640.1600; 4640.1700; 4640.1800; 4640.1900; 4640.2000; 4640.2100; 4640.2200; 4640.2300; 4640.2400; 4640.2500; 4640.2600; 4640.2700; 4640.2800; 4640.2900; 4640.3000; 4640.3100; 4640.3200; 4640.3300; 4640.3400; 4640.3500; 4640.3600; 4640.3700; 4640.3800; 4640.3900; 4640.4000; 4640.4100; 4640.4200; 4640.4300; 4640.6100; 4640.6200; 4640.6300; 4640.6400; 4645.0300; 4645.0400; 4645.0500; 4645.0600; 4645.0700; 4645.0800; 4645.0900; 4645.1000; 4645.1100; 4645.1200; 4645.1300; 4645.1400; 4645.1500; 4645.1600; 4645.1700; 4645.1800; 4645.1900; 4645.2000; 4645.2100; 4645.2200; 4645.2300; 4645.2400; 4645.2500; 4645.2600; 4645.2700; 4645.2800; 4645.2900; 4645.3000; 4645.3100; 4645.3200; 4645.3300; 4645.3400; 4645.3500; 4645.3600; 4645.3700; 4645.3800; 4645.3805; 4645.3900; 4645.4000; 4645.4100; 4645.4200; 4645.4300; 4645.4400; 4645.4500; 4645.4600; 4645.4700; 4645.4800; 4645.4900; 4645.5100; 4645.5200.

The bill was read for the first time.

Liebling moved that S. F. No. 2212 and H. F. No. 2050, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2219, A bill for an act relating to commerce; authorizing administrative rulemaking; prohibiting price gouging; establishing notice requirements; prescribing penalties; modifying provisions governing emergency closures; eliminating certain examination requirements; modifying and adding provisions governing the sale of certain motor vehicles; regulating nonbank mortgage servicers; requiring a report; modifying provisions governing life insurance; specifying provisions for third-party payers and dental providers; establishing time limitations for civil actions under certain motor vehicle insurance policies; changing investment limit for small corporate offerings; directing rulemaking; amending provisions related to utility billing practices in manufactured home parks; modifying telecommunications pricing plans; modifying the definition of cost; eliminating prohibition on below cost sales of gasoline; increasing the civil penalties for unlawful robocalls; modifying provisions relating to digital fair repair; requiring direct-to-consumer genetic testing companies to provide disclosure notices and obtain consent; modifying limitations on credit card surcharges; providing remedies to debtors with coerced debt; amending Minnesota Statutes 2022, sections 8.31, subdivision 1; 47.0153, subdivision 1; 53C.01, subdivision 12c, by adding a subdivision; 53C.08, subdivision 1a; 61A.031; 61A.60, subdivision 3; 62Q.735, subdivisions 1, 5; 62Q.76, by adding a subdivision; 62Q.78, by adding subdivisions; 65B.49, by adding a subdivision; 80A.50; 103G.291, subdivision 4; 237.066; 325D.01, subdivision 5; 325D.71; 325E.31; 325E.66, subdivisions 2, 3, by adding a subdivision; 325F.662, subdivisions 2, 3; 325G.051, subdivision 1; 327C.015, subdivision 17, by adding subdivisions; 327C.04, subdivisions 1, 2, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 58; 65A; 325E; 325F; 332; repealing Minnesota Statutes 2022, section 48.10.

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

S. F. No. 2819, A bill for an act relating to human services; modifying the procedure for sanctions; modifying background studies conducted by the Department of Human Services; modifying definitions; prohibiting prone restraints in licensed or certified facilities; modifying child care safety provisions; modifying infant safety provisions; modifying foster care and child care training requirements; making technical changes to Northstar Care for Children assessment rate effective dates; making technical changes to relative search requirements and termination of parental rights; making technical corrections to child support provision; amending Minnesota Statutes 2022, sections 62V.05, subdivision 4a; 122A.18, subdivision 8; 245A.02, subdivisions 5a, 10b, by adding a subdivision; 245A.04, subdivisions 1, 4, 7; 245A.041, by adding a subdivision; 245A.05; 245A.07, subdivisions 1, 2a, 3; 245A.10, subdivisions 3, 4; 245A.11, by adding a subdivision; 245A.14, subdivision 4; 245A.1435; 245A.146, subdivision 3; 245A.16, subdivisions 1, 9, by adding a subdivision; 245A.18, subdivision 2; 245A.52, subdivisions 1, 2, 3, 5, by adding subdivisions; 245A.66, by adding a subdivision; 245C.02, subdivisions 6a, 11c, by adding subdivisions; 245C.03, subdivisions 1, 1a, 4, 5, 5a; 245C.031, subdivisions 1, 4; 245C.05, subdivision 1, by adding a subdivision; 245C.07; 245C.10, subdivision 4; 245C.30, subdivision 2; 245C.31, subdivision 1; 245C.33, subdivision 4; 245E.06, subdivision 3; 245G.13, subdivision 2; 245H.03, by adding a subdivision; 245H.05; 245H.08, subdivisions 4, 5; 245H.13, subdivisions 3, 7, 9; 256.9685, subdivisions 1a, 1b; 256.9686, by adding a subdivision; 256B.04, subdivision 15; 256B.064; 256B.27, subdivision 3; 256N.24, subdivision 12; 260C.221, subdivision 1; 260C.317, subdivision 3; 518A.43, subdivision 1b; 524.5-118, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 119B; 245A; repealing Minnesota Statutes 2022, sections 245A.144; 245A.175; 245A.22; 245C.02, subdivision 9; 245C.301; 256.9685, subdivisions 1c, 1d; 256D.63, subdivision 1; 518A.59; Minnesota Rules, parts 2960.3070; 2960.3210; 9502.0425, subparts 5, 10; 9505.0505, subpart 18; 9505.0520, subpart 9b.

The bill was read for the first time.

Fischer moved that S. F. No. 2819 and H. F. No. 2712, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Long moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Wolgamott.

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 Tuesday, May 2, 2023 and established a prefiling requirement for amendments offered to the following bills:

S. F. No. 2369; and H. F. No. 2.

CALENDAR FOR THE DAY

H. F. No. 782 was reported to the House.

O'Driscoll moved to amend H. F. No. 782, the second engrossment, as follows:

Page 10, line 23, delete "covered employees and" and insert "the number of participants," and after "employers," insert "and covered employees who have opted out of participation,"

Page 10, line 25, after "violations" insert a comma and before "deliver" insert "disciplinary actions for enforcement, and"

A roll call was requested and properly seconded.

The question was taken on the O'Driscoll amendment and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Bakeberg	Brand	Daniels	Elkins	Frazier
Agbaje	Baker	Burkel	Daut	Engen	Frederick
Altendorf	Becker-Finn	Carroll	Davids	Feist	Freiberg
Anderson, P. E.	Bennett	Cha	Davis	Finke	Garofalo
Anderson, P. H.	Berg	Clardy	Demuth	Fischer	Gillman
Backer	Bierman	Coulter	Dotseth	Fogelman	Gomez
Bahner	Bliss	Curran	Edelson	Franson	Greenman

Grossell	Huot	Lee, F.	Nelson, N.	Pfarr	Swedzinski
Hansen, R.	Hussein	Lee, K.	Neu Brindley	Pinto	Tabke
Hanson, J.	Jacob	Liebling	Newton	Pryor	Torkelson
Harder	Johnson	Lillie	Niska	Pursell	Urdahl
Hassan	Jordan	Lislegard	Noor	Quam	Vang
Heintzeman	Keeler	Long	Norris	Rehm	West
Hemmingsen-Jaeger	Kiel	McDonald	Novotny	Richardson	Wiener
Her	Klevorn	Mekeland	O'Driscoll	Robbins	Wiens
Hicks	Knudsen	Moller	Olson, B.	Schomacker	Witte
Hill	Koegel	Mueller	Olson, L.	Schultz	Wolgamott
Hollins	Kotyza-Witthuhn	Murphy	O'Neill	Scott	Xiong
Hornstein	Kozlowski	Myers	Pelowski	Sencer-Mura	Youakim
Howard	Koznick	Nadeau	Pérez-Vega	Skraba	Zeleznikar
Hudella	Kraft	Nash	Perryman	Smith	Spk. Hortman
Hudson	Kresha	Nelson, M.	Petersburg	Stephenson	

The motion prevailed and the amendment was adopted.

O'Driscoll moved to amend H. F. No. 782, the second engrossment, as amended, as follows:

Page 2, line 15, delete "five" and insert "50"

A roll call was requested and properly seconded.

The question was taken on the O'Driscoll amendment and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Altendorf	Davids	Heintzeman	Mueller	O'Neill	Torkelson
Anderson, P. E.	Davis	Hudella	Murphy	Perryman	Urdahl
Anderson, P. H.	Demuth	Hudson	Myers	Petersburg	West
Backer	Dotseth	Jacob	Nadeau	Pfarr	Wiener
Bakeberg	Engen	Johnson	Nash	Quam	Wiens
Baker	Fogelman	Kiel	Nelson, N.	Robbins	Witte
Bennett	Franson	Knudsen	Neu Brindley	Schomacker	Zeleznikar
Bliss	Garofalo	Koznick	Niska	Schultz	
Burkel	Gillman	Kresha	Novotny	Scott	
Daniels	Grossell	McDonald	O'Driscoll	Skraba	
Daudt	Harder	Mekeland	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	Lislegard
Brand	Feist	Hansen, R.	Hornstein	Kotyza-Witthuhn	Long
Carroll	Finke	Hanson, J.	Howard	Kozlowski	Moller

Nelson, M.	Olson, L.	Pryor	Sencer-Mura	Vang	Spk. Hortman
Newton	Pelowski	Pursell	Smith	Wolgamott	
Noor	Pérez-Vega	Rehm	Stephenson	Xiong	
Norris	Pinto	Richardson	Tabke	Youakim	

The motion did not prevail and the amendment was not adopted.

H. F. No. 782, A bill for an act relating to retirement; establishing the Minnesota Secure Choice retirement program; providing for civil penalties; transferring money; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 187.

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 71 yeas and 60 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Altendorf	Daudt	Grossell	Kresha	Novotny	Schultz
Anderson, P. E.	Davids	Harder	McDonald	O'Driscoll	Scott
Anderson, P. H.	Davis	Heintzeman	Mekeland	Olson, B.	Skraba
Backer	Demuth	Hudella	Mueller	O'Neill	Swedzinski
Bakeberg	Dotseth	Hudson	Murphy	Perryman	Torkelson
Baker	Engen	Jacob	Myers	Petersburg	West
Bennett	Fogelman	Johnson	Nash	Pfarr	Wiener
Bliss	Franson	Kiel	Nelson, N.	Quam	Wiens
Burkel	Garofalo	Knudsen	Neu Brindley	Robbins	Witte
Daniels	Gillman	Koznick	Niska	Schomacker	Zeleznikar

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

H. F. No. 1234 was reported to the House.

Her moved to amend H. F. No. 1234, the second engrossment, as follows:

Page 2, after line 5, insert:

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

Page 2, after line 27, insert:

"Sec. 3. Minnesota Statutes 2022, section 299A.465, is amended by adding a subdivision to read:

Subd. 8. **No assignment of right to continued health insurance coverage.** A peace officer's or firefighter's entitlement to continued health insurance coverage under this section is not assignable either in law or equity or subject to execution, levy, attachment, garnishment, or other legal process.

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

Sec. 4. Minnesota Statutes 2022, section 352B.011, is amended by adding a subdivision to read:

Subd. 14. **Total and permanent duty disability.** "Total and permanent duty disability" means a physical or psychological condition that is expected to prevent a member, for a period of not less than 12 months, from engaging in any substantial gainful activity and that is the direct result of an injury that incurred during, or a disease arising out of, the performance of normal duties or the actual performance of less frequent duties, either of which are specific to protecting the property and personal safety of others and that present inherent dangers that are specific to the positions covered by the State Patrol retirement fund.

