

1.18

ARTICLE 1

1.19

APPROPRIATIONS

1.20

Section 1. HIGHER EDUCATION APPROPRIATIONS.

1.21

The sums shown in the columns marked "Appropriations" are added to the appropriations in Laws 2021, First Special Session chapter 2, article 1, unless otherwise specified, to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

2.1

APPROPRIATIONS  
Available for the Year  
Ending June 30

2.2

2.3

2.4

2022                      2023

2.5

Sec. 2. MINNESOTA OFFICE OF HIGHER EDUCATION

2.6

2.7

Subdivision 1. Total Appropriation                      \$                      -0-      \$                      28,714,000

2.8

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

2.9

2.10

1.20

ARTICLE 1

1.21

HIGHER EDUCATION APPROPRIATIONS

1.22

Section 1. HIGHER EDUCATION APPROPRIATIONS.

1.23

The sums shown in the columns marked "Appropriations" are in addition to the appropriations in Laws 2021, First Special Session chapter 2, article 1, as amended in this act, unless otherwise specified, and are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

2.1

2.2

2.3

APPROPRIATIONS  
Available for the Year  
Ending June 30

2.4

2.5

2.6

2022                      2023

2.7

Sec. 2. MINNESOTA OFFICE OF HIGHER EDUCATION

2.8

2.9

Subdivision 1. Total Appropriation                      \$                      -0-      \$                      5,261,000

2.10

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

2.11

2.12

5.1

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

5.2

5.3

5.4

Subdivision 1. Total Appropriation                      \$                      271,702,000      \$                      274,269,000  
275,019,000

5.5

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

5.6

5.7

|      |  |            |                  |
|------|--|------------|------------------|
| 2.11 | <b><u>Subd. 2. Student Parent Support Initiative</u></b>     | <u>-0-</u> | <u>6,925,000</u> |
| 2.12 | <u>(a) For the student-parent support initiative</u>         |            |                  |
| 2.13 | <u>under Minnesota Statutes, section 136A.1251.</u>          |            |                  |
| 2.14 | <u>The commissioner may use no more than five</u>            |            |                  |
| 2.15 | <u>percent of the appropriation to administer the</u>        |            |                  |
| 2.16 | <u>program.</u>  |            |                  |
| 2.17 | <u>(b) The base for this appropriation is</u>                |            |                  |
| 2.18 | <u>\$6,440,000 in fiscal year 2024 and \$5,940,000</u>       |            |                  |
| 2.19 | <u>in fiscal year 2025 and later.</u>                        |            |                  |
| 2.20 | <b><u>Subd. 3. Operating Expenses of Tribal Colleges</u></b> | <u>-0-</u> | <u>3,000,000</u> |
| 2.21 | <u>(a) For transfer to Leech Lake Tribal College,</u>        |            |                  |
| 2.22 | <u>White Earth Tribal College, and Red Lake</u>              |            |                  |
| 2.23 | <u>Nation Tribal College, to be used for the Tribal</u>      |            |                  |
| 2.24 | <u>colleges' general operations and maintenance</u>          |            |                  |
| 2.25 | <u>expenses. The commissioner shall apportion</u>            |            |                  |
| 2.26 | <u>the funds equally among the Tribal colleges.</u>          |            |                  |
| 2.27 | <u>(b) The base for this appropriation is</u>                |            |                  |
| 2.28 | <u>\$3,000,000 in fiscal year 2024 and later.</u>            |            |                  |
| 2.29 | <u>(c) By September 30, 2023, each Tribal</u>                |            |                  |
| 2.30 | <u>college receiving a transfer under this</u>               |            |                  |
| 2.31 | <u>subdivision must submit a report to the</u>               |            |                  |
| 2.32 | <u>commissioner of the Office of Higher</u>                  |            |                  |
| 2.33 | <u>Education and to the chairs and ranking</u>               |            |                  |
| 2.34 | <u>minority members of the legislative</u>                   |            |                  |
| 2.35 | <u>committees with jurisdiction over higher</u>              |            |                  |
| 3.1  | <u>education finance and policy. The report must</u>         |            |                  |
| 3.2  | <u>include an accurate and detailed account of</u>           |            |                  |
| 3.3  | <u>how the transferred funds were spent, and a</u>           |            |                  |
| 3.4  | <u>copy of the college's most recent audit report.</u>       |            |                  |
| 3.5  | <b><u>Subd. 4. State Grants</u></b>                          | <u>-0-</u> | <u>493,000</u>   |
| 3.6  | <u>\$9,295,000 is added to this program's base</u>           |            |                  |
| 3.7  | <u>appropriation in fiscal years 2024 and later.</u>         |            |                  |
| 3.8  | <u>The base for this appropriation is therefore</u>          |            |                  |
| 3.9  | <u>\$219,332,000 in fiscal year 2024 and later.</u>          |            |                  |

|      |   |            |                  |      |  |           |  |                  |
|------|---|------------|------------------|------|--|-----------|--|------------------|
|      |   |            |                  | 6.20 | Sec. 9. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 26, is |           |  |                  |
|      |   |            |                  | 6.21 | amended to read:   |           |  |                  |
| 3.10 | <u>Subd. 5. Grants to Underrepresented Student</u>      |            |                  | 6.22 | <u>Subd. 26. Grants to Underrepresented Student</u>  |           |  | <u>1,000,000</u> |
| 3.11 | <u>Teachers</u>   | <u>-0-</u> | <u>1,500,000</u> | 6.23 | <u>Teachers</u>  | 1,000,000 |  | <u>1,250,000</u> |
|      |   |            |                  | 6.24 | For grants to underrepresented student teachers  |           |  |                  |
|      |   |            |                  | 6.25 | under Minnesota Statutes, section 136A.1274.   |           |  |                  |
| 3.12 | <u>(a) The commissioner may use no more than</u>        |            |                  | 6.26 | The commissioner may use no more than <del>three</del>                                       |           |  |                  |
| 3.13 | <u>three percent of this appropriation to</u>           |            |                  | 6.27 | <del>percent</del> <u>\$30,000 the first year and \$38,000 the</u>                           |           |  |                  |
| 3.14 | <u>administer the program.</u>                          |            |                  | 6.28 | <u>second year of the appropriation for</u>  |           |  |                  |
|      |   |            |                  | 6.29 | <u>administration of the program.</u>  |           |  |                  |
| 3.15 | <u>(b) \$1,500,000 is added to this program's base</u>  |            |                  | 6.30 | The base for this appropriation is <del>\$1,125,000</del>                                    |           |  |                  |
| 3.16 | <u>appropriation in fiscal year 2024 and later</u>      |            |                  | 6.31 | <u>\$1,250,000 in fiscal year 2024 and later.</u>  |           |  |                  |
| 3.17 | <u>specified in Laws 2021, First Special Session</u>    |            |                  |      |  |           |  |                  |
| 3.18 | <u>chapter 2, article 1, section 2, subdivision 26.</u> |            |                  |      |  |           |  |                  |
|      |   |            |                  | 7.1  | Sec. 10. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 27,   |           |  |                  |
|      |   |            |                  | 7.2  | is amended to read:  |           |  |                  |
| 3.19 | <u>Subd. 6. Teacher Shortage Loan Repayment</u>         | <u>-0-</u> | <u>700,000</u>   | 7.3  | <u>Subd. 27. Teacher Shortage Loan Repayment</u>   | 200,000   |  | 200,000          |
|      |   |            |                  | 7.4  | For transfer to the teacher shortage loan  |           |  |                  |
|      |   |            |                  | 7.5  | repayment account in the special revenue fund  |           |  |                  |
|      |   |            |                  | 7.6  | under Minnesota Statutes, section 136A.1791,   |           |  |                  |
|      |   |            |                  | 7.7  | subdivision 8.   |           |  |                  |
| 3.20 | <u>(a) The commissioner may use no more than</u>        |            |                  | 7.8  | The commissioner may use no more than <del>three</del>                                       |           |  |                  |
| 3.21 | <u>three percent of the amount transferred under</u>    |            |                  | 7.9  | <del>percent</del> <u>\$6,000 each year of the amount</u>                                    |           |  |                  |
| 3.22 | <u>this subdivision to administer the program.</u>      |            |                  | 7.10 | transferred under this subdivision to administer   |           |  |                  |
|      |   |            |                  | 7.11 | the program.   |           |  |                  |
| 3.23 | <u>(b) The base for this appropriation is \$900,000</u> |            |                  |      |  |           |  |                  |
| 3.24 | <u>in fiscal year 2024 and later.</u>                   |            |                  |      |  |           |  |                  |
| 3.25 | <u>Subd. 7. Emergency Assistance for</u>                |            |                  |      |  |           |  |                  |
| 3.26 | <u>Postsecondary Students</u>                           | <u>-0-</u> | <u>731,000</u>   |      |  |           |  |                  |
| 3.27 | <u>\$731,000 is added to this program's base</u>        |            |                  |      |  |           |  |                  |
| 3.28 | <u>appropriation in fiscal year 2024 and later</u>      |            |                  |      |  |           |  |                  |
| 3.29 | <u>specified in Laws 2021, First Special Session</u>    |            |                  |      |  |           |  |                  |
| 3.30 | <u>chapter 2, article 1, section 2, subdivision 24,</u> |            |                  |      |  |           |  |                  |
| 3.31 | <u>paragraph (d).</u>                                   |            |                  |      |  |           |  |                  |

|      |   |                   |                         |
|------|---|-------------------|-------------------------|
| 3.32 | <b><u>Subd. 8. Hunger-Free Campus Grants</u></b>        | <b><u>-0-</u></b> | <b><u>200,000</u></b>   |
| 4.1  | <u>(a) This appropriation is in addition to the</u>     |                   |                         |
| 4.2  | <u>amount appropriated in Laws 2021, First</u>          |                   |                         |
| 4.3  | <u>Special Session chapter 2, article 1, section 2,</u> |                   |                         |
| 4.4  | <u>subdivision 35, as amended by this act.</u>          |                   |                         |
| 4.5  | <u>(b) The base for this appropriation is \$302,000</u> |                   |                         |
| 4.6  | <u>in fiscal year 2024 and later.</u>                   |                   |                         |
| 4.7  | <b><u>Subd. 9. American Indian Scholarships</u></b>     | <b><u>-0-</u></b> | <b><u>3,240,000</u></b> |
| 4.8  | <u>(a) The base for this appropriation is</u>           |                   |                         |
| 4.9  | <u>\$6,740,000 in fiscal year 2024 and later.</u>       |                   |                         |
| 4.10 | <u>(b) This appropriation includes funding to</u>       |                   |                         |
| 4.11 | <u>administer the American Indian scholarship</u>       |                   |                         |
| 4.12 | <u>program.</u>   |                   |                         |
| 4.13 | <b><u>Subd. 10. Inclusive Higher Education</u></b>      | <b><u>-0-</u></b> | <b><u>750,000</u></b>   |
| 4.14 | <u>(a) Of this amount, \$500,000 is for transfer to</u> |                   |                         |
| 4.15 | <u>the inclusive higher education grant account</u>     |                   |                         |
| 4.16 | <u>under Minnesota Statutes, section 135A.162,</u>      |                   |                         |
| 4.17 | <u>subdivision 4, and \$250,000 is to enter into a</u>  |                   |                         |
| 4.18 | <u>contract establishing the Inclusive Higher</u>       |                   |                         |
| 4.19 | <u>Education Technical Assistance Center under</u>      |                   |                         |
| 4.20 | <u>Minnesota Statutes, section 135A.161.</u>            |                   |                         |
| 4.21 | <u>(b) The base for this appropriation is \$750,000</u> |                   |                         |
| 4.22 | <u>in fiscal year 2024 and later.</u>                   |                   |                         |
| 4.23 | <b><u>Subd. 11. Free College Grants</u></b>             | <b><u>-0-</u></b> | <b><u>975,000</u></b>   |
| 4.24 | <u>(a) For the free college grant program under</u>     |                   |                         |
| 4.25 | <u>Minnesota Statutes, section 136A.0205.</u>           |                   |                         |
| 4.26 | <u>(b) This appropriation is for administrative</u>     |                   |                         |
| 4.27 | <u>costs related to establishing the program.</u>       |                   |                         |
| 4.28 | <u>(c) The base for this appropriation is</u>           |                   |                         |
| 4.29 | <u>\$32,000,000 in fiscal year 2024 and later.</u>      |                   |                         |
| 4.30 | <u>(d) The commissioner may transfer</u>                |                   |                         |
| 4.31 | <u>unencumbered balances from other</u>                 |                   |                         |
| 4.32 | <u>appropriations to the office to the free college</u> |                   |                         |

5.1 grant program. Transfers from the free college  
 5.2 grant program may only be made to the extent  
 5.3 there is a projected surplus in the appropriation  
 5.4 and only with prior written notice to the chairs  
 5.5 and ranking minority members of the senate  
 5.6 and house of representatives committees with  
 5.7 jurisdiction over higher education finance.

|     |  |     |                  |
|-----|--|-----|------------------|
| 5.8 | <b><u>Subd. 12. MN Reconnect Program</u></b> | -0- | <u>1,000,000</u> |
|-----|--|-----|------------------|

5.9 (a) For the MN Reconnect program under  
 5.10 Minnesota Statutes, section 136A.123. The  
 5.11 commissioner may use no more than three  
 5.12 percent of this appropriation to administer the  
 5.13 program.

5.14 (b) The base for this appropriation is  
 5.15 \$1,000,000 in fiscal year 2024 and later.

|      |   |     |                  |
|------|---|-----|------------------|
| 5.16 | <b><u>Subd. 13. Addiction Medicine Graduate Medical</u></b> |     |                  |
| 5.17 | <b><u>Education Fellowship</u></b>                          | -0- | <u>1,200,000</u> |

5.18 (a) \$1,200,000 in fiscal year 2023 is  
 5.19 appropriated from the general fund to the  
 5.20 commissioner of the Office of Higher  
 5.21 Education for transfer to Hennepin County  
 5.22 Medical Center to support three physicians  
 5.23 per year enrolled in an addiction medicine  
 5.24 fellowship program for five years, training a  
 5.25 total of 15 physicians. This is a onetime  
 5.26 appropriation.

5.27 (b) The appropriation under this section shall  
 5.28 be used to:

5.29 (1) train fellows in:

5.30 (i) diagnostic interviewing;

5.31 (ii) motivational interviewing;

5.32 (iii) addiction counseling;

6.1 (iv) recognition and care of common acute

6.2 withdrawal syndromes and complications;

- 6.3 (v) pharmacotherapies of addictive disorders;
- 6.4 (vi) epidemiology and pathophysiology of
- 6.5 addiction;
- 6.6 (vii) identification and treatment of addictive
- 6.7 disorders in special populations;
- 6.8 (viii) secondary interventions;
- 6.9 (ix) the use of screening and diagnostic
- 6.10 instruments;
- 6.11 (x) inpatient care; and
- 6.12 (xi) working within a multidisciplinary team;
- 6.13 and
- 6.14 (2) prepare fellows to practice addiction
- 6.15 medicine in rural and underserved areas of the
- 6.16 state.

6.17 **Subd. 14. Aspiring Teachers of Color**

6.18 **Scholarship Pilot Program**

-0-                      3,000,000

- 6.19 (a) For the aspiring teachers of color
- 6.20 scholarship pilot program under Laws 2021,
- 6.21 First Special Session chapter 2, article 2,
- 6.22 section 45.
- 6.23 (b) The commissioner may use no more than
- 6.24 three percent of this appropriation to
- 6.25 administer the program.
- 6.26 (c) This is a onetime appropriation.
- 6.27 Notwithstanding Minnesota Statutes, section
- 6.28 16A.28, unencumbered balances under this
- 6.29 subdivision do not cancel until June 30, 2027.

8.3                      Sec. 13. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 38,

8.4 is amended to read:

8.5 **Subd. 38. Aspiring Teachers of Color**

8.6 **Scholarship Pilot Program**    1,500,000                      1,500,000

- 8.7 (a) This appropriation is for the aspiring
- 8.8 teachers of color scholarship pilot program
- 8.9 under article 2, section 45.
- 8.10 (b) The commissioner of the Office of Higher
- 8.11 Education may use no more than ~~three percent~~
- 8.12 \$45,000 each year of the appropriation to
- 8.13 administer the aspiring teachers of color
- 8.14 scholarship program.
- 8.15 (c) This is a onetime appropriation. The base
- 8.16 for this appropriation is \$0 in fiscal year 2024
- 8.17 and later. Notwithstanding Minnesota Statutes,
- 8.18 section 16A.28, unencumbered balances under
- 8.19 this subdivision do not cancel until July 1,
- 8.20 2025.