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

Page 3, after line 10, insert:

"Sec. 6. Minnesota Statutes 2022, section 352B.10, is amended by adding a subdivision to read:

Subd. 1a. **Total and permanent duty disability** A member who is determined to qualify for a total and permanent duty disability as defined in section 352B.011, subdivision 14, is entitled to receive, for life, a monthly disability benefit in an amount equal to 99 percent of the member's average monthly salary.

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

Page 4, after line 14, insert:

"(c) A member claiming a disability benefit must not waive the member's right to continued health insurance coverage under section 299A.465 as part of a settlement with the member's employer or another person or entity related to an application for a disability benefit. A member is subject to loss of eligibility for disability pension benefits if the member agrees to waive the member's right to continued health insurance."

Page 6, line 19, after "costs" insert "to the extent not paid for by the employee's health insurance"

Page 9, line 19, after "costs" insert "to the extent not paid for by the employee's health insurance"



Page 12, after line 24, insert:

"Sec. 12. Minnesota Statutes 2022, section 352B.105, subdivision 1, is amended to read:

Subdivision 1. **Termination.** Disability benefits payable under section 352B.10, subdivision 1 or 2, must terminate on the date on which the disabilitant transfers status as a disabilitant to status as a retirement annuitant.

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

Page 19, after line 9, insert:

"Sec. 19. Minnesota Statutes 2022, section 353.031, is amended by adding a subdivision to read:

**Subd. 11. Settlement must not include waiver of the right to continued health insurance coverage.** An applicant must not waive the applicant's right to continued health insurance coverage under section 299A.465 as part of a settlement with the applicant's employer or another person or entity related to an application for a disability benefit. An applicant is subject to loss of eligibility for disability pension benefits if the applicant agrees to waive the applicant's right to continued health insurance.

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

Page 21, line 13, after "costs" insert "to the extent not paid for by the employee's health insurance"

Page 24, line 12, after "costs" insert "to the extent not paid for by the employee's health insurance"

Page 33, line 8, delete "August" and insert "July"

Page 33, line 29, delete "by a pro rata share" and delete "of" and insert "by"

Page 33, line 33, delete the second "but" and insert "and"

Page 34, line 9, delete everything after "members" and insert a colon

Page 34, delete lines 10 to 11 and insert:

"(i) one dollar for every two dollars, up to 125 percent of the base monthly salary, by which the sum exceeds the base monthly salary; and

(ii) one dollar for each dollar by which the sum exceeds 125 percent of the base monthly salary;

where "sum" means the sum of the current disability benefit plus actual monthly reemployment earnings and "base monthly salary" means the base monthly salary currently paid by the employing governmental subdivision for similar positions."

Page 34, line 14, delete "January 1, 2024" and insert "July 1, 2023, but a member's disability payments must not be reduced by the offsets under paragraph (c), clauses (1) and (2), until January 1, 2024"

Page 36, after line 29, insert:

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

Page 37, after line 22, insert:

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

Renumber the sections in sequence

Amend the title accordingly

Her moved to amend the Her amendment to H. F. No. 1234, the second engrossment, as follows:

Page 2, line 12, delete everything after the period

Page 2, delete line 13

Page 2, line 30, delete "An"

Page 3, delete lines 1 and 2

The motion prevailed and the amendment to the amendment was adopted.

O'Driscoll moved to amend the Her amendment, as amended, to H. F. No. 1234, the second engrossment, as follows:

Page 1, after line 22, insert:

"Page 3, line 4, before the comma, insert "that was a result of the performance of duties related to the employee's occupation""

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Her amendment, as amended, to H. F. No. 1234, the second engrossment. The motion prevailed and the amendment, as amended, was adopted.

Novotny moved to amend H. F. No. 1234, the second engrossment, as amended, as follows:

Page 33, line 8, delete "August" and insert "July"

Page 33, line 9, delete everything after "2023" and insert a period

Page 33, delete line 10

Page 33, line 11, delete everything before "If"

Page 33, lines 26 to 27, delete "or are required to reapply under section 353.031, subdivision 8,"

Novotny moved to amend the Novotny amendment to H. F. No. 1234, the second engrossment, as amended, as follows:

Page 1, after line 7, insert:

"Page 37, lines 3 and 16, delete "\$100,000,000 and insert \$97,500,000"

Page 37, after line 22, insert:

"Sec. 29. **APPROPRIATION; ONETIME DIRECT STATE AID.**

\$2,500,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of management and budget for onetime state aid to the public employees police and fire plan."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Novotny amendment to H. F. No. 1234, the second engrossment, as amended. The motion did not prevail and the amendment was not adopted.

H. F. No. 1234, as amended, was read for the third time.

Long moved that the House recess subject to the call of the Chair to meet with the Senate in Joint Convention to elect members of the Board of Regents of the University of Minnesota. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House, as President of the Joint Convention, called the Joint Convention to order.

Prayer was offered by the Reverend Kevin Schill, Retired United Methodist Pastor, New Brighton, Minnesota.

The roll being called, the following Senators answered to their names: Abeler, Anderson and Bahr.

Senator Frentz moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

COMMUNICATION FROM THE JOINT LEGISLATIVE COMMITTEE FOR CANDIDATES  
FOR VACANCIES ON THE BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA

April 24, 2023

Dear Speaker Hortman, Majority Leader Dziejdzic, Minority Leaders Demuth and Johnson:

Pursuant to Minnesota Statutes 2022, section 137.0246, subdivision 2 and Joint Rule of the Senate and House 4.01, the Joint Higher Education Committee met on February 28, 2023 to consider candidates for the vacancies on the University of Minnesota Board of Regents.

The Joint Committee allowed all candidates who were recommended by the Regent Candidate Advisory Council, who had not withdrawn their applications, an opportunity to address the Joint Committee and respond to questions. No additional candidates were nominated by Joint Committee members that were not already nominated by the Regent Candidate Advisory Council for another District during the hearing.

After hearing from all candidates, the Joint Committee voted in accordance with the meeting procedures adopted by the joint committee. In each district, the candidate subsequently received the requisite votes for recommendation to the joint convention.

We respectfully forward the following names in each district to the Joint Convention of the Senate and the House of Representatives:

Second Congressional District: Robyn Gulley;  
Third Congressional District: Mary Turner;  
Eighth Congressional District: Tadd Johnson;  
At-Large District: Penny Wheeler.

Respectfully submitted,

SENATOR OMAR FATEH  
Co-Chair of the Joint Higher Education Committee

REPRESENTATIVE GENE PELOWSKI  
Co-Chair of the Joint Legislative Committee

ELECTION OF MEMBERS TO THE BOARD  
OF REGENTS OF THE UNIVERSITY OF MINNESOTA

Pursuant to the Joint Rules of the Senate and House of Representatives, the Joint Convention proceeded to elect Regents from the Second, Third and Eighth Congressional District.

Robyn Gulley was nominated by the Joint Legislative Committee for the Second Congressional District Regent for a term of six years.

Mary Turner was nominated by the Joint Legislative Committee for the Third Congressional District Regent for a term of six years.

William Humphries was nominated by Representative O'Neill for the Third Congressional District Regent for a term of six years.

Tadd Johnson was nominated by the Joint Legislative Committee for the Eighth Congressional District Regent for a term of six years.

There being no further nominations, the President declared the nominations closed.

The Secretary called the roll.

#### SECOND CONGRESSIONAL DISTRICT REGENT JOINT ROLL CALL

The following members of the Senate voted for Robyn Gulley:

Abeler	Duckworth	Hoffman	Lang	Morrison	Rasmusson
Boldon	Dziedzic	Housley	Latz	Murphy	Rest
Carlson	Eichorn	Howe	Limmer	Nelson	Seeberger
Champion	Farnsworth	Jasinski	Mann	Oumou Verbeten	Westlin
Coleman	Fateh	Johnson	Marty	Pappas	Wiklund
Cwodzinski	Frentz	Klein	Maye Quade	Pha	Xiong
Dahms	Gruenhagen	Koran	McEwen	Port	
Dibble	Gustafson	Kreun	Miller	Pratt	
Dornink	Hauschild	Kunesh	Mitchell	Putnam	
Draheim	Hawj	Kupec	Mohamed	Rarick	

The following members of the House of Representatives voted for Robyn Gulley:

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

Robyn Gulley received 179 votes.

Robyn Gulley, having received 179 votes, a majority of the votes cast, was declared elected Second Congressional District Regent, for a term of six years.

### THIRD CONGRESSIONAL DISTRICT REGENT JOINT ROLL CALL

The following members of the Senate voted for Mary Turner:

Abeler	Fateh	Klein	McEwen	Oumou Verbeten	Seeberger
Boldon	Frentz	Kunesh	Miller	Pappas	Westlin
Carlson	Gustafson	Kupec	Mitchell	Pha	Wiklund
Champion	Hauschild	Latz	Mohamed	Port	Xiong
Cwodzinski	Hawj	Mann	Morrison	Putnam	
Dibble	Hoffman	Marty	Murphy	Rarick	
Dziedzic	Housley	Maye Quade	Nelson	Rest	

The following members of the House of Representatives voted for Mary Turner:

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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Pres. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

Mary Turner received 108 votes.

The following members of the Senate voted for William Humphries:

Anderson	Draheim	Green	Koran	Lucero	Weber
Bahr	Drazkowski	Gruenhagen	Kreun	Mathews	Wesenberg
Coleman	Duckworth	Howe	Lang	Pratt	Westrom
Dahms	Eichorn	Jasinski	Lieske	Rasmusson	
Dornink	Farnsworth	Johnson	Limmer	Utke	

The following members of the House of Representatives voted for William Humphries:

Altendorf	Burkel	Fogelman	Hudson	Kresha	Nelson, N.
Anderson, P. E.	Daniels	Franson	Igo	McDonald	Neu Brindley
Anderson, P. H.	Daudt	Garofalo	Jacob	Mekeland	Niska
Backer	Dauids	Gillman	Johnson	Mueller	Novotny
Bakeberg	Davis	Grossell	Joy	Murphy	O'Driscoll
Baker	Demuth	Harder	Kiel	Myers	Olson, B.
Bennett	Dotseth	Heintzeman	Knudsen	Nadeau	O'Neill
Bliss	Engen	Hudella	Koznick	Nash	Perryman

Petersburg	Robbins	Scott	Torkelson	Wiener	Zeleznikar
Pfarr	Schomacker	Skraba	Urdahl	Wiens	
Quam	Schultz	Swedzinski	West	Witte	

William Humphries received 92 votes.

Mary Turner, having received 108 votes, a majority of the votes cast, was declared elected Third Congressional District Regent, for a term of six years.

#### EIGHTH CONGRESSIONAL DISTRICT REGENT JOINT ROLL CALL

The following members of the Senate voted for Tadd Johnson:

Abeler	Duckworth	Housley	Limmer	Nelson	Utke
Anderson	Dziedzic	Howe	Mann	Oumou Verbeten	Weber
Boldon	Eichorn	Jasinski	Marty	Pappas	Westlin
Carlson	Farnsworth	Johnson	Mathews	Pha	Westrom
Champion	Fateh	Klein	Maye Quade	Port	Wiklund
Coleman	Frentz	Koran	McEwen	Pratt	Xiong
Cwodzinski	Gruenhagen	Kreun	Miller	Putnam	
Dahms	Gustafson	Kunesh	Mitchell	Rarick	
Dibble	Hauschild	Kupec	Mohamed	Rasmusson	
Dornink	Hawj	Lang	Morrison	Rest	
Draheim	Hoffman	Latz	Murphy	Seeberger	

The following members of the House of Representatives voted for Tadd Johnson:

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

Tadd Johnson received 188 votes.

Tadd Johnson, having received 188 votes, a majority of the votes cast, was declared elected Eighth Congressional District Regent, for a term of six years.