6.30 Subd. 15. Social Work Scholarships -0- 5,000,000

6.31 (a) For the social work scholarship program

6.32 under article 2, section 23.

7.1 (b) The commissioner may use no more than

7.2 three percent of this appropriation to

7.3 administer the program.

7.4 (c) This is a onetime appropriation.

7.5 Notwithstanding Minnesota Statutes, section

7.6 16A.28, this appropriation is available until

7.7 expended or until June 30, 2027, whichever

7.8 occurs first.

2.13 Subd. 2. Grants to Students Pursuing Law

2.14 Enforcement -0- 3,761,000

2.15 For grants to eligible students under Minnesota

2.16 Statutes, section 136A.1213. Of this amount,

2.17 \$170,000 the first year is for administration

2.18 costs. The base for this appropriation is

2.19 \$3,666,000 for fiscal year 2024 and later.

2.20 Beginning in fiscal year 2024, the

2.21 commissioner may use \$75,000 for

2.22 administration costs.

2.23 Subd. 3. Skills Path Grant Program -0- 500,000

2.24 For grants to eligible institutions under

2.25 Minnesota Statutes, section 136A.247. Of this

2.26 amount, the commissioner may use no more

2.27 than \$15,000 of the appropriation for

2.28 administration of the grant program. The base

2.29 for this appropriation is \$500,000 for fiscal

2.30 year 2024 and later.

2.31 Subd. 4. Owatonna Learn to Earn Coalition;

2.32 Office of Higher Education -0- 980,000

2.33 This appropriation is for a grant to the

2.34 Owatonna Learn to Earn Coalition to help the

3.1 Owatonna and Steele County region grow and

3.2 retain a talented workforce. This is a onetime  
 3.3 appropriation and is available until June 30,  
 3.4 2024. Of this amount:  
 3.5 (1) \$900,000 is to develop educational learning  
 3.6 spaces with state-of-the-art equipment and  
 3.7 student support services in high-demand career  
 3.8 pathway programs. Of this amount, \$306,000  
 3.9 is to equip the new Owatonna High School's  
 3.10 Industrial Technology classrooms with  
 3.11 state-of-the-art equipment to introduce  
 3.12 students to high-skill, high-wage, technical  
 3.13 careers, and \$594,000 is to equip the  
 3.14 Owatonna Riverland Community College  
 3.15 Campus with state-of-the-art instructional  
 3.16 equipment to offer credit and noncredit  
 3.17 technical programs in automation robotics  
 3.18 engineering technology and information  
 3.19 technology; and  
 3.20 (2) \$80,000 is to create learn to earn  
 3.21 opportunities for students and employers by  
 3.22 engaging employers in the Owatonna  
 3.23 community to offer tuition reimbursement or  
 3.24 scholarships and part-time work and school  
 3.25 schedules to employees who agree to continue  
 3.26 their education while working for them.  
 3.27 **Subd. 5. Owatonna Learn to Earn Coalition;**  
 3.28 **Department of Employment and Economic**  
 3.29 **Development**  
 3.30 For transfer to the commissioner of  
 3.31 employment and economic development for  
 3.32 a grant to the Owatonna Learn to Earn  
 3.33 Coalition to conduct a comprehensive local  
 3.34 needs assessment to examine current and  
 3.35 future workforce needs in the region. The  
 4.1 coalition shall retain a consultant and utilize  
 4.2 state demographer resources to involve  
 4.3 education, business, and community  
 4.4 stakeholders to guide the high school's career  
 4.5 pathways, the college's programs of study, and  
 4.6 the business's support of work-based learning

-0-                      20,000



4.7 programs that help them recruit, develop, and  
 4.8 retain a vibrant workforce to keep the regional  
 4.9 economy strong. This is a onetime  
 4.10 appropriation and is available until June 30,  
 4.11 2024.

5.8 Sec. 5. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 9, is  
 5.9 amended to read:

|      |   |           |           |
|------|---|-----------|-----------|
| 5.10 | <b>Subd. 9. Intervention for College Attendance</b> |           |           |
| 5.11 | <b>Program Grants</b>                               | 1,143,000 | 1,142,000 |

5.12 For the intervention for college attendance  
 5.13 program under Minnesota Statutes, section  
 5.14 136A.861.

5.15 The commissioner may use no more than ~~three~~  
 5.16 ~~percent~~ \$34,000 each year of this appropriation  
 5.17 to administer the intervention for college  
 5.18 attendance program grants.

5.19 Sec. 6. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 19, is  
 5.20 amended to read:

|      |   |           |           |
|------|---|-----------|-----------|
| 5.21 | <b>Subd. 19. Spinal Cord Injury and Traumatic</b> |           |           |
| 5.22 | <b>Brain Injury Research Grant Program</b>        | 3,000,000 | 3,000,000 |

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

5.27 The commissioner may use no more than ~~three~~  
 5.28 ~~percent~~ \$90,000 each year of the amount  
 5.29 transferred under this subdivision to administer  
 5.30 the grant program.

6.1 Sec. 7. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 20, is  
 6.2 amended to read:

|     |   |         |         |
|-----|---|---------|---------|
| 6.3 | <b>Subd. 20. Summer Academic Enrichment</b> |         |         |
| 6.4 | <b>Program</b>                              | 250,000 | 250,000 |

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

6.7 The commissioner may use no more than ~~three~~  
6.8 ~~percent~~ \$8,000 each year of this appropriation  
6.9 to administer the grant program under this  
6.10 subdivision.

6.11 Sec. 8. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 25, is  
6.12 amended to read:

6.13 Subd. 25. **Grants to Student Teachers in**  
6.14 **Shortage Areas** 500,000 500,000

6.15 For grants to student teachers in shortage areas  
6.16 under Minnesota Statutes, section 136A.1275.

6.17 The commissioner may use no more than ~~three~~  
6.18 ~~percent~~ \$15,000 each year of the appropriation  
6.19 for administration of the program.

7.12 Sec. 11. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 33,  
7.13 is amended to read:

7.14 Subd. 33. **Minnesota Independence College and**  
7.15 **Community** 1,250,000 1,250,000  
1,750,000

7.16 For a grant to Minnesota Independence  
7.17 College and Community for need-based  
7.18 scholarships and tuition reduction. Beginning  
7.19 with students first enrolled in the fall of 2019,  
7.20 eligibility is limited to resident students as  
7.21 defined in Minnesota Statutes, section  
7.22 136A.101, subdivision 8.

7.23 The base for this appropriation is ~~\$1,000,000~~  
7.24 \$1,207,000 in fiscal year 2024 and later.

7.25 Sec. 12. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 34,  
7.26 is amended to read:

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

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

7.30 The Office of Higher Education may use no  
7.31 more than ~~three percent~~ \$6,000 each year of

34.22 Sec. 21. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 35,  
34.23 is amended to read:

34.24 Subd. 35. **Hunger-Free Campus Grants** 205,000 102,000

34.25 For the Office of Higher Education to provide  
34.26 initial and sustaining grants to Minnesota  
34.27 public postsecondary institutions, nonprofit  
34.28 private postsecondary institutions, and Tribal  
34.29 colleges under Minnesota Statutes, section  
34.30 ~~136F.245~~ 135A.137, subdivision ~~4~~ 3, to meet  
34.31 and maintain the criteria in that same section  
34.32 to address food insecurity on campus.

12.1 Sec. 5. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 36, is  
12.2 amended to read:

12.3 Subd. 36. **Fostering Independence Higher**  
12.4 **Education Grants** 238,000 3,759,000

12.5 (a) For grants to eligible students under  
12.6 Minnesota Statutes, section 136A.1241. Of  
12.7 this amount, \$238,000 in the first year is for  
12.8 administration costs. The base for fiscal year  
12.9 2024 and later is \$3,761,000.

12.10 (b) Beginning in fiscal year 2023, the  
12.11 commissioner of the Office of Higher  
12.12 Education may use no more than three percent  
12.13 of the appropriation to administer the grants  
12.14 under Minnesota Statutes, section 136A.1241.

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

7.12 **Subdivision 1. Total Appropriation** \$ ~~-0-~~ \$ **24,375,000**

8.1 the appropriation to administer the student  
8.2 loan debt counseling program.