Pursuant to the Joint Rules of the Senate and House of Representatives, the Joint Convention proceeded to elect an At-Large Regent.

Penny Wheeler was nominated by the Joint Legislative Committee for the At-Large Regent for a term of six years.

Flora Yang was nominated by Representative O'Neill for the At-Large Regent for a term of six years.

There being no further nominations, the President declared the nominations closed.

The Secretary called the roll.

#### AT-LARGE REGENT JOINT ROLL CALL

The following members of the Senate voted for Penny Wheeler:

Boldon	Dziedzic	Hawj	Mann	Pappas	Seeberger
Carlson	Fateh	Klein	Maye Quade	Pha	Westlin
Champion	Frentz	Kunesh	Mohamed	Port	Wiklund
Cwodzinski	Gustafson	Kupec	Morrison	Putnam	Xiong
Dibble	Hauschild	Latz	Murphy	Rest	

The following members of the House of Representatives voted for Penny Wheeler:

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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Pres. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

Penny Wheeler received 98 votes.

The following members of the Senate voted for Flora Yang:

Abeler	Draheim	Gruenhagen	Kreun	Mathews	Utke
Anderson	Drazkowski	Housley	Lang	Miller	Weber
Bahr	Duckworth	Howe	Lieske	Nelson	Wesenberg
Coleman	Eichorn	Jasinski	Limmer	Pratt	Westrom
Dahms	Farnsworth	Johnson	Lucero	Rarick	
Dornink	Green	Koran	Marty	Rasmusson	



The following members of the House of Representatives voted for Flora Yang:

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

Flora Yang received 98 votes.

No candidate received a majority of the votes cast for the At-Large Regent. Pursuant to Joint Rule 4.02, the votes were cast again. The remaining two candidates for the At-Large Regent seat were Penny Wheeler and Flora Yang, for a term of six years.

The following members of the Senate voted for Penny Wheeler:

Boldon	Fateh	Kunesh	Mitchell	Port	Xiong
Carlson	Frentz	Kupec	Mohamed	Putnam	
Champion	Gustafson	Latz	Morrison	Rest	
Cwodzinski	Hauschild	Mann	Murphy	Seeberger	
Dibble	Hawj	Maye Quade	Pappas	Westlin	
Dziedzic	Klein	McEwen	Pha	Wiklund	

The following members of the House of Representatives voted for Penny Wheeler:

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

Penny Wheeler received 101 votes.

The following members of the Senate voted for Flora Yang:

Abeler	Draheim	Gruenhagen	Kreun	Mathews	Rasmusson
Anderson	Drazkowski	Housley	Lang	Miller	Utke
Bahr	Duckworth	Howe	Lieske	Nelson	Weber
Coleman	Eichorn	Jasinski	Limmer	Oumou Verbeten	Wesenberg
Dahms	Farnsworth	Johnson	Lucero	Pratt	Westrom
Dornink	Green	Koran	Marty	Rarick	

The following members of the House of Representatives voted for Flora Yang:

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

Flora Yang received 99 votes.

Penny Wheeler, having received 101 votes, a majority of the votes cast, was declared elected At-Large Regent, for a term of six years.

#### DECLARATION OF ELECTION

Robyn Gulley, Second Congressional District Regent, Six Years; Mary Turner, Third Congressional District Regent, Six Years; Tadd Johnson, Eighth Congressional District Regent, Six Years; and Penny Wheeler, At-Large Regent, Six Years; each having received a majority of the votes cast at the Joint Convention were declared by the President of the Joint Convention to be elected to the Board of Regents of the University of Minnesota.

Senator Frentz moved that the Joint Convention adjourn. The motion prevailed and the President declared the Joint Convention adjourned.

CERTIFICATION

May 1, 2023

To the Governor  
State of Minnesota

To the Senate  
State of Minnesota

To the House of Representatives  
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Monday, May 1, 2023, have elected as members of the Board of Regents of the University of Minnesota the following members each to hold office for the term specified for each to begin upon election by the Joint Convention:

Robyn Gulley, Second Congressional District, Six Years  
Mary Turner, Third Congressional District, Six Years  
Tadd Johnson, Eighth Congressional District, Six Years  
Penny Wheeler, At-Large, Six Years.

BOBBY JOE CHAMPION  
President of the Senate

MELISSA HORTMAN  
Speaker of the House of Representatives

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 the Speaker.

Igo, Joy, Kiel and Reyer were excused for the remainder of today's session.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 100:

Stephenson; Hanson, J.; Kozlowski; Hollins and West.

### CALENDAR FOR THE DAY, Continued

H. F. No. 1234, as amended, which was given a third reading earlier today was again reported to the House.

H. F. No. 1234, A bill for an act relating to labor; modifying peace officer and firefighter duty disability provisions; requiring a report; appropriating money; amending Minnesota Statutes 2022, sections 299A.42; 299A.465, subdivision 4; 352B.10, subdivisions 1, 2a, 4; 352B.101; 353.01, subdivision 47; 353.031, subdivisions 1, 3, 4, 8, 9; 353.335; 353.656, subdivisions 1, 1a, 1b, 3, 3a, 4, 6a, 10; proposing coding for new law in Minnesota Statutes, chapters 352B; 353; 626; repealing Minnesota Statutes 2022, section 353.656, subdivisions 2, 2a.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 89 yeas and 41 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Altendorf	Engen	Heintzeman	McDonald	O'Driscoll	Schomacker
Bennett	Fogelman	Hudella	Mekeland	Olson, B.	Schultz
Bliss	Franson	Hudson	Murphy	Perryman	Scott
Burkel	Garofalo	Jacob	Nash	Petersburg	Swedzinski
Daniels	Gillman	Johnson	Nelson, N.	Pfarr	Torkelson
Daudt	Grossell	Knudsen	Neu Brindley	Quam	Wiener
Davis	Harder	Kresha	Niska	Robbins	

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

S. F. No. 1384 was reported to the House.

Nelson, M., moved to amend S. F. No. 1384, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1522, the first engrossment:

"Section 1. Minnesota Statutes 2022, section 13.43, subdivision 6, is amended to read:

Subd. 6. **Access by labor organizations.** (a) Personnel data ~~may~~ must be disseminated to labor organizations to the extent ~~that the responsible authority determines that the dissemination is necessary to conduct elections, notify employees of fair share fee assessments, investigate and process grievances,~~ and implement the provisions of chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and to the Bureau of Mediation Services to the extent the dissemination is ordered or authorized by the commissioner of the Bureau of Mediation Services. Personnel data described under section 179A.07, subdivision 8, must be disseminated to an exclusive representative under the terms of that subdivision. Employee Social Security numbers are not necessary to implement the provisions of chapters 179 and 179A.

(b) The home addresses, nonemployer-issued phone numbers and email addresses, dates of birth, and emails or other communications between exclusive representatives and their members, prospective members, and nonmembers are private data on individuals.

**Sec. 2. [16A.1335] EMPLOYEE SALARIES AND BENEFITS IN EVENT OF STATE GOVERNMENT SHUTDOWN.**

Subdivision 1. **Definition.** As used in this section, "government shutdown" means that, as of July 1 of an odd-numbered year, legislation appropriating money for the general operations of (1) an executive agency, (2) an office or department of the legislature, including each house of the legislature and the Legislative Coordinating Commission, or (3) a judicial branch agency or department, including a court, has not been enacted for the biennium beginning July 1 of that year.

Subd. 2. **Payment required.** Notwithstanding section 16A.17, subdivision 8, state employees must be provided payment for lost salary and benefits resulting from their absence from work during a government shutdown. An employee is eligible for a payment under this section only upon the employee's return to work.

Subd. 3. **Appropriation; limitation.** (a) In the event of a government shutdown, the amount necessary to pay the salary and benefits of employees of any impacted agency, office, or department is appropriated beginning on that July 1 to that agency, office, or department. The appropriation is made from the fund or funds from which an appropriation was made in the previous fiscal year for salary and benefits paid to each affected employee.

(b) Amounts appropriated under this subdivision may not exceed the amount or amounts appropriated for general operations of the affected agency, office, or department in the previous fiscal year.

Subd. 4. **Certification of amount for employees in the legislative and judicial branches.** By June 25 of an odd-numbered year, if a government shutdown appears imminent, the director of the Legislative Coordinating Commission, the chief clerk of the house of representatives, the secretary of the senate, and the chief clerk of the supreme court must each certify to the commissioner of management and budget the amount needed for salaries and benefits for each fiscal year of the next biennium, and the commissioner of management and budget shall make the certified amount available on July 1 of that year or on another schedule that permits payment of all salary and benefit obligations required by this section in a timely manner.

Subd. 5. **Subsequent appropriations.** A subsequent appropriation to the agency, office, or department for regular operations for a biennium in which this section has been applied may only supersede and replace the appropriation provided by subdivision 3 by express reference to this section.

Sec. 3. Minnesota Statutes 2022, section 120A.414, subdivision 2, is amended to read:

Subd. 2. **Plan.** A school board, including the board of a charter school, may adopt an e-learning day plan after ~~consulting meeting and negotiating~~ with the exclusive representative of the teachers. ~~A If a charter school's teachers are not represented by an exclusive representative, the~~ charter school may adopt an e-learning day plan after consulting with its teachers. The plan must include accommodations for students without Internet access at home and for digital device access for families without the technology or an insufficient amount of technology for the number of children in the household. A school's e-learning day plan must provide accessible options for students with disabilities under chapter 125A.

Sec. 4. Minnesota Statutes 2022, section 122A.181, subdivision 5, is amended to read:

Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and limited to the district or charter school that requested the initial Tier 1 license.

(b) A Tier 1 license does not bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under section 179A.03, subdivision 18.~~

Sec. 5. Minnesota Statutes 2022, section 122A.26, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** (a) A person who teaches in a community education program ~~which that~~ qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements as a teacher. A person who teaches in an early childhood and family education program ~~which that~~ is offered through a community education program and which qualifies for community education aid pursuant to section 124D.20 or early childhood and family education aid pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A person who teaches in a community education course ~~which that~~ is offered for credit for graduation to persons under 18 years of age shall continue to meet licensure requirements as a teacher.

(b) A person who teaches a driver training course ~~which that~~ is offered through a community education program to persons under 18 years of age shall be licensed by the Professional Educator Licensing and Standards Board or be subject to section 171.35. A license ~~which that~~ is required for an instructor in a community education program pursuant to this ~~subdivision paragraph~~ shall not be construed to bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, ~~clause paragraph~~ (a).

**EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

Sec. 6. Minnesota Statutes 2022, section 122A.40, subdivision 5, is amended to read:

Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and, the probationary period in each district in which the teacher is thereafter employed shall be one year. The school board must adopt a plan for written evaluation of teachers during the probationary period that is consistent with subdivision 8. Evaluation must occur at least three times periodically throughout each school year for a teacher performing services during that

school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school must not be included in determining the number of school days on which a teacher performs services. Except as otherwise provided in paragraph (b), during the probationary period any annual contract with any teacher may or may not be renewed as the school board shall see fit. However, the board must give any such teacher whose contract it declines to renew for the following school year written notice to that effect before July 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the board must give the teacher its reason in writing, including a statement that appropriate supervision was furnished describing the nature and the extent of such supervision furnished the teacher during the employment by the board, within ten days after receiving such request. The school board may, after a hearing held upon due notice, discharge a teacher during the probationary period for cause, effective immediately, under section 122A.44.

(b) A board must discharge a probationary teacher, effective immediately, upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

(c) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(d) A probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and who resumes teaching within 12 months of when the leave began is considered to have a consecutive teaching experience for purposes of paragraph (a) if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

(e) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

Sec. 7. Minnesota Statutes 2022, section 122A.41, subdivision 2, is amended to read:

**Subd. 2. Probationary period; discharge or demotion.** ~~(a) All teachers in the public schools in cities of the first class during the first three years of consecutive employment shall be deemed to be in a probationary period of employment during which period any annual contract with any teacher may, or may not, be renewed as the school board, after consulting with the peer review committee charged with evaluating the probationary teachers under subdivision 3, shall see fit. The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and the probationary period in each district in which the teacher is thereafter employed shall be one year.~~ The school site management team or the school board if there is no school site management team, shall adopt a plan for a written evaluation of teachers during the probationary period according to subdivisions 3 and 5. Evaluation by the peer review committee charged with evaluating probationary teachers under subdivision 3 shall occur at least three times periodically throughout each school year for a teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school shall not be included in determining the number of school days on which a teacher performs services. The school board may, during such probationary period, discharge or demote a teacher for any of the causes as specified in this code. A written statement of the cause of such discharge or demotion shall be given to the teacher by the school board at least 30 days before such removal or demotion shall become effective, and the teacher so notified shall have no right of appeal therefrom.

(b) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(c) A probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and who resumes teaching within 12 months of when the leave began is considered to have a consecutive teaching experience for purposes of paragraph (a) if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

(d) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

Sec. 8. Minnesota Statutes 2022, 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, 181.02, 181.03, 181.031, 181.032, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275, subdivision 2a, 181.722, 181.79, ~~and~~ 181.939 to 181.943, ~~or~~ 181.991, and with any rule promulgated under section 177.28. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435 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 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. 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.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to franchise agreements entered into or amended on or after that date.

Sec. 9. Minnesota Statutes 2022, section 177.42, subdivision 2, is amended to read:

Subd. 2. **Project.** "Project" means acquisition of property, predesign, design, demolition, erection, construction, remodeling, or repairing of a ~~public~~ building, facility, or other public work financed in whole or part by state funds.

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

Sec. 10. Minnesota Statutes 2022, section 179A.03, subdivision 14, is amended to read:

Subd. 14. **Public employee or employee.** (a) "Public employee" or "employee" means any person appointed or employed by a public employer except:

- (1) elected public officials;
- (2) election officers;



(3) commissioned or enlisted personnel of the Minnesota National Guard;

(4) emergency employees who are employed for emergency work caused by natural disaster;

(5) part-time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's appropriate unit;

(6) employees whose positions are basically temporary or seasonal in character and: (i) are not for more than 67 working days in any calendar year; ~~or~~ (ii) are not working for a Minnesota school district or charter school; or (iii) are not for more than 100 working days in any calendar year and the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment;

(7) employees providing services for not more than two consecutive quarters to the Board of Trustees of the Minnesota State Colleges and Universities under the terms of a professional or technical services contract as defined in section 16C.08, subdivision 1;

(8) employees of charitable hospitals as defined by section 179.35, subdivision 3, except that employees of charitable hospitals as defined by section 179.35, subdivision 3, are public employees for purposes of sections 179A.051, 179A.052, and 179A.13;

(9) full-time undergraduate students employed by the school which they attend under a work-study program or in connection with the receipt of financial aid, irrespective of number of hours of service per week;

(10) an individual who is employed for less than 300 hours in a fiscal year as an instructor in an adult vocational education program;

~~(11) an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities to teach one course for three or fewer credits for one semester in a year;~~

~~(12)~~ (11) with respect to court employees:

(i) personal secretaries to judges;

(ii) law clerks;

(iii) managerial employees;

(iv) confidential employees; and

(v) supervisory employees; or

~~(13)~~ (12) with respect to employees of Hennepin Healthcare System, Inc., managerial, supervisory, and confidential employees.

(b) The following individuals are public employees regardless of the exclusions of paragraph (a), clauses (5) ~~and (6)~~ to (7):

(1) an employee hired by a school district or the Board of Trustees of the Minnesota State Colleges and Universities except at the university established in the Twin Cities metropolitan area under section 136F.10 or for community services or community education instruction offered on a noncredit basis: (i) to replace an absent

teacher or faculty member who is a public employee, where the replacement employee is employed more than 30 working days as a replacement for that teacher or faculty member; or (ii) to take a teaching position created due to increased enrollment, curriculum expansion, courses which are a part of the curriculum whether offered annually or not, or other appropriate reasons;

(2) an employee hired for a position under paragraph (a), clause (6), item (i), if that same position has already been filled under paragraph (a), clause (6), item (i), in the same calendar year and the cumulative number of days worked in that same position by all employees exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position" includes a substantially equivalent position if it is not the same position solely due to a change in the classification or title of the position; ~~and~~

(3) an early childhood family education teacher employed by a school district; and

(4) an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities as the instructor of record to teach (i) one class for more than three credits in a fiscal year, or (ii) two or more credit-bearing classes in a fiscal year.

Sec. 11. Minnesota Statutes 2022, section 179A.03, subdivision 18, is amended to read:

Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent or assistant superintendent, principal, assistant principal, or a supervisory or confidential employee, employed by a school district:

(1) in a position for which the person must be licensed by the Professional Educator Licensing and Standards Board or the commissioner of education; ~~or~~

(2) in a position as a physical therapist, occupational therapist, art therapist, music therapist, or audiologist; or

(3) in a position creating and delivering instruction to children in a prekindergarten or early learning program, except that an employee in a bargaining unit certified before January 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive representative files a petition for a unit clarification or to transfer exclusive representative status.

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

Sec. 12. Minnesota Statutes 2022, section 179A.03, subdivision 19, is amended to read:

Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment" means the hours of employment, the compensation therefor including fringe benefits except retirement contributions or benefits other than employer payment of, or contributions to, premiums for group insurance coverage of retired employees or severance pay, staffing ratios, and the employer's personnel policies affecting the working conditions of the employees. In the case of professional employees the term does not mean educational policies of a school district. "Terms and conditions of employment" is subject to section 179A.07. In the case of school employees, "terms and conditions of employment" includes class sizes, student testing, and student-to-personnel ratios.

Sec. 13. Minnesota Statutes 2022, section 179A.06, subdivision 6, is amended to read:

Subd. 6. ~~**Dues checkoff Payroll deduction, authorization, and remittance.**~~ (a) Public employees have the right to request and be allowed ~~dues checkoff payroll deduction~~ dues checkoff payroll deduction for the exclusive representative. ~~In the absence of an exclusive representative, public employees have the right to request and be allowed dues checkoff for the organization of their choice.~~ and the political fund associated with the exclusive representative and registered

pursuant to section 10A.12. A public employer must rely on a certification from any exclusive representative requesting remittance of a deduction that the organization has and will maintain an authorization, signed by the public employee from whose salary or wages the deduction is to be made, which may include an electronic signature by the public employee as defined in section 325L.02, paragraph (h). An exclusive representative making such certification must not be required to provide the public employer a copy of the authorization unless a dispute arises about the existence or terms of the authorization. The exclusive representative must indemnify the public employer for any successful claims made by the employee for unauthorized deductions in reliance on the certification.

(b) A dues deduction authorization remains in effect until the employer receives notice from the exclusive representative that a public employee has changed or canceled their authorization in writing in accordance with the terms of the original authorizing document, and a public employer must rely on information from the exclusive representative receiving remittance of the deduction regarding whether the deductions have been properly changed or canceled. The exclusive representative must indemnify the public employer for any successful claims made by the employee for unauthorized deductions made in reliance on such information.

(c) Deduction authorization under this section is independent from the public employee's membership status in the organization to which payment is remitted and is effective regardless of whether a collective bargaining agreement authorizes the deduction.

(d) Employers must commence deductions within 30 days of notice of authorization from the exclusive representative and must remit the deductions to the exclusive representative within 30 days of the deduction. The failure of an employer to comply with the provisions of this paragraph shall be an unfair labor practice under section 179A.13, the relief for which shall be reimbursement by the employer of deductions that should have been made or remitted based on a valid authorization given by the employee or employees.

(e) In the absence of an exclusive representative, public employees have the right to request and be allowed payroll deduction for the organization of their choice.

(f) Any dispute under this subdivision must be resolved through an unfair labor practice proceeding under section 179A.13.

Sec. 14. Minnesota Statutes 2022, section 179A.06, is amended by adding a subdivision to read:

Subd. 8. **Liability.** (a) A public employer, a labor organization, or any of its employees or agents shall not be liable for and shall have a complete defense to claims or actions under the laws of this state for requiring, deducting, receiving, or retaining agency or fair share fees from public employees. Current or former public employees shall not have standing to pursue these claims or actions if the fees were permitted at the time under the laws of this state then in force and paid, through payroll deduction or otherwise, prior to June 27, 2018.

(b) This subdivision applies to claims or actions pending on the effective date of this section and to claims or actions filed on or after that date.

(c) The enactment of this section shall not be interpreted to create the inference that any relief made unavailable by this section would otherwise be available.

(d) The legislature finds and declares:

(1) application of this subdivision to pending claims or actions clarifies state law rather than changes it. Public employees who paid agency or fair share fees as a condition of employment according to state law and supreme court precedent prior to June 27, 2018, had no legitimate expectation of receiving the money under any available cause of action. Public employees and organizations who relied on and abided by state law and supreme court

precedent in deducting and accepting those fees were not liable to refund them or any agency or fair share fees paid for collective bargaining representation that employee organizations were obligated by state law to provide to public employees. Application of this subdivision to pending claims will preserve, rather than interfere with, important reliance interests; and

(2) this subdivision is necessary to provide certainty to public employers and employee organizations that relied on state law and to avoid disruption of public employee labor relations.

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

Sec. 15. Minnesota Statutes 2022, section 179A.07, subdivision 1, is amended to read:

Subdivision 1. **Inherent managerial policy.** A public employer is not required to meet and negotiate on matters of inherent managerial policy. Matters of inherent managerial policy include, but are not limited to, such areas of discretion or policy as the functions and programs of the employer, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction ~~and the number~~ of personnel. No public employer shall sign an agreement which limits its right to select persons to serve as supervisory employees or state managers under section 43A.18, subdivision 3, or requires the use of seniority in their selection.

Sec. 16. Minnesota Statutes 2022, section 179A.07, subdivision 6, is amended to read:

Subd. 6. **Time off.** A public employer must afford reasonable time off to elected officers or appointed representatives of the exclusive representative to conduct the duties of the exclusive representative and must, upon request, provide for leaves of absence to elected or appointed officials of the exclusive representative, to elected or appointed officials of an affiliate of an exclusive representative, or to a full-time appointed official of an exclusive representative of teachers in another Minnesota school district.

Sec. 17. Minnesota Statutes 2022, section 179A.07, is amended by adding a subdivision to read:

Subd. 8. **Bargaining unit information.** (a) Within ten calendar days from the date of hire of a bargaining unit employee, a public employer must provide the following contact information to an exclusive representative in an Excel file format or other format agreed to by the exclusive representative: name; job title; worksite location, including location within a facility when appropriate; home address; work telephone number; home and personal cell phone numbers on file with the public employer; date of hire; and work email address and personal email address on file with the public employer.

(b) Every 120 calendar days beginning on January 1, 2024, a public employer must provide to an exclusive representative in an Excel file or similar format agreed to by the exclusive representative the following information for all bargaining unit employees: name; job title; worksite location, including location within a facility when appropriate; home address; work telephone number; home and personal cell phone numbers on file with the public employer; date of hire; and work email address and personal email address on file with the public employer.

(c) A public employer must notify an exclusive representative within ten calendar days of the separation of employment or transfer out of the bargaining unit of a bargaining unit employee.

Sec. 18. Minnesota Statutes 2022, section 179A.07, is amended by adding a subdivision to read:

Subd. 9. **Access.** (a) A public employer must allow an exclusive representative to meet in person with newly hired employees, without charge to the pay or leave time of the employees, for 30 minutes, within 30 calendar days from the date of hire, during new employee orientations or, if the employer does not conduct new employee orientations, at individual or group meetings. An exclusive representative shall receive no less than ten days' notice

in advance of an orientation, except that a shorter notice may be provided where there is an urgent need critical to the operations of the public employer that was not reasonably foreseeable. Notice of and attendance at new employee orientations and other meetings under this paragraph must be limited to the public employer, the employees, the exclusive representative, and any vendor contracted to provide a service for purposes of the meeting. Meetings may be held virtually or for longer than 30 minutes only by mutual agreement of the public employer and exclusive representative.