8.21 Sec. 14. Laws 2021, First Special Session chapter 2, article 1, section 3, subdivision 1, is  
8.22 amended to read:

8.23 **789,491,000**  
8.24 Subdivision 1. Total Appropriation \$ 791,992,000 \$ **800,140,000**

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

7.16 Subd. 2. **Operations and Maintenance**

-0-        23,375,000

7.17 (a) \$20,375,000 in fiscal year 2023 is to  
7.18 maintain campus operations that deliver  
7.19 excellent, affordable, accessible education that  
7.20 is responsive to changes in the state's  
7.21 educational needs.

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

8.28        Sec. 15. Laws 2021, First Special Session chapter 2, article 1, section 3, subdivision 3, is  
8.29 amended to read:

8.30 ~~751,295,000~~

8.31 **Subd. 3. Operations and Maintenance** 753,795,000        761,944,000

9.1        (a) The Board of Trustees must establish  
9.2 tuition rates as follows:

9.3        (1) for the 2021-2022 and 2022-2023  
9.4 academic years, tuition rates for undergraduate  
9.5 students at colleges and universities must not  
9.6 be increased by more than 3.5 percent as  
9.7 compared to the previous academic year,  
9.8 except that a university may change base  
9.9 tuition to adjust for the reduction of online  
9.10 differential charges provided the change is  
9.11 revenue-neutral; and

9.12        (2) the student tuition relief may not be offset  
9.13 by increases in mandatory fees, charges, or  
9.14 other assessments to the student. Colleges and  
9.15 universities are permitted to increase  
9.16 differential tuition charges in fiscal years 2022  
9.17 and 2023 where costs for course or program  
9.18 delivery have increased due to extraordinary  
9.19 circumstances beyond the control of the  
9.20 college or university. Rates and rationale must  
9.21 be approved by the Board of Trustees.

9.22        (b) The Board of Trustees must request  
9.23 guidance from the United States Department

9.24 of Education regarding whether it is  
9.25 permissible to allocate federal funds received  
9.26 under section 314 of the Consolidated  
9.27 Appropriations Act, 2021, as provided by  
9.28 Public Law 116-260, and section 2003 of the  
9.29 American Rescue Plan Act, as provided by  
9.30 Public Law 117-2, to provide a tuition credit  
9.31 for enrolled students or refund for students  
9.32 who are no longer enrolled in an amount equal  
9.33 to the amount of the online differential tuition  
9.34 rate charged to students for courses moved  
9.35 online due to the coronavirus pandemic during  
10.1 the 2020-2021 academic year that were not  
10.2 offered as online courses during the previous  
10.3 academic year. If the department advises that  
10.4 this is a permissible use of the federal funds,  
10.5 institutions must issue such tuition credits to  
10.6 enrolled students and must inform students  
10.7 who are no longer enrolled in the institution  
10.8 of their eligibility for a refund. In order to  
10.9 receive a refund, the student must apply for  
10.10 the refund.

10.11 (c) \$5,700,000 in fiscal year 2022 and  
10.12 \$5,700,000 in fiscal year 2023 are to provide  
10.13 supplemental aid for operations and  
10.14 maintenance to the president of each two-year  
10.15 institution in the system with at least one  
10.16 campus that is not located in a metropolitan  
10.17 county, as defined in Minnesota Statutes,  
10.18 section 473.121, subdivision 4. The board  
10.19 shall transfer at least \$158,000 for each  
10.20 campus not located in a metropolitan county  
10.21 in each year to the president of each institution  
10.22 that includes such a campus.

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

10.27 (e) \$4,500,000 in fiscal year 2022 and  
10.28 ~~\$4,500,000~~ \$14,500,000 in fiscal year 2023  
10.29 are for workforce development scholarships  
10.30 under Minnesota Statutes, section 136F.38.

10.31 Of this appropriation, up to \$200,000 is  
 10.32 available in each year to administer the  
 10.33 program. Of this amount, \$7,500,000 in the  
 10.34 second year and later must be used for  
 10.35 scholarships to students enrolled in a law  
 11.1 enforcement program of study. If there is a  
 11.2 balance of unobligated funds to law  
 11.3 enforcement students by February 15 of each  
 11.4 year, the board may reallocate the balance to  
 11.5 other purposes under this paragraph. The base  
 11.6 for this appropriation is \$9,500,000 for fiscal  
 11.7 year 2024 and later.

11.8 (f) \$300,000 in fiscal year 2022 and \$300,000  
 11.9 in fiscal year 2023 are for transfer to the Cook  
 11.10 County Higher Education Board to provide  
 11.11 educational programming, workforce  
 11.12 development, and academic support services  
 11.13 to remote regions in northeastern Minnesota.  
 11.14 The Cook County Higher Education Board  
 11.15 shall continue to provide information to the  
 11.16 Board of Trustees on the number of students  
 11.17 served, credit hours delivered, and services  
 11.18 provided to students.

11.19 (g) This appropriation includes \$40,000 in  
 11.20 fiscal year 2022 and \$40,000 in fiscal year  
 11.21 2023 to implement the sexual assault policies  
 11.22 required under Minnesota Statutes, section  
 11.23 135A.15.

11.24 (h) This appropriation includes \$8,000,000 in  
 11.25 fiscal year 2022 and \$8,000,000 in fiscal year  
 11.26 2023 for upgrading the Integrated Statewide  
 11.27 Record System.

11.28 (i) This appropriation includes \$250,000 in  
 11.29 fiscal year 2022 and \$250,000 in fiscal year  
 11.30 2023 to implement the Z-Degree program  
 11.31 under Minnesota Statutes, section 136F.305.  
 11.32 The base for this appropriation is \$50,000 in  
 11.33 fiscal year 2024 and later.

12.1 (j) \$1,500,000 in fiscal year 2022 is for the  
 12.2 mental health awareness program for students  
 12.3 required under Minnesota Statutes, section

7.22 (b) \$2,000,000 in fiscal year 2023 is for the  
 7.23 mental health awareness program for students  
 7.24 required under Minnesota Statutes, section

7.25 136F.20, subdivision 4. The base for this  
 7.26 appropriation is \$2,000,000 in fiscal year 2024  
 7.27 and later. Notwithstanding Laws 2021, First  
 7.28 Special Session chapter 2, article 1, section 3,  
 7.29 subdivision 3, paragraph (j), all unencumbered  
 7.30 balances for this program cancel at the close  
 7.31 of the biennium.

7.32 (c) \$1,000,000 in fiscal year 2023 is for  
 7.33 colleges and universities to comply with the  
 7.34 student basic needs requirements under  
 8.1 Minnesota Statutes, section 136F.202. The  
 8.2 base for this appropriation is \$1,000,000 in  
 8.3 fiscal year 2024 and later. Notwithstanding  
 8.4 Laws 2021, First Special Session chapter 2,  
 8.5 article 1, section 3, subdivision 3, paragraph  
 8.6 (k), all unencumbered balances for this  
 8.7 program cancel at the close of the biennium.

8.8 (d) \$9,000,000 is added to the base  
 8.9 appropriation for operations and maintenance  
 8.10 in fiscal year 2024 and later established in  
 8.11 Laws 2021, First Special Session chapter 2,  
 8.12 article 1, section 3, subdivision 3, paragraph  
 8.13 (l).

8.14 **Subd. 3. Career and Technical Educator Pilot**  
 8.15 **Project**

-0-                      1,000,000

8.16 (a) To expand the career and technical  
 8.17 educator pilot project under Laws 2021, First  
 8.18 Special Session chapter 10, article 2, section

12.4 136F.20, subdivision 4. Of this amount:  
 12.5 \$500,000 must be used for training  
 12.6 opportunities under Minnesota Statutes,  
 12.7 section 136F.20, subdivision 4, paragraph (a),  
 12.8 clause (2); and \$200,000 must be used for  
 12.9 grants to colleges and universities to establish  
 12.10 peer support pilot programs in Minnesota  
 12.11 Statutes, section 136F.20, subdivision 4,  
 12.12 paragraph (c). The Board of Trustees shall  
 12.13 convene a committee that includes students to  
 12.14 review and approve grant applications.  
 12.15 Notwithstanding Minnesota Statutes, section  
 12.16 16A.28, unencumbered balances under this  
 12.17 paragraph do not cancel until July 1, 2025.