(b) A public employer must allow an exclusive representative to communicate with bargaining unit members using their employer-issued email addresses regarding collective bargaining, the administration of collective bargaining agreements, the investigation of grievances, other workplace-related complaints and issues, and internal matters involving the governance or business of the exclusive representative, consistent with the employer's generally applicable technology use policies.

(c) A public employer must allow an exclusive representative to meet with bargaining unit members in facilities owned or leased by the public employer regarding collective bargaining, the administration of collective bargaining agreements, grievances and other workplace-related complaints and issues, and internal matters involving the governance or business of the exclusive representative, provided the use does not interfere with governmental operations. Meetings conducted in government buildings pursuant to this paragraph must not be for the purpose of supporting or opposing any candidate for partisan political office or for the purpose of distributing literature or information regarding partisan elections. An exclusive representative conducting a meeting in a government building or other government facility pursuant to this subdivision may be charged for maintenance, security, and other costs related to the use of the government building or facility that would not otherwise be incurred by the government entity.

Sec. 19. Minnesota Statutes 2022, section 179A.12, is amended by adding a subdivision to read:

Subd. 2a. **Majority verification procedure.** (a) Notwithstanding any other provision of this section, an employee organization may file a petition with the commissioner requesting certification as the exclusive representative of an appropriate unit based on a verification that over 50 percent of the employees in the proposed appropriate unit wish to be represented by the petitioner. The commissioner shall require dated representation authorization signatures of affected employees as verification of the employee organization's claim of majority status.

(b) Upon receipt of an employee organization's petition, accompanied by employee authorization signatures under this subdivision, the commissioner shall investigate the petition. If the commissioner determines that over 50 percent of the employees in an appropriate unit have provided authorization signatures designating the employee organization specified in the petition as their exclusive representative, the commissioner shall not order an election but shall certify the employee organization.

Sec. 20. Minnesota Statutes 2022, section 179A.12, subdivision 6, is amended to read:

Subd. 6. **Authorization signatures.** In determining the numerical status of an employee organization for purposes of this section, the commissioner shall require dated representation authorization signatures of affected employees as verification of the statements contained in the joint request or petitions. These authorization signatures shall be privileged and confidential information available to the commissioner only. **Electronic signatures, as defined in section 325L.02, paragraph (h), shall be valid as authorization signatures. Authorization signatures shall be valid for a period of one year following the date of signature.**

Sec. 21. Minnesota Statutes 2022, section 179A.12, subdivision 11, is amended to read:

Subd. 11. **Unfair labor practices.** If the commissioner finds that an unfair labor practice was committed by an employer or representative candidate or an employee or group of employees, and that the unfair labor practice affected the result of an election or majority verification procedure pursuant to subdivision 2a, or that procedural or other irregularities in the conduct of the election or majority verification procedure may have substantially affected its results, the commissioner may void the ~~election~~ result and order a new election or majority verification procedure.

Sec. 22. **[181.531] EMPLOYER-SPONSORED MEETINGS OR COMMUNICATION.**

Subdivision 1. **Prohibition.** An employer or the employer's agent, representative, or designee must not discharge, discipline, or otherwise penalize or threaten to discharge, discipline, or otherwise penalize or take any adverse employment action against an employee:

(1) because the employee declines to attend or participate in an employer-sponsored meeting or declines to receive or listen to communications from the employer or the agent, representative, or designee of the employer if the meeting or communication is to communicate the opinion of the employer about religious or political matters;

(2) as a means of inducing an employee to attend or participate in meetings or receive or listen to communications described in clause (1); or

(3) because the employee, or a person acting on behalf of the employee, makes a good-faith report, orally or in writing, of a violation or a suspected violation of this section.

Subd. 2. **Remedies.** An aggrieved employee may bring a civil action to enforce this section no later than 90 days after the date of the alleged violation in the district court where the violation is alleged to have occurred or where the principal office of the employer is located. The court may award a prevailing employee all appropriate relief, including injunctive relief, reinstatement to the employee's former position or an equivalent position, back pay and reestablishment of any employee benefits, including seniority, to which the employee would otherwise have been eligible if the violation had not occurred and any other appropriate relief as deemed necessary by the court to make the employee whole. The court shall award a prevailing employee reasonable attorney fees and costs.

Subd. 3. **Notice.** Within 30 days of the effective date of this section, an employer subject to this section shall post and keep posted, a notice of employee rights under this section where employee notices are customarily placed.

Subd. 4. **Scope.** This section does not:

(1) prohibit communications of information that the employer is required by law to communicate, but only to the extent of the lawful requirement;

(2) limit the rights of an employer or its agent, representative, or designee to conduct meetings involving religious or political matters so long as attendance is wholly voluntary or to engage in communications so long as receipt or listening is wholly voluntary; or

(3) limit the rights of an employer or its agent, representative, or designee from communicating to its employees any information that is necessary for the employees to perform their lawfully required job duties.

Subd. 5. **Definitions.** For the purposes of this section:

(1) "political matters" means matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization; and

(2) "religious matters" means matters relating to religious belief, affiliation, and practice and the decision to join or support any religious organization or association.

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

Sec. 23. **[181.991] RESTRICTIVE FRANCHISE AGREEMENTS PROHIBITED.**

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

(b) "Employee" means an individual employed by an employer and includes independent contractors.

(c) "Employer" has the meaning given in section 177.23, subdivision 6.

(d) "Franchise," "franchisee," and "franchisor" have the meanings given in section 80C.01, subdivisions 4 to 6.

Subd. 2. **Prohibition on restrictive franchise agreements.** (a) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee of a franchisee of the same franchisor.

(b) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee of the franchisor.

Subd. 3. **Franchise agreement amendment.** Notwithstanding any law to the contrary, no later than one year from the effective date of this section, franchisors shall amend existing franchise agreements to remove any restrictive employment provision that violates subdivision 2.

Subd. 4. **Severability.** If any provision of this section is found to be unconstitutional and void, the remaining provisions of this section are valid.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to franchise agreements entered into or amended on or after that date.

Sec. 24. Minnesota Statutes 2022, section 182.659, subdivision 1, is amended to read:

Subdivision 1. **Authority to inspect.** In order to carry out the purposes of this chapter, the commissioner, upon presenting appropriate credentials to the owner, operator, or agent in charge, is authorized to enter without delay and at reasonable times any place of employment; and to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any such employer, owner, operator, agent or employee. An employer or its representatives, including but not limited to its management, attorneys, or consultants, may not be present for any employee interview.

Sec. 25. Minnesota Statutes 2022, section 182.659, subdivision 8, is amended to read:

Subd. 8. **Protection from subpoena; data.** Neither the commissioner nor any current or former employee of the department, ~~including those employees of the Department of Health providing services to the Department of Labor and Industry, pursuant to section 182.67, subdivision 1,~~ is subject to subpoena for purposes of inquiry into

any occupational safety and health inspection except in enforcement proceedings brought under this chapter. Data that identify individuals who provide data to the department as part of an investigation conducted under this chapter shall be private.

Sec. 26. Minnesota Statutes 2022, section 182.66, is amended by adding a subdivision to read:

Subd. 4. **Classification of citation data.** Notwithstanding section 13.39, subdivision 2, the data in a written citation is classified as public data 20 days after the employer has received the citation. All data in the citation is public, including but not limited to the employer's name, the employer's address, and the address of the worksite; the date or dates of inspection; the date the citation was issued; the provision of the act, standard, rule, or order alleged to have been violated; the severity level of the citation; the description of the nature of the violation; the proposed abatement date; the proposed penalty; and any abatement guidelines. If a notice of contest is filed contesting any part of a citation pursuant to section 182.661, subdivision 3, the date that the notice was filed shall also be classified as public data 20 days after the employer has received the citation.

Sec. 27. Minnesota Statutes 2022, section 182.661, is amended by adding a subdivision to read:

Subd. 3c. **Contestation of time for correction of a violation.** (a) Where an employer contests the period of time fixed for correction of a violation that is not a serious, willful, or repeat violation, the period of time shall not run until the order of the commissioner becomes final.

(b) Where an employer or employee contests the period of time fixed for correction of a violation that is a serious, willful, or repeat violation, the commissioner may refer the matter to the office of administrative hearings for an expedited contested case hearing solely on the reasonableness of the time fixed for correction. The administrative law judge may order the employer to correct the violation pending final resolution of the cited violations on the merits.

Sec. 28. Minnesota Statutes 2022, section 182.676, is amended to read:

#### **182.676 SAFETY COMMITTEES.**

(a) Every public or private employer of more than 25 employees shall establish and administer a joint labor-management safety committee.

(b) Every public or private employer of 25 or fewer employees shall establish and administer a safety committee ~~if it is subject to the requirements of section 182.653, subdivision 8.~~

~~(1) the employer has a lost workday cases incidence rate in the top ten percent of all rates for employers in the same industry; or~~

~~(2) the workers' compensation premium classification assigned to the greatest portion of the payroll for the employer has a pure premium rate as reported by the Workers' Compensation Rating Association in the top 25 percent of premium rates for all classes.~~

(c) A safety committee must hold regularly scheduled meetings unless otherwise provided in a collective bargaining agreement.

(d) Employee safety committee members must be selected by employees. An employer that fails to establish or administer a safety committee as required by this section may be cited by the commissioner. A citation is punishable as a serious violation under section 182.666.

The commissioner may adopt rules necessary to implement this section.



Sec. 29. Minnesota Statutes 2022, section 326B.093, subdivision 4, is amended to read:

Subd. 4. **Examination results.** If the applicant receives a passing score on the examination and meets all other requirements for licensure, the commissioner must approve the application and notify the applicant of the approval within 60 days of the date of the passing score. The applicant must, within 180 days after the notification of approval, pay the license fee. Upon receipt of the license fee, the commissioner must issue the license. If the applicant does not pay the license fee within 180 days after the notification of approval, the commissioner will rescind the approval and must deny the application. If the applicant does not receive a passing score on the examination, the commissioner must deny the application. If the application is denied because of the applicant's failure to receive a passing score on the examination, then the applicant cannot submit a new application for the license until at least 30 days after the ~~notification date of denial~~ the failed examination.

Sec. 30. Minnesota Statutes 2022, section 326B.106, is amended by adding a subdivision to read:

Subd. 16. **Refrigerants designated as acceptable for use.** No provision of the code or appendix chapter of the code may prohibit or otherwise limit the use of a refrigerant designated as acceptable for use in accordance with United States Code, title 42, section 7671k, provided any equipment containing the refrigerant is listed and installed in full compliance with all applicable requirements, safety standards, and use conditions imposed pursuant to such a designation or as otherwise required by law.

Sec. 31. Minnesota Statutes 2022, section 326B.163, subdivision 5, is amended to read:

Subd. 5. **Elevator.** As used in this chapter, "elevator" means moving walks and vertical transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters, hand-powered elevators, endless belt lifts, and ~~wheelchair~~ platform lifts. Elevator does not include external temporary material lifts or temporary construction personnel elevators at sites of construction of new or remodeled buildings.

Sec. 32. Minnesota Statutes 2022, section 326B.163, is amended by adding a subdivision to read:

Subd. 5a. **Platform lift.** As used in this chapter, "platform lift" means a powered hoisting and lowering device designed to transport mobility-impaired persons on a guided platform.