12.18 (k) \$1,000,000 in fiscal year 2022 is for  
 12.19 colleges and universities to comply with the  
 12.20 student basic needs requirements under  
 12.21 Minnesota Statutes, section 136F.202. The  
 12.22 Board of Trustees must use at least 25 percent  
 12.23 of this appropriation for grants to colleges and  
 12.24 universities to comply with Minnesota  
 12.25 Statutes, section 136F.202, subdivision 1,  
 12.26 paragraph (a). The board must use a  
 12.27 consultation and committee process that  
 12.28 includes students to review and approve grant  
 12.29 applications. Notwithstanding Minnesota  
 12.30 Statutes, section 16A.28, unencumbered  
 12.31 balances under this paragraph do not cancel  
 12.32 until July 1, 2025.

12.33 (l) The total operations and maintenance base  
 12.34 for fiscal year 2024 and later is ~~\$751,095,000~~  
 12.35 \$756,095,000.





9.11 **Subd. 2. Operations and Maintenance** -0- 44,761,000

9.12 (a) \$13,880,000 in fiscal year 2023 is for:

9.13 (1) targeted aid to those students who most

9.14 need support to offset tuition, fees, and other

9.15 costs of attendance items; and

9.16 (2) enhancing services that are specifically

9.17 focused on ensuring students flourish and

9.18 graduate in four years.

9.19 The base for this appropriation is \$6,000,000

9.20 in fiscal year 2024 and later.

9.21 (b) \$14,000,000 in fiscal year 2023 is for

9.22 improving campus safety protocols and

9.23 organizations and providing a safe campus

9.24 environment by:

9.25 (1) ensuring building access control and

9.26 camera coverage for all university buildings

9.27 across the system;

9.28 (2) achieving recognized standards for

9.29 building access control, video surveillance

9.30 coverage, and lighting for all system

9.31 campuses;

9.32 (3) supporting an advanced campus

9.33 monitoring center that monitors 24/7 campus

10.1 activities and provides an early warning

10.2 system for safety events; and

10.3 (4) securing access to the university's most

10.4 sensitive information systems and protecting

10.5 the data contained in them by mitigating

13.7 690,656,000

13.8 General 690,656,000 692,656,000

13.9 Health Care Access 2,157,000 2,157,000

13.10 The amounts that may be spent for each

13.11 purpose are specified in the following

13.12 subdivisions.

4.18 **Subd. 2. Operations and Maintenance** -0- 454,000

4.19 \$454,000 in fiscal year 2023 is to improve

4.20 campus safety, bolstering the technology

4.21 infrastructure with cameras and strategic

4.22 information accessibility, and provide a safe

4.23 campus by increasing security and full-time

4.24 law enforcement presence. As a condition of

4.25 receiving this supplemental appropriation, a

4.26 commission must be established and the duties

4.27 specified under article 2, section 13, must be

4.28 accomplished. If the commission is not

4.29 established, the base amount for fiscal year

4.30 2024 and later is \$0. The base for this

4.31 appropriation is \$2,390,000 for fiscal year

4.32 2024 and later.

10.6 current vulnerabilities and building  
 10.7 foundational technical infrastructure and  
 10.8 processes that enable the institution to avoid  
 10.9 cybersecurity threats.

10.10 This is a onetime appropriation.

10.17 (d) \$10,000,000 in fiscal year 2023 is for  
 10.18 advancing campus sustainability. Of this  
 10.19 amount:

10.20 (1) \$5,000,000 is for the development of  
 10.21 campus sustainability and utility master plans  
 10.22 systemwide;

10.23 (2) \$2,500,000 is for implementation of  
 10.24 on-campus solar electricity generation; and

10.25 (3) \$2,500,000 is for accelerated conversion  
 10.26 of the university's fleet vehicles to electric  
 10.27 vehicles.

10.28 This is a onetime appropriation.

10.29 (e) \$6,000,000 is added to the operations and  
 10.30 maintenance base for fiscal year 2024 and later  
 10.31 established in Laws 2021, First Special  
 10.32 Session chapter 2, article 1, section 4,  
 10.33 subdivision 2, paragraph (f).

13.13 Sec. 17. Laws 2021, First Special Session chapter 2, article 1, section 4, subdivision 4, is  
 13.14 amended to read:

13.15 Subd. 4. **Special Appropriations**

|       |  |            |            |
|-------|--|------------|------------|
| 13.16 | (a) <b>Agriculture and Extension Service</b> | 42,922,000 | 42,922,000 |
|-------|--|------------|------------|

13.17 For the Agricultural Experiment Station and  
 13.18 the Minnesota Extension Service:

13.19 (1) the agricultural experiment stations and  
 13.20 Minnesota Extension Service must convene  
 13.21 agricultural advisory groups to focus research,  
 13.22 education, and extension activities on producer  
 13.23 needs and implement an outreach strategy that

- 13.24 more effectively and rapidly transfers research  
 13.25 results and best practices to producers  
 13.26 throughout the state;
- 13.27 (2) this appropriation includes funding for  
 13.28 research and outreach on the production of  
 13.29 renewable energy from Minnesota biomass  
 13.30 resources, including agronomic crops, plant  
 13.31 and animal wastes, and native plants or trees.  
 13.32 The following areas should be prioritized and  
 13.33 carried out in consultation with Minnesota  
 14.1 producers, renewable energy, and bioenergy  
 14.2 organizations:
- 14.3 (i) biofuel and other energy production from  
 14.4 perennial crops, small grains, row crops, and  
 14.5 forestry products in conjunction with the  
 14.6 Natural Resources Research Institute (NRRI);
- 14.7 (ii) alternative bioenergy crops and cropping  
 14.8 systems; and
- 14.9 (iii) biofuel coproducts used for livestock feed;
- 14.10 (3) this appropriation includes funding for the  
 14.11 College of Food, Agricultural, and Natural  
 14.12 Resources Sciences to establish and provide  
 14.13 leadership for organic agronomic,  
 14.14 horticultural, livestock, and food systems  
 14.15 research, education, and outreach and for the  
 14.16 purchase of state-of-the-art laboratory,  
 14.17 planting, tilling, harvesting, and processing  
 14.18 equipment necessary for this project;
- 14.19 (4) this appropriation includes funding for  
 14.20 research efforts that demonstrate a renewed  
 14.21 emphasis on the needs of the state's agriculture  
 14.22 community. The following areas should be  
 14.23 prioritized and carried out in consultation with  
 14.24 Minnesota farm organizations:
- 14.25 (i) vegetable crop research with priority for  
 14.26 extending the Minnesota vegetable growing  
 14.27 season;
- 14.28 (ii) fertilizer and soil fertility research and  
 14.29 development;

- 14.30 (iii) soil, groundwater, and surface water
- 14.31 conservation practices and contaminant
- 14.32 reduction research;
- 15.1 (iv) discovering and developing plant varieties
- 15.2 that use nutrients more efficiently;
- 15.3 (v) breeding and development of turf seed and
- 15.4 other biomass resources in all three Minnesota
- 15.5 biomes;
- 15.6 (vi) development of new disease-resistant and
- 15.7 pest-resistant varieties of turf and agronomic
- 15.8 crops;
- 15.9 (vii) utilizing plant and livestock cells to treat
- 15.10 and cure human diseases;
- 15.11 (viii) the development of dairy coproducts;
- 15.12 (ix) a rapid agricultural response fund for
- 15.13 current or emerging animal, plant, and insect
- 15.14 problems affecting production or food safety;
- 15.15 (x) crop pest and animal disease research;
- 15.16 (xi) developing animal agriculture that is
- 15.17 capable of sustainably feeding the world;
- 15.18 (xii) consumer food safety education and
- 15.19 outreach;
- 15.20 (xiii) programs to meet the research and
- 15.21 outreach needs of organic livestock and crop
- 15.22 farmers; and
- 15.23 (xiv) alternative bioenergy crops and cropping
- 15.24 systems; and growing, harvesting, and
- 15.25 transporting biomass plant material; and
- 15.26 (5) by February 1, 2023, the Board of Regents
- 15.27 must submit a report to the legislative
- 15.28 committees and divisions with jurisdiction
- 15.29 over agriculture and higher education finance
- 15.30 on the status and outcomes of research and
- 15.31 initiatives funded in this paragraph.