Sec. 33. Minnesota Statutes 2022, section 326B.164, subdivision 13, is amended to read:

Subd. 13. **Exemption from licensing.** (a) Employees of a licensed elevator contractor or licensed limited elevator contractor are not required to hold or obtain a license under this section or be provided with direct supervision by a licensed master elevator constructor, licensed limited master elevator constructor, licensed elevator constructor, or licensed limited elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts. Unlicensed employees performing elevator work under this exemption must comply with subdivision 5. This exemption does not include the installation, maintenance, repair, or replacement of electrical wiring for elevator equipment.

(b) Contractors or individuals shall not be required to hold or obtain a license under this section when performing work on:

(1) conveyors, excluding vertical reciprocating conveyors;

(2) platform lifts not covered under section 326B.163, subdivision 5a; or

(3) dock levelers.

Sec. 34. Minnesota Statutes 2022, section 326B.31, subdivision 30, is amended to read:

Subd. 30. **Technology system contractor.** "Technology system contractor" means a licensed contractor whose responsible licensed individual is a licensed power limited technician or licensed master electrician.

Sec. 35. Minnesota Statutes 2022, section 326B.32, subdivision 1, is amended to read:

Subdivision 1. **Composition.** (a) The Board of Electricity shall consist of 12 members. Eleven members shall be appointed by the governor with the advice and consent of the senate and shall be voting members. Appointments of members by the governor shall be made in accordance with section 15.066. If the senate votes to refuse to consent to an appointment of a member made by the governor, the governor shall appoint a new member with the advice and consent of the senate. One member shall be the commissioner of labor and industry or the commissioner's designee, who shall be a voting member. Of the 11 appointed members, the composition shall be as follows:

- (1) one member shall be an electrical inspector;
- (2) two members shall be representatives of the electrical suppliers in rural areas;
- (3) two members shall be master electricians, who shall be contractors;
- (4) two members shall be journeyworker electricians;
- (5) one member shall be a registered consulting electrical engineer;
- (6) ~~two members~~ one member shall be a power limited technicians technician, who shall be a technology system contractors primarily engaged in the business of installing technology circuits or systems contractor; ~~and~~
- (7) one member shall be a power limited technician; and
- ~~(7)~~ (8) one member shall be a public member as defined by section 214.02.

The electrical inspector shall be appointed to a term to end December 31, 2011. One of the rural electrical suppliers shall be appointed for a term to end December 31, 2011. The other rural electrical supplier shall be appointed for a term to end December 31, 2010. The consulting electrical engineer shall be appointed for a term to end December 31, 2011. One of the master electrician contractors shall be appointed for a term to end December 31, 2011. The other master electrician contractor shall be appointed for a term to end December 31, 2010. One of the journeyworker electricians shall be appointed for a term to end December 31, 2011. The other journeyworker electrician shall be appointed for a term to end December 31, 2010. One of the power limited technicians shall be appointed for a term to end December 31, 2011. The other power limited technician shall be appointed for a term to end December 31, 2010. The public member shall be appointed for a term to end December 31, 2010.

(b) The consulting electrical engineer must possess a current Minnesota professional engineering license and maintain the license for the duration of the term on the board. All other appointed members, except for the public member and the representatives of electrical suppliers in rural areas, must possess a current electrical license issued by the Department of Labor and Industry and maintain that license for the duration of their terms. All appointed members must be residents of Minnesota at the time of and throughout the member's appointment. The term of any appointed member that does not maintain membership qualification status shall end on the date of the status change and the governor shall appoint a new member. It is the responsibility of the member to notify the board of their status change.

(c) For appointed members, except the initial terms designated in paragraph (a), each term shall be three years with the terms ending on December 31. Members appointed by the governor shall be limited to three consecutive terms. The governor shall, all or in part, reappoint the current members or appoint replacement members with the advice and consent of the senate. Midterm vacancies shall be filled for the remaining portion of the term. Vacancies occurring with less than six months time remaining in the term shall be filled for the existing term and the following three-year term. Members may serve until their successors are appointed but in no case later than July 1 in a year in which the term expires unless reappointed.

Sec. 36. Minnesota Statutes 2022, 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 National Electrical Code Article 620, and elevator communications and alarm systems within the machine room, car, hoistway, or elevator lobby.

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

Sec. 37. Minnesota Statutes 2022, section 326B.36, is amended by adding a subdivision to read:

Subd. 8. **Electric utility exemptions; additional requirements.** For exemptions to inspections exclusively for load control allowed for electrical utilities under subdivision 7, clause (2), item (i), the exempted work must be:

(1) performed by a licensed electrician employed by a class A electrical contractor licensed under section 326B.33;

(2) for replacement or repair of existing equipment for an electric utility other than a public utility as defined in section 216B.02, subdivision 4, only; and

(3) completed on or before December 31, 2028.

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

Sec. 38. Minnesota Statutes 2022, section 326B.805, subdivision 6, is amended to read:

Subd. 6. **Exemptions.** The license requirement does not apply to:

(1) an employee of a licensee performing work for the licensee;

(2) a material person, manufacturer, or retailer furnishing finished products, materials, or articles of merchandise who does not install or attach the items;

(3) an owner of residential real estate who builds or improves ~~any structure on~~ residential real estate, if the ~~building or improving is performed by the owner's bona fide employees or by individual owners personally.~~ owner occupies or will occupy the residential real estate for residential purposes, or will retain ownership for rental purposes upon completion of the building or improvement. This exemption does not apply to an owner who constructs or improves ~~property~~ residential real estate for purposes of resale or speculation ~~if the building or improving is performed by the owner's bona fide employees or by individual owners personally.~~ A. An owner of residential ~~building contractor or residential remodeler~~ real estate will be presumed to be building or improving for purposes of speculation if the ~~contractor or remodeler~~ owner constructs or improves more than one property within any 24-month period, unless the properties will be retained by the owner for rental purposes;

(4) an architect or professional engineer engaging in professional practice as defined by section 326.02, subdivisions 2 and 3;

(5) a person whose total gross annual receipts for performing specialty skills for which licensure would be required under this section do not exceed \$15,000;

(6) a mechanical contractor;

(7) a plumber, electrician, or other person whose profession is otherwise subject to statewide licensing, when engaged in the activity which is the subject of that licensure;

(8) specialty contractors who provide only one special skill as defined in section 326B.802;

(9) a school district, or a technical college governed under chapter 136F; and

(10) Habitat for Humanity and Builders Outreach Foundation, and their individual volunteers when engaged in activities on their behalf.

To qualify for the exemption in clause (5), a person must obtain a certificate of exemption from licensure from the commissioner. A certificate of exemption will be issued upon the applicant's filing with the commissioner, an affidavit stating that the applicant does not expect to exceed \$15,000 in gross annual receipts derived from performing services which require licensure under this section during the calendar year in which the affidavit is received. For the purposes of calculating fees under section 326B.092, a certificate of exemption is an entry level license. To renew the exemption in clause (5), the applicant must file an affidavit stating that the applicant did not exceed \$15,000 in gross annual receipts during the past calendar year. If a person, operating under the exemption in clause (5), exceeds \$15,000 in gross receipts during any calendar year, the person must immediately surrender the certificate of exemption and apply for the appropriate license. The person must remain licensed until such time as the person's gross annual receipts during a calendar year fall below \$15,000. The person may then apply for an exemption for the next calendar year.

Sec. 39. Minnesota Statutes 2022, section 326B.921, subdivision 8, is amended to read:

~~Subd. 8. **Reciprocity with other states.** The commissioner may issue a temporary license without examination, upon payment of the required fee, to nonresident applicants who are licensed under the laws of a state having standards for licensing which the commissioner determines are substantially equivalent to the standards of this state if the other state grants similar privileges to Minnesota residents duly licensed in this state. Applicants who receive a temporary license under this section may acquire an aggregate of 24 months of experience before they have to apply and pass the licensing examination. Applicants must register with the commissioner of labor and industry and the commissioner shall set a fee for a temporary license. Applicants have five years in which to comply with this section.~~

(a) The commissioner may enter into reciprocity agreements for personal licenses with another state if approved by the board. Once approved by the board, the commissioner may issue a personal license without requiring the applicant to pass an examination provided the applicant:

(1) submits an application under this section;

(2) pays the application and examination fee and license fee required under section 326B.092; and

(3) holds a valid comparable license in the state participating in the agreement.

(b) Reciprocity agreements are subject to the following:

(1) the parties to the agreement must administer a statewide licensing program that includes examination and qualifying experience or training comparable to Minnesota's licensing program;

(2) the experience and training requirements under which an individual applicant qualified for examination in the qualifying state must be deemed equal to or greater than required for an applicant making application in Minnesota at the time the applicant acquired the license in the qualifying state;

(3) the applicant must have acquired the license in the qualifying state through an examination deemed equivalent to the same class of license examination in Minnesota;

(4) at the time of application, the applicant must hold a valid license in the qualifying state and have held the license continuously for at least one year before making application in Minnesota;

(5) an applicant is not eligible for a license under this subdivision if the applicant has failed the same or greater class of license examination in Minnesota, or if the applicant's license of the same or greater class has been revoked or suspended; and

(6) an applicant who has failed to renew a personal license for two years or more after its expiration is not eligible for a license under this subdivision.

Sec. 40. Minnesota Statutes 2022, section 326B.925, subdivision 1, is amended to read:

Subdivision 1. **Composition.** (a) The Board of High Pressure Piping Systems shall consist of 13 members. Twelve members shall be appointed by the governor with the advice and consent of the senate and shall be voting members. Appointments of members by the governor shall be made in accordance with section 15.066. If the senate votes to refuse to consent to an appointment of a member made by the governor, the governor shall appoint a new member with the advice and consent of the senate. One member shall be the commissioner of labor and industry or the commissioner of labor and industry's designee, who shall be a voting member. Of the 12 appointed members, the composition shall be as follows:

- (1) one member shall be a high pressure piping inspector;
- (2) one member shall be a licensed mechanical engineer;
- (3) one member shall be a representative of the high pressure piping industry;
- (4) four members shall be master high pressure pipefitters engaged in the business of high pressure piping, two from the metropolitan area and two from greater Minnesota;
- (5) two members shall be journeyworker high pressure pipefitters ~~engaged in the business of high pressure piping systems installation~~, one from the metropolitan area and one from greater Minnesota;
- (6) one member shall be a representative of industrial companies that use high pressure piping systems in their industrial process;
- (7) one member shall be a representative from utility companies in Minnesota; and
- (8) one member shall be a public member as defined by section 214.02.

The high pressure piping inspector shall be appointed for a term to end December 31, 2011. The professional mechanical engineer shall be appointed for a term to end December 31, 2010. The representative of the high pressure piping industry shall be appointed for a term to end December 31, 2011. Two of the master high pressure pipefitters shall be appointed for a term to end December 31, 2011. The other two master high pressure pipefitters shall be appointed for a term to end December 31, 2010. One of the journeyworker high pressure pipefitters shall be appointed for a term to end December 31, 2011. The other journeyworker high pressure pipefitter shall be appointed for a term to end December 31, 2010. The one representative of industrial companies that use high pressure piping systems in their industrial process shall be appointed for a term to end December 31, 2010. The one representative of a utility company in Minnesota shall be appointed for a term to end December 31, 2010. The public member shall be appointed for a term to end December 31, 2010.

(b) The licensed professional mechanical engineer must possess a current Minnesota professional engineering license and maintain the license for the duration of their term. All other appointed members, except for the representative of the piping industry, the representative of industrial companies that use high pressure piping systems, the public member, and the representative of public utility companies in Minnesota, must possess a current high pressure piping license issued by the Department of Labor and Industry and maintain that license for the duration of their term. All appointed members must be residents of Minnesota at the time of and throughout the member's appointment. The term of any appointed member that does not maintain membership qualification status shall end on the date of status change and the governor shall appoint a new member. It is the responsibility of the member to notify the board of the member's status change.

(c) For appointed members, except the initial terms designated in paragraph (a), each term shall be three years with the terms ending on December 31. Members appointed by the governor shall be limited to three consecutive terms. The governor shall, all or in part, reappoint the current members or appoint replacement members with the advice and consent of the senate. Midterm vacancies shall be filled for the remaining portion of the term. Vacancies occurring with less than six months time remaining in the term shall be filled for the existing term and the following three-year term. Members may serve until their successors are appointed but in no case later than July 1 in a year in which the term expires unless reappointed.

Sec. 41. Minnesota Statutes 2022, section 326B.988, is amended to read:

**326B.988 EXCEPTIONS.**

(a) The provisions of sections 326B.95 to 326B.998 shall not apply to:

(1) boilers and pressure vessels in buildings occupied solely for residence purposes with accommodations for not more than five families;

(2) railroad locomotives operated by railroad companies for transportation purposes;

(3) air tanks installed on the right-of-way of railroads and used directly in the operation of trains;

(4) boilers and pressure vessels under the direct jurisdiction of the United States;

(5) unfired pressure vessels having an internal or external working pressure not exceeding 15 psig with no limit on size;

(6) pressure vessels used for storage of compressed air not exceeding five cubic feet in volume and equipped with an ASME code stamped safety valve set at a maximum of 100 psig;

(7) pressure vessels having an inside diameter not exceeding six inches;

(8) every vessel that contains water under pressure, including those containing air that serves only as a cushion, whose design pressure does not exceed 300 psig and whose design temperature does not exceed 210 degrees Fahrenheit;

(9) boiler or pressure vessels located on farms used solely for agricultural or horticultural purposes; for purposes of this section, boilers used for mint oil extraction are considered used for agricultural or horticultural purposes, provided that the owner or lessee complies with the inspection requirements contained in section 326B.958;

(10) tanks or cylinders used for storage or transfer of liquefied petroleum gases;

(11) unfired pressure vessels in petroleum refineries;

(12) an air tank or pressure vessel which is an integral part of a passenger motor bus, truck, or trailer;

(13) hot water heating and other hot liquid boilers not exceeding a heat input of 750,000 BTU per hour;

(14) hot water supply boilers ~~(water heaters)~~ not exceeding a heat input of ~~500,000~~ 200,000 BTU per hour, a water temperature of 210 degrees Fahrenheit, or potable water heaters not exceeding a heat input of 200,000 BTU per hour or a nominal water capacity of 120 gallons, or a pressure of 160 psig;

- (15) a laundry and dry cleaning press not exceeding five cubic feet of steam volume;
- (16) pressure vessels operated full of water or other liquid not materially more hazardous than water, if the vessel's contents' temperature does not exceed 210 degrees Fahrenheit or a pressure of 200 psig;
- (17) steam-powered turbines at papermaking facilities which are powered by steam generated by steam facilities at a remote location;
- (18) manually fired boilers for model locomotive, boat, tractor, stationary engine, or antique motor vehicles constructed or maintained only as a hobby for exhibition, educational or historical purposes and not for commercial use, if the boilers have an inside diameter of 12 inches or less, or a grate area of two square feet or less, and are equipped with an ASME stamped safety valve of adequate size, a water level indicator, and a pressure gauge;
- (19) any pressure vessel used as an integral part of an electrical circuit breaker;
- (20) pressure vessels used for the storage of refrigerant if they are built to ASME code specifications, registered with the national board, and equipped with an ASME code-stamped pressure-relieving device set no higher than the maximum allowable working pressure of the vessel. This does not include pressure vessels used in ammonia refrigeration systems;
- (21) pressure vessels used for the storage of oxygen, nitrogen, helium, carbon dioxide, argon, nitrous oxide, or other medical gas, provided the vessel is constructed to ASME or Minnesota Department of Transportation specifications and equipped with an ASME code-stamped pressure-relieving device. The owner of the vessels shall perform annual visual inspections and planned maintenance on these vessels to ensure vessel integrity;
- (22) pressure vessels used for the storage of compressed air for self-contained breathing apparatuses;
- (23) hot water heating or other hot liquid boilers vented directly to the atmosphere; and
- (24) pressure vessels used for the storage of compressed air not exceeding 1.5 cubic feet (11.22 gallons) in volume with a maximum allowable working pressure of 600 psi or less.
- (b) An engineer's license is not required for hot water supply boilers.
- (c) An engineer's license and annual inspection by the department is not required for boilers, steam cookers, steam kettles, steam sterilizers or other steam generators not exceeding 100,000 BTU per hour input, 25 kilowatt, and a pressure of 15 psig.
- (d) Electric boilers not exceeding a maximum working pressure of 50 psig, maximum of 30 kilowatt input or three horsepower rating shall be inspected as pressure vessels and shall not require an engineer license to operate.

Sec. 42. **[327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.**

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

(b) "Chronically homeless" has the meaning given in United States Code, title 42, section 11360, as amended through May 20, 2009.

(c) "Designated volunteers" means persons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.



(d) "Extremely low income" means an income that is equal to or less than 30 percent of the area median income, adjusted for family size, as estimated by the Department of Housing and Urban Development.

(e) "Micro unit" means a mobile residential dwelling providing permanent housing within a sacred community that meets the requirements of subdivision 4.

(f) "Religious institution" means a church, synagogue, mosque, or other religious organization organized under chapter 315.

(g) "Sacred community" means a residential settlement established on or contiguous to the grounds of a religious institution's primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers that meets the requirements of subdivision 3.

**Subd. 2. Dwelling in micro units in sacred communities authorized.** Religious institutions are authorized to provide permanent housing to people who are chronically homeless, extremely low-income, or designated volunteers, in sacred communities composed of micro units subject to the provisions of this section.

**Subd. 3. Sacred community requirements.** (a) A sacred community must provide residents of micro units access to water and electric utilities either by connecting the micro units to the utilities that are serving the principal building on the lot or by other comparable means, or by providing the residents access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902. Any units that are plumbed shall not be included in determining the minimum number of fixtures required for the common facilities.

(b) A sacred community under this section must:

(1) be appropriately insured;

(2) have between one-third and 40 percent of the micro units occupied by designated volunteers; and

(3) provide the municipality with a written plan approved by the religious institution's governing board that outlines:

(i) disposal of water and sewage from micro units if not plumbed;

(ii) septic tank drainage if plumbed units are not hooked up to the primary worship location's system;

(iii) adequate parking, lighting, and access to units by emergency vehicles;

(iv) protocols for security and addressing conduct within the settlement; and

(v) safety protocols for severe weather.

(c) A sacred community meeting the requirements of this section shall be approved and regulated as a permitted use, conditional use, or planned unit development, as determined by the municipality. When approved, additional permitting is not required for individual micro units.

(d) Sacred communities are subject to the laws governing landlords and tenants under chapter 504B.

Subd. 4. **Micro unit requirements.** (a) In order to be eligible to be placed within a sacred community, a micro unit must be built to the requirements of the American National Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical systems, and fire and life safety. A micro unit must also meet the following technical requirements:

(1) be no more than 400 gross square feet;

(2) be built on a permanent chassis and anchored to pin foundations with engineered fasteners;

(3) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;

(5) have a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;

(6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;

(7) have minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square foot; and

(8) have smoke and carbon monoxide detectors installed.

(b) All micro units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.

(c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain any permits or inspections required by the municipality or utility company for that connection.

(d) Micro units must comply with municipal setback requirements established by ordinance for manufactured homes. If a municipality does not have such an ordinance, micro units must be set back on all sides by at least ten feet.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 43. Minnesota Statutes 2022, section 572B.17, is amended to read:

**572B.17 WITNESSES; SUBPOENAS; DEPOSITIONS; DISCOVERY.**

(a) An arbitrator may issue a subpoena for the attendance of a witness and for the production of records and other evidence at any hearing and may administer oaths. A subpoena must be served in the manner for service of subpoenas in a civil action and, upon motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the manner for enforcement of subpoenas in a civil action.

(b) On request of a party to or a witness in an arbitration proceeding, an arbitrator may permit a deposition of any witness to provide testimony at the arbitration hearing, including a witness who cannot be subpoenaed for or is unable to attend a hearing, to be taken under conditions determined by the arbitrator for use as evidence in order to make the proceeding fair, expeditious, and cost-effective.

(c) An arbitrator may permit such discovery as the arbitrator decides is appropriate in the circumstances, taking into account the needs of the parties to the arbitration proceeding and other affected persons and the desirability of making the proceeding fair, expeditious, and cost-effective.

(d) If an arbitrator permits discovery under subsection (c), the arbitrator may order a party to the arbitration proceeding to comply with the arbitrator's discovery-related orders, including the issuance of a subpoena for the attendance of a witness and for the production of records and other evidence at a discovery proceeding, and may take action against a party to the arbitration proceeding who does not comply to the extent permitted by law as if the controversy were the subject of a civil action in this state.

(e) An arbitrator may issue a protective order to prevent the disclosure of privileged information, confidential information, trade secrets, data classified as nonpublic or private pursuant to chapter 13, and other information protected from disclosure as if the controversy were the subject of a civil action in this state.

(f) All laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness apply to an arbitration proceeding as if the controversy were the subject of a civil action under the laws and rules of civil procedure of this state.

(g) The court may enforce a subpoena or discovery-related order for the attendance of a witness within this state and for the production of records and other evidence issued by an arbitrator in connection with an arbitration proceeding in another state upon conditions determined by the court in order to make the arbitration proceeding fair, expeditious, and cost-effective. A subpoena or discovery-related order issued by an arbitrator must be served in the manner provided by law for service of subpoenas in a civil action in this state and, upon motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the manner provided by law for enforcement of subpoenas in a civil action in this state.

Sec. 44. **REPEALER.**

Minnesota Statutes 2022, section 179A.12, subdivision 2, is repealed."

Delete the title and insert:

"A bill for an act relating to state government; modifying labor policy provisions; modifying building codes, occupational safety and health, and employment law; amending Minnesota Statutes 2022, sections 13.43, subdivision 6; 120A.414, subdivision 2; 122A.181, subdivision 5; 122A.26, subdivision 2; 122A.40, subdivision 5; 122A.41, subdivision 2; 177.27, subdivision 4; 177.42, subdivision 2; 179A.03, subdivisions 14, 18, 19; 179A.06, subdivision 6, by adding a subdivision; 179A.07, subdivisions 1, 6, by adding subdivisions; 179A.12, subdivisions 6, 11, by adding a subdivision; 182.659, subdivisions 1, 8; 182.66, by adding a subdivision; 182.661, by adding a subdivision; 182.676; 326B.093, subdivision 4; 326B.106, by adding a subdivision; 326B.163, subdivision 5, by adding a subdivision; 326B.164, subdivision 13; 326B.31, subdivision 30; 326B.32, subdivision 1; 326B.36, subdivision 7, by adding a subdivision; 326B.805, subdivision 6; 326B.921, subdivision 8; 326B.925, subdivision 1; 326B.988; 572B.17; proposing coding for new law in Minnesota Statutes, chapters 16A; 181; 327; repealing Minnesota Statutes 2022, section 179A.12, subdivision 2."

The motion prevailed and the amendment was adopted.

Greenman moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 16, after line 24, insert:

"(c) Any provision of an existing contract that violates paragraph (a) or (b) is void and unenforceable. When a provision in an existing contract violates this section, the franchisee must provide notice to their employees of this law."

Page 16, line 26, delete everything after "shall" and insert a colon

Page 16, delete lines 27 and 28 and insert:

"(1) amend existing franchise agreements to remove any restrictive employment provision that violates subdivision 2; or

(2) sign a memorandum of understanding with each franchisee that provides any contract provisions that violate subdivision 2 in any way are void and unenforceable, and provides notice to the franchisee of their rights and obligations under this law."

Page 17, line 1, delete "and" and insert a period

Page 17, delete line 2

The motion prevailed and the amendment was adopted.