|       |  |           |                      |
|-------|--|-----------|----------------------|
| 15.32 | <b>(b) Health Sciences</b>                                 | 9,204,000 | 9,204,000            |
| 16.1  | \$346,000 each year is to support up to 12                 |           |                      |
| 16.2  | resident physicians in the St. Cloud Hospital              |           |                      |
| 16.3  | family practice residency program. The                     |           |                      |
| 16.4  | program must prepare doctors to practice                   |           |                      |
| 16.5  | primary care medicine in rural areas of the                |           |                      |
| 16.6  | state. The legislature intends this program to             |           |                      |
| 16.7  | improve health care in rural communities,                  |           |                      |
| 16.8  | provide affordable access to appropriate                   |           |                      |
| 16.9  | medical care, and manage the treatment of                  |           |                      |
| 16.10 | patients in a more cost-effective manner. The              |           |                      |
| 16.11 | remainder of this appropriation is for the rural           |           |                      |
| 16.12 | physicians associates program; the Veterinary              |           |                      |
| 16.13 | Diagnostic Laboratory; health sciences                     |           |                      |
| 16.14 | research; dental care; the Biomedical                      |           |                      |
| 16.15 | Engineering Center; and the collaborative                  |           |                      |
| 16.16 | partnership between the University of                      |           |                      |
| 16.17 | Minnesota and Mayo Clinic for regenerative                 |           |                      |
| 16.18 | medicine, research, clinical translation, and              |           |                      |
| 16.19 | commercialization.   |           |                      |
| 16.20 | <b>(c) College of Science and Engineering</b>              | 1,140,000 | 1,140,000            |
| 16.21 | For the geological survey and the talented                 |           |                      |
| 16.22 | youth mathematics program.                                 |           |                      |
| 16.23 |  |           | <del>7,431,000</del> |
| 16.24 | <b>(d) System Special</b>                                  | 7,431,000 | <u>9,431,000</u>     |
| 16.25 | For general research, the Labor Education                  |           |                      |
| 16.26 | Service, Natural Resources Research Institute,             |           |                      |
| 16.27 | Center for Urban and Regional Affairs, Bell                |           |                      |
| 16.28 | Museum of Natural History, and the                         |           |                      |
| 16.29 | Humphrey exhibit.  |           |                      |
| 16.30 | \$2,250,000 in fiscal year 2022 and <del>\$2,250,000</del> |           |                      |
| 16.31 | <u>\$4,250,000</u> in fiscal year 2023 are for the         |           |                      |
| 16.32 | Natural Resources Research Institute to invest             |           |                      |
| 16.33 | in applied research for economic development.              |           |                      |

10.11 (c) \$6,881,000 in fiscal year 2023 is for the  
10.12 Natural Resources Research Institute (NRRRI)  
10.13 for a water and mineland remediation lab

- 10.14 expansion in Duluth and a new mineral
- 10.15 processing and metallurgy lab in Coleraine.
- 10.16 This is a onetime appropriation.

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

17.4 **(e) University of Minnesota and Mayo**  
 17.5 **Foundation Partnership** 7,991,000 7,991,000

17.6 This appropriation is for the following  
 17.7 activities:

17.8 (1) \$7,491,000 in fiscal year 2022 and  
 17.9 \$7,491,000 in fiscal year 2023 are for the  
 17.10 direct and indirect expenses of the  
 17.11 collaborative research partnership between the  
 17.12 University of Minnesota and the Mayo  
 17.13 Foundation for research in biotechnology and  
 17.14 medical genomics. An annual report on the  
 17.15 expenditure of these funds must be submitted  
 17.16 to the governor and the chairs of the legislative  
 17.17 committees responsible for higher education  
 17.18 finance by June 30 of each fiscal year.

17.19 (2) \$500,000 in fiscal year 2022 and \$500,000  
 17.20 in fiscal year 2023 are to award competitive  
 17.21 grants to conduct research into the prevention,  
 17.22 treatment, causes, and cures of Alzheimer's  
 17.23 disease and other dementias.

11.1 Subd. 3. 50-Year Clean Water Supply Plan -0- 650,000

- 11.2 (a) For the Water Council to develop a plan
- 11.3 to ensure that Minnesota has an abundant
- 11.4 supply of clean water for the next 50 years.
- 11.5 By December 1, 2023, the Water Council must
- 11.6 submit the plan to the chairs and ranking
- 11.7 minority members of the house of
- 11.8 representatives and senate committees and

11.9 divisions with jurisdiction over environment  
11.10 and natural resources. The plan must:

11.11 (1) assess the current state of Minnesota's  
11.12 waters, both surface water and groundwater,  
11.13 throughout all geographic regions;

11.14 (2) identify any gaps in data or information  
11.15 with respect to the quality and quantity of  
11.16 Minnesota's waters and provide  
11.17 recommendations to obtain any necessary data  
11.18 and information; and

11.19 (3) identify opportunities for Minnesota to act  
11.20 proactively to ensure that Minnesota has an  
11.21 adequate supply of clean water for the next 50  
11.22 years.

11.23 (b) This is a onetime appropriation.

11.24 **Subd. 4. Green Training Program Account**                      -0-                      1,500,000

11.25 (a) For transfer to the green training program  
11.26 account in the special revenue fund under  
11.27 Minnesota Statutes, section 137.035,  
11.28 subdivision 1.

11.29 (b) The base for this appropriation is  
11.30 \$1,394,000 in fiscal year 2024 and later.

17.24        **Sec. 18. EDUCATION APPROPRIATIONS.**

17.25                      **Subdivision 1. Department of Education.** The sum indicated in this section is  
17.26 appropriated from the general fund to the Department of Education for the fiscal year  
17.27 designated. This sum is in addition to appropriations made for the same purpose in any other  
17.28 law.

17.29                      **Subd. 2. General education aid.** For general education aid under Minnesota Statutes,  
17.30 section 126C.13, subdivision 4:

17.31                      \$                      24,000        .....        2023

17.32                      The 2023 appropriation includes \$0 for 2022 and \$24,000 for 2023.

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

12.15

**ARTICLE 2**

12.16

**POLICY**

18.1

**ARTICLE 2**

18.2

**HIGHER EDUCATION PROVISIONS**

18.3

**Section 1. [124D.351] SKILLS PATH PROGRAM.**

18.4

Subdivision 1. Purpose. The purpose of the skills path program is to provide students with clear pathways from high school to careers in skilled work and the trades and create opportunities for students to enter postsecondary programs and employment-based training in high school.

18.5

18.6

18.7

18.8

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

18.9

18.10

(b) "Career and technical education dual credit program" means a postsecondary career or technical education course under section 124D.09, subdivision 5a; a secondary course that has a current articulation agreement for postsecondary credit hours with a participating institution; or a youth skills training program that awards postsecondary credit to students.

18.11

18.12

18.13

18.14

(c) "Employment-based training" means a registered apprenticeship or apprenticeship readiness program, a dual-training program, a workforce training program at an opportunities industrialization center, or other work-based learning programs in which the student has paid employment.

18.15

18.16

18.17

18.18

Subd. 3. Eligible institutions. (a) A secondary public school, an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, a vocational center school, a nonpublic school, or any combination of schools is eligible to apply for a skills path program designation.

18.19

18.20

18.21

18.22

(b) A Minnesota state college or university, an institution licensed or registered as a postsecondary institution by the Office of Higher Education, or an institution exempt from the provisions of sections 136A.61 to 136A.71 or 136A.822 to 136A.834, as approved by the Office of Higher Education, may partner with an institution in paragraph (a) to provide a postsecondary options enrollment career and technical education course for eligible students in a skills path program.

18.23

18.24

18.25

18.26

18.27

18.28

(c) An eligible institution may work in partnership with one or more postsecondary programs designated in paragraph (b) to create a two-year program that incorporates secondary and postsecondary credit along with employment-based training to award an associate degree in skilled occupations.

18.29

18.30

18.31

18.32

Subd. 4. Skills path programs. The commissioner of higher education must develop an application consistent with section 136A.247, and may consult with the commissioners of education and labor and industry, for programs that provide students with clear pathways from high school to careers in skilled work and the trades to be designated as skills path programs. Skills path programs must include career-connected learning options, career and technical education dual credit program options, and employment-based training opportunities

18.33

19.1

19.2

19.3

19.4



12.17 Section 1. Minnesota Statutes 2021 Supplement, section 135A.137, subdivision 3, is  
12.18 amended to read:

12.19 Subd. 3. **Competitive grant.** (a) Institutions eligible for a grant under this subdivision  
12.20 include public postsecondary institutions, nonprofit private postsecondary institutions, and  
12.21 Tribal colleges.

12.22 (b) The commissioner shall establish a competitive grant program to distribute grants  
12.23 to eligible institutions to meet and maintain the requirements under subdivision 1, paragraph  
12.24 (a). Initial grants shall be made to institutions that have not earned the designation and  
12.25 demonstrate a need for funding to meet the hunger-free campus designation requirements.  
12.26 Sustaining grants shall be made to institutions that have earned the designation and  
12.27 demonstrate both a partnership with a local food bank or organization that provides regular,  
12.28 on-campus food distributions and a need for funds to maintain the requirements under  
12.29 subdivision 1, paragraph (a).

12.30 (c) The commissioner shall give preference to applications for initial grants and to  
12.31 applications from institutions with the highest number of federal Pell Grant eligible students  
12.32 enrolled. The commissioner shall consider the head count at the institution when awarding  
13.1 grants. The maximum grant award for an initial institution designation is \$8,000. The  
13.2 maximum grant award for sustaining an institution designation is \$5,000.

13.3 (d) The commissioner, in collaboration with student associations representing eligible  
13.4 institutions, shall create an application process and establish selection criteria for awarding  
13.5 the grants.

13.6 Sec. 2. Minnesota Statutes 2020, section 135A.15, is amended by adding a subdivision to  
13.7 read:

13.8 Subd. 3a. **Affirmative consent.** (a) The policy required under subdivision 1 shall include  
13.9 a provision that establishes an affirmative consent standard. An institution's affirmative  
13.10 consent standard, at a minimum, must incorporate the following elements:

19.5 to be eligible for this designation. Applicants must demonstrate how skills path programs  
19.6 will be marketed to students and what other local partners and employers are involved in  
19.7 developing career pathway opportunities. Skills path programs may be identified in skilled  
19.8 occupations and the trades, including manufacturing, construction, health care services,  
19.9 information technology, agriculture, transportation, child care, law enforcement, energy,  
19.10 and other related industries.

19.11 Subd. 5. **Interaction with education finance.** For the purpose of computing state aids  
19.12 for the school district, students participating in the skills path programs under this section  
19.13 shall be counted in the average daily membership of the school district.

19.14 Subd. 6. **Academic credit.** A school district may grant academic credit for skills path  
19.15 programs under this section in accordance with local requirements.

- 13.11 (1) all parties to sexual activity must affirmatively express their consent to the activity;
- 13.12 (2) affirmative consent is freely and affirmatively communicated words or actions given
- 13.13 by an individual that a reasonable person under the circumstances would believe communicate
- 13.14 a willingness to participate in the sexual activity;
- 13.15 (3) affirmative consent must be knowing and voluntary and not the result of force,
- 13.16 coercion, or intimidation;
- 13.17 (4) silence, lack of protest, or failure to resist, without active indications of consent, is
- 13.18 not consent;
- 13.19 (5) consent to any one form of sexual activity does not by itself imply consent to any
- 13.20 other forms of sexual activity;
- 13.21 (6) consent may be withdrawn at any time;
- 13.22 (7) a previous relationship or prior consent does not by itself imply consent to future
- 13.23 sexual acts; and
- 13.24 (8) a person is deemed incapable of consenting when that person is:
- 13.25 (i) unable to communicate or understand the nature or extent of a sexual situation due
- 13.26 to mental or physical incapacitation or impairment; or
- 13.27 (ii) physically helpless, either due to the effects of drugs or alcohol, or because the person
- 13.28 is asleep.
- 13.29 (b) The affirmative consent standard must at least incorporate all elements of consent
- 13.30 as defined in section 609.341, but is not limited to the standard of consent as defined in that
- 13.31 section.
- 14.1 Sec. 3. Minnesota Statutes 2020, section 135A.15, subdivision 8, is amended to read:
- 14.2 Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus
- 14.3 security officers and campus administrators responsible for investigating or adjudicating
- 14.4 complaints of sexual assault with comprehensive training on preventing and responding to
- 14.5 sexual assault in collaboration with the Bureau of Criminal Apprehension or another law
- 14.6 enforcement agency with expertise in criminal sexual conduct. The training for campus
- 14.7 security officers shall include a presentation on the dynamics of sexual assault,
- 14.8 neurobiological responses to trauma, and best practices for preventing, responding to, and
- 14.9 investigating sexual assault. The training for campus administrators responsible for
- 14.10 investigating or adjudicating complaints on sexual assault shall include presentations on
- 14.11 preventing sexual assault, responding to incidents of sexual assault, the dynamics of sexual
- 14.12 assault, neurobiological responses to trauma, and compliance with state and federal laws
- 14.13 on sexual assault.

14.14 (b) The following categories of students who attend, or will attend, one or more courses  
 14.15 on campus or will participate in on-campus activities must be provided sexual assault  
 14.16 training:

14.17 (1) students pursuing a degree or certificate;

14.18 (2) students who are taking courses through the Postsecondary Enrollment Options Act;  
 14.19 and

14.20 (3) any other categories of students determined by the institution.

14.21 Students must complete such training no later than ten business days after the start of a  
 14.22 student's first semester of classes. Once a student completes the training, institutions must  
 14.23 document the student's completion of the training and provide proof of training completion  
 14.24 to a student at the student's request. Students enrolled at more than one institution within  
 14.25 the same system at the same time are only required to complete the training once.

14.26 The training shall include information about topics including but not limited to sexual  
 14.27 assault as defined in subdivision 1a; consent as defined in section 609.341, subdivision 4;  
 14.28 the affirmative consent standard defined in subdivision 3a; preventing and reducing the  
 14.29 prevalence of sexual assault; procedures for reporting campus sexual assault; and campus  
 14.30 resources on sexual assault, including organizations that support victims of sexual assault.

14.31 (c) A postsecondary institution shall annually train individuals responsible for responding  
 14.32 to reports of sexual assault. This training shall include information about best practices for  
 15.1 interacting with victims of sexual assault, including how to reduce the emotional distress  
 15.2 resulting from the reporting, investigatory, and disciplinary process.

15.3 Sec. 4. **[135A.161] INCLUSIVE HIGHER EDUCATION TECHNICAL ASSISTANCE**  
 15.4 **CENTER.**

15.5 Subdivision 1. Definitions. (a) For purposes of this section and section 135A.162, the  
 15.6 following terms have the meanings given.

15.7 (b) "Center" means the Inclusive Higher Education Technical Assistance Center.

15.8 (c) "Commissioner" means the commissioner of the Office of Higher Education.

15.9 (d) "Comprehensive transition and postsecondary program for students with intellectual  
 15.10 disabilities" means a degree, certificate, or nondegree program that is offered by an institute  
 15.11 of higher education for students with intellectual disabilities and approved by the United  
 15.12 States Department of Education.

15.13 (e) "Director" means the director of the Inclusive Higher Education Technical Assistance  
 15.14 Center.

15.15 (f) "Inclusive higher education" means institution-approved access to higher education  
 15.16 for students with an intellectual disability that allows for the same rights, privileges,  
 15.17 experiences, benefits, and outcomes that result from a college experience the same as a

15.18 matriculating student, resulting in a meaningful credential conferred by the institution of  
15.19 higher education. Inclusive higher education includes:

15.20 (1) academic access and inclusive instruction;

15.21 (2) person-centered planning;

15.22 (3) career development;

15.23 (4) campus engagement;

15.24 (5) self-determination;

15.25 (6) paid internships and employment;

15.26 (7) on- or off-campus living, when available to other students;

15.27 (8) campus community clubs, events, and activity participation;

15.28 (9) peer mentors and support; and

15.29 (10) a degree, certificate, or nondegree credential.

16.1 (g) "National Coordinating Center" means the federally funded National Coordinating  
16.2 Center providing support, coordination, training, and evaluation services for Transition and  
16.3 Postsecondary Education Programs for Students with Intellectual Disabilities and other  
16.4 inclusive higher education initiatives for students with intellectual disability nationwide.

16.5 (h) "Office" means the Office of Higher Education.

16.6 (i) "Student with an intellectual disability" means a student with an intellectual disability  
16.7 as defined in Code of Federal Regulations, title 34, section 668.231.