Jordan moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 9, line 30, delete "class sizes" and insert "adult-to-student ratios in classrooms"

Page 10, line 14, after "employer" insert ", including any reasonable attorney fees and litigation costs"

Page 12, line 19, delete "ten" and insert "20"

Page 13, line 1, delete "ten" and insert "20"

Page 13, line 12, after "operations" insert "and the exclusive representative complies with worksite security protocols established by the public employer"

Page 16, line 2, after "information" insert ", or requiring employee attendance at meetings and other events."

Page 16, line 11, delete "the day following final enactment" and insert "August 1, 2023, and applies to causes of action accruing on or after that date"

Page 16, line 25, before "Notwithstanding" insert "(a)"

Page 16, after line 28, insert:

"(b) When a provision in an existing contract violates this section, the franchisee must provide notice to their employees of this law."

Jordan moved to amend the Jordan amendment to S. F. No. 1384, the second engrossment, as amended, as follows:

Page 1, delete lines 8 to 9 and insert:

"Page 13, line 13, before the period, insert "and the exclusive representative complies with worksite security protocols established by the public employer""

Page 1, delete lines 14 to 17

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Jordan amendment, as amended, to S. F. No. 1384, the second engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Myers moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 17, line 12, delete "not" and delete "any" and insert "an" and before the period, insert "if the employee consents to their presence without pressure or coercion"

A roll call was requested and properly seconded.

The question was taken on the Myers amendment and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Altendorf	Davids	Heintzeman	Murphy	Perryman	Urdahl
Anderson, P. E.	Davis	Hudella	Myers	Petersburg	West
Anderson, P. H.	Demuth	Hudson	Nadeau	Pfarr	Wiener
Backer	Dotseth	Jacob	Nash	Quam	Wiens
Bakeberg	Engen	Johnson	Nelson, N.	Robbins	Witte
Baker	Fogelman	Knudsen	Neu Brindley	Schomacker	Zeleznikar
Bennett	Franson	Koznick	Niska	Schultz	
Bliss	Garofalo	Kresha	Novotny	Scott	
Burkel	Gillman	McDonald	O'Driscoll	Skraba	
Daniels	Grossell	Mekeland	Olson, B.	Swedzinski	
Daudt	Harder	Mueller	O'Neill	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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Spk. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 1, delete section 1

Pages 3 to 5, delete sections 3 to 7

Pages 7 to 14, delete sections 10 to 21

Pages 32 to 33, delete sections 43 and 44

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 68 nays as follows:

Those who voted in the affirmative were:

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

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	Wolgamott
Bierman	Frazier	Hollins	Lee, F.	Pérez-Vega	Xiong
Brand	Frederick	Hornstein	Lee, K.	Pinto	Youakim
Carroll	Freiberg	Howard	Liebling	Pryor	Spk. Hortman
Cha	Gomez	Huot	Lillie	Pursell	
Clardy	Greenman	Hussein	Lislegard	Rehm	
Coulter	Hansen, R.	Jordan	Long	Richardson	
Curran	Hanson, J.	Keeler	Moller	Sencer-Mura	

The motion did not prevail and the amendment was not adopted.

Schultz moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 4, delete section 6

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 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Altendorf	Davids	Heintzeman	Murphy	Perryman	Urdahl
Anderson, P. E.	Davis	Hudella	Myers	Petersburg	West
Anderson, P. H.	Demuth	Hudson	Nadeau	Pfarr	Wiener
Backer	Dotseth	Jacob	Nash	Quam	Wiens
Bakeberg	Engen	Johnson	Nelson, N.	Robbins	Witte
Baker	Fogelman	Knudsen	Neu Brindley	Schomacker	Zeleznikar
Bennett	Franson	Koznick	Niska	Schultz	
Bliss	Garofalo	Kresha	Novotny	Scott	
Burkel	Gillman	McDonald	O'Driscoll	Skraba	
Daniels	Grossell	Mekeland	Olson, B.	Swedzinski	
Daudt	Harder	Mueller	O'Neill	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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Spk. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 12, delete section 17

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	Davids	Heintzeman	Murphy	Perryman	Urdahl
Anderson, P. E.	Davis	Hudella	Myers	Petersburg	West
Anderson, P. H.	Demuth	Hudson	Nadeau	Pfarr	Wiener
Backer	Dotseth	Jacob	Nash	Quam	Wiens
Bakeberg	Engen	Johnson	Nelson, N.	Robbins	Witte
Baker	Fogelman	Knudsen	Neu Brindley	Schomacker	Zeleznikar
Bennett	Franson	Koznick	Niska	Schultz	
Bliss	Garofalo	Kresha	Novotny	Scott	
Burkel	Gillman	McDonald	O'Driscoll	Skraba	
Daniels	Grossell	Mekeland	Olson, B.	Swedzinski	
Daudt	Harder	Mueller	O'Neill	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	Wolgammott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Spk. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 13, delete section 18

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	Bakeberg	Burkel	Davis	Fogelman	Grossell
Anderson, P. E.	Baker	Daniels	Demuth	Franson	Harder
Anderson, P. H.	Bennett	Daudt	Dotseth	Garofalo	Heintzeman
Backer	Bliss	Davids	Engen	Gillman	Hudella



Hudson	Mekeland	Neu Brindley	Petersburg	Skraba	Witte
Jacob	Mueller	Niska	Pfarr	Swedzinski	Zeleznikar
Johnson	Murphy	Novotny	Quam	Torkelson	
Knudsen	Myers	O'Driscoll	Robbins	Urdahl	
Koznick	Nadeau	Olson, B.	Schomacker	West	
Kresha	Nash	O'Neill	Schultz	Wiener	
McDonald	Nelson, N.	Perryman	Scott	Wiens	

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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Spk. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

The motion did not prevail and the amendment was not adopted.

Schultz moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 9, delete section 12

Page 12, delete section 15

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 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Altendorf	Davids	Heintzeman	Murphy	Perryman	Urdahl
Anderson, P. E.	Davis	Hudella	Myers	Petersburg	West
Anderson, P. H.	Demuth	Hudson	Nadeau	Pfarr	Wiener
Backer	Dotseth	Jacob	Nash	Quam	Wiens
Bakeberg	Engen	Johnson	Nelson, N.	Robbins	Witte
Baker	Fogelman	Knudsen	Neu Brindley	Schomacker	Zeleznikar
Bennett	Franson	Koznick	Niska	Schultz	
Bliss	Garofalo	Kresha	Novotny	Scott	
Burkel	Gillman	McDonald	O'Driscoll	Skraba	
Daniels	Grossell	Mekeland	Olson, B.	Swedzinski	
Daudt	Harder	Mueller	O'Neill	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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Spk. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

The motion did not prevail and the amendment was not adopted.

McDonald moved to amend S. F. No. 1384, the second engrossment, as amended, as follows:

Page 15, delete section 22

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 McDonald amendment and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Acomb	Bierman	Coulter	Finke	Gomez	Hemmingsen-Jaeger
Agbaje	Brand	Curran	Fischer	Greenman	Her
Bahner	Carroll	Edelson	Frazier	Hansen, R.	Hicks
Becker-Finn	Cha	Elkins	Frederick	Hanson, J.	Hill
Berg	Clardy	Feist	Freiberg	Hassan	Hollins

Hornstein	Koegel	Lillie	Norris	Rehm	Wolgamott
Howard	Kotyza-Witthuhn	Lislegard	Olson, L.	Richardson	Xiong
Huot	Kozlowski	Long	Pelowski	Sencer-Mura	Youakim
Hussein	Kraft	Moller	Pérez-Vega	Smith	Spk. Hortman
Jordan	Lee, F.	Nelson, M.	Pinto	Stephenson	
Keeler	Lee, K.	Newton	Pryor	Tabke	
Klevorn	Liebling	Noor	Pursell	Vang	

The motion did not prevail and the amendment was not adopted.

S. F. No. 1384, A bill for an act relating to state government; modifying labor policy provisions; modifying building codes, occupational safety and health, and employment law; amending Minnesota Statutes 2022, sections 13.43, subdivision 6; 120A.414, subdivision 2; 122A.181, subdivision 5; 122A.26, subdivision 2; 122A.40, subdivision 5; 122A.41, subdivision 2; 177.27, subdivision 4; 177.42, subdivision 2; 179A.03, subdivisions 14, 18; 179A.06, subdivision 6; 179A.07, subdivision 6, by adding subdivisions; 179A.12, subdivisions 6, 11, by adding a subdivision; 181.03, subdivision 6; 181.06, subdivision 2; 181.172; 181.275, subdivision 1; 181.932, subdivision 1; 181.939; 181.940, subdivisions 2, 3; 181.941, subdivision 3; 181.9413; 181.942; 181.9436; 181.945, subdivision 3; 181.9456, subdivision 3; 181.956, subdivision 5; 181.964; 182.659, subdivisions 1, 8; 182.66, by adding a subdivision; 182.661, by adding a subdivision; 182.676; 326B.093, subdivision 4; 326B.106, by adding a subdivision; 326B.163, subdivision 5, by adding a subdivision; 326B.164, subdivision 13; 326B.31, subdivision 30; 326B.32, subdivision 1; 326B.36, subdivision 7, by adding a subdivision; 326B.805, subdivision 6; 326B.921, subdivision 8; 326B.925, subdivision 1; 326B.988; 572B.17; proposing coding for new law in Minnesota Statutes, chapters 16A; 181; 327; repealing Minnesota Statutes 2022, section 179A.12, subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 69 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	Wolgamott
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Xiong
Carroll	Freiberg	Howard	Liebling	Pinto	Youakim
Cha	Gomez	Huot	Lillie	Pryor	Spk. Hortman
Clardy	Greenman	Hussein	Lislegard	Pursell	
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Richardson	

Those who voted in the negative were:

Altendorf	Bennett	Davis	Garofalo	Hudson	McDonald
Anderson, P. E.	Bliss	Demuth	Gillman	Jacob	Mekeland
Anderson, P. H.	Burkel	Dotseth	Grossell	Johnson	Mueller
Backer	Daniels	Engen	Harder	Knudsen	Murphy
Bakeberg	Daudt	Fogelman	Heintzeman	Koznick	Myers
Baker	Davids	Franson	Hudella	Kresha	Nadeau

Nash	O'Driscoll	Pfarr	Scott	West
Nelson, N.	Olson, B.	Quam	Skraba	Wiener
Neu Brindley	O'Neill	Robbins	Swedzinski	Wiens
Niska	Perryman	Schomacker	Torkelson	Witte
Novotny	Petersburg	Schultz	Urdahl	Zeleznikar

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

### MOTIONS AND RESOLUTIONS

Vang moved that the names of Pursell; Hicks; Kraft; Smith; Elkins; Lee, K., and Rehm be added as authors on H. F. No. 181. The motion prevailed.

Bierman moved that the name of Kozlowski be added as an author on H. F. No. 402. The motion prevailed.

Hanson, J., moved that the name of Kozlowski be added as an author on H. F. No. 1566. The motion prevailed.

Wolgamott moved that the name of Kotyza-Witthuhn be added as an author on H. F. No. 1727. The motion prevailed.

Pinto moved that the names of Tabke and Jordan be added as authors on H. F. No. 2707. The motion prevailed.

Engen moved that the names of Hudson, Myers and Zeleznikar be added as authors on H. F. No. 2719. The motion prevailed.

Lillie moved that the name of Tabke be added as an author on H. F. No. 2844. The motion prevailed.

Sencer-Mura moved that the name of Kozlowski be added as an author on H. F. No. 2881. The motion prevailed.

Wolgamott moved that the name of Hussein be added as an author on H. F. No. 2988. The motion prevailed.

Nelson, M., moved that the name of Perryman be added as an author on H. F. No. 3286. The motion prevailed.

### ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 11:30 a.m., Tuesday, May 2, 2023. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Tuesday, May 2, 2023.

PATRICK D. MURPHY, Chief Clerk, House of Representatives