16.8 Subd. 2. **Establishment.** The commissioner must contract with the Institute on  
16.9 Community Integration at the University of Minnesota to establish the Inclusive Higher  
16.10 Education Technical Assistance Center. The purpose of the center is to increase access to  
16.11 self-sustaining postsecondary education options across Minnesota for students with an  
16.12 intellectual disability to earn meaningful credentials through degree, certificate, and  
16.13 nondegree initiatives leading to competitive integrated employment, genuine community  
16.14 membership, and more independent living. The center must:

16.15 (1) coordinate and facilitate the statewide initiative to expand and enhance inclusive  
16.16 higher education opportunities;

16.17 (2) provide expertise in inclusive higher education for students with an intellectual  
16.18 disability;

16.19 (3) provide technical assistance;

16.20 (i) to Minnesota institutions of higher education;

- 16.21 (ii) to local education agencies; and
- 16.22 (iii) as requested by the commissioner; and
- 16.23 (4) provide information to students with intellectual disabilities and their families.
- 16.24 Subd. 3. **Director; advisory committee.** (a) The center must name a director.
- 16.25 (b) The director must appoint an advisory committee and seek the committee's review
- 16.26 and recommendations on broad programmatic direction. The advisory committee must be
- 16.27 composed of 50 percent students with an intellectual disability. The remaining positions
- 16.28 must be filled by family members, key stakeholders, and allies. The director must convene
- 16.29 the advisory committee at least quarterly. The advisory committee shall:
- 16.30 (1) review and recommend inclusive higher education offerings;
- 16.31 (2) review and recommend updates to state policy and practice;
- 17.1 (3) document existing and potential funding sources; and
- 17.2 (4) identify obstacles and barriers to students with an intellectual disability to access
- 17.3 inclusive higher education opportunities.
- 17.4 Subd. 4. **Responsibilities.** (a) The center must advise all Minnesota institutions of higher
- 17.5 education planning or that have an inclusive higher education initiative to follow and maintain
- 17.6 the accreditation standards and guiding principles for inclusive higher education as
- 17.7 established by the National Coordinating Center, as identified in the United States Code,
- 17.8 title 20, section 1140q. The center must offer technical assistance to Minnesota inclusive
- 17.9 higher education initiatives to remain in or achieve alignment with federal requirements
- 17.10 and with the standards, quality indicators, and benchmarks identified by the National
- 17.11 Coordinating Center.
- 17.12 (b) The center must monitor federal and state law related to inclusive higher education
- 17.13 and notify the governor, the legislature, and the Office of Higher Education of any change
- 17.14 in law which may impact inclusive higher education.
- 17.15 (c) The center must provide technical assistance to institutions of higher education,
- 17.16 administrators, faculty, and staff by:
- 17.17 (1) offering institution faculty and staff training and professional development to start,
- 17.18 operate, or enhance their inclusive higher education initiative;
- 17.19 (2) providing faculty and staff with information, training, and consultation on the
- 17.20 comprehensive transition and postsecondary program requirements, accreditation standards,
- 17.21 and guiding principles;

- 17.22 (3) organizing and offering learning community events, an annual inclusive higher  
17.23 education conference and community of practice events to share best practices, provide  
17.24 access to national experts, and address challenges and concerns;
- 17.25 (4) assisting institutions of higher education with identifying existing or potential funding  
17.26 sources for the institution of higher education, student financial aid, and funding for students  
17.27 with an intellectual disability; and
- 17.28 (5) advising faculty and staff with an inclusive higher education option of specific grant  
17.29 applications and funding opportunities.
- 17.30 (d) The center must disseminate information to students with an intellectual disability,  
17.31 their parents, and local education agencies, including but not limited to information about:
- 18.1 (1) postsecondary education options, services, and resources that are available at inclusive  
18.2 institutions of higher education;
- 18.3 (2) technical assistance and training provided by the center, the National Coordinating  
18.4 Center, and key stakeholder organizations and agencies; and
- 18.5 (3) mentoring, networking, and employment opportunities.
- 18.6 **Sec. 5. [135A.162] INCLUSIVE HIGHER EDUCATION GRANTS.**
- 18.7 Subdivision 1. **Establishment.** (a) The commissioner of the Office of Higher Education  
18.8 in collaboration with the director of the Inclusive Higher Education Technical Assistance  
18.9 Center must establish a competitive grant program for Minnesota institutions of higher  
18.10 education to develop new or enhance existing inclusive higher education initiatives to enroll  
18.11 or increase enrollment of students with an intellectual disability. The commissioner and  
18.12 director must collaborate to establish the grant program framework, including:
- 18.13 (1) minimum grant requirements;
- 18.14 (2) application format;
- 18.15 (3) criteria for evaluating applications;
- 18.16 (4) grant selection process;
- 18.17 (5) milestones and accountability; and
- 18.18 (6) reporting.
- 18.19 (b) The commissioner must send a description of the competitive grants, including  
18.20 materials describing the grant purpose and goals, an application, compliance requirements,  
18.21 and available funding to each institution of higher education that meets the requirements  
18.22 of subdivision 2, clauses (1) and (2).

- 18.23 Subd. 2. **Eligible grantees.** A public postsecondary two-year or four-year institution is  
18.24 eligible to apply for a grant under this section if the institution:
- 18.25 (1) is accredited by the Higher Learning Commission; and
- 18.26 (2) meets the eligibility requirements under section 136A.103.
- 18.27 Subd. 3. **Application.** (a) Applications must be made to the commissioner on a form  
18.28 developed and provided by the commissioner. The commissioner must, to the greatest extent  
18.29 possible, make the application form as short and simple to complete as is reasonably possible.  
18.30 The commissioner must establish a schedule for applications and grants. The application  
19.1 must include without limitation a written plan to develop or enhance a sustainable inclusive  
19.2 higher education initiative that:
- 19.3 (1) offers the necessary supports to students with an intellectual disability to access the  
19.4 same rights, privileges, experiences, benefits, and outcomes of a typically matriculating  
19.5 student;
- 19.6 (2) includes the development of a meaningful credential for students with an intellectual  
19.7 disability to attain upon successful completion of the student's postsecondary education;
- 19.8 (3) adopts admission standards that do not require a student with an intellectual disability  
19.9 to complete a curriculum-based, achievement college entrance exam that is administered  
19.10 nationwide;
- 19.11 (4) ensures that students with an intellectual disability:
- 19.12 (i) have access and choice in a wide array of academic courses to enroll in for credit or  
19.13 audit that align with the student's interest areas and are attended by students without  
19.14 disabilities;
- 19.15 (ii) have the option to live on or off campus in housing that is available to typically  
19.16 matriculating students;
- 19.17 (iii) have access and support for genuine membership in campus life, including events,  
19.18 social activities and organizations, institution facilities, and technology; and
- 19.19 (iv) are able to access and utilize campus resources available to typical matriculating  
19.20 students;
- 19.21 (5) provides students with an intellectual disability with the supports and experiences  
19.22 necessary to seek and sustain competitive integrated employment;
- 19.23 (6) develops and promotes the self-determination skills of students with an intellectual  
19.24 disability;

19.25 (7) utilizes peer mentors who support enrolled students with an intellectual disability in  
 19.26 academic, campus engagement, residence life, employment, and campus clubs and  
 19.27 organizations;

19.28 (8) provides professional development and resources for university professors and  
 19.29 instructors to utilize universal design for learning and differentiated instruction that supports  
 19.30 and benefits all students; and

20.1 (9) presents a ten-year plan including student enrollment projections for sustainability  
 20.2 of an initiative that is financially accessible and equitable for all interested students with an  
 20.3 intellectual disability.

20.4 (b) Eligible institutions of higher education may apply for funding in subsequent years  
 20.5 for up to a total of ten years of funding.

20.6 Subd. 4. **Grant account.** An inclusive higher education grant account is created in the  
 20.7 special revenue fund for depositing money appropriated to or received by the commissioner  
 20.8 for the program. Money deposited in the account is appropriated to the commissioner, does  
 20.9 not cancel, and is continuously available for grants under this section. The commissioner  
 20.10 may use up to five percent of the amount deposited into the account for the administration  
 20.11 of this section.

20.12 Subd. 5. **Grant awards.** (a) The commissioner must award grants to eligible institutions  
 20.13 of higher education on a competitive basis using criteria established in collaboration with  
 20.14 the center. The commissioner must consider and prioritize applicants that have submitted  
 20.15 for or received a comprehensive transition and postsecondary program designation, or  
 20.16 applicants with documented progress or intent toward submitting for federal approval. An  
 20.17 eligible institution of higher education may apply annually for and receive up to \$200,000  
 20.18 per year for four years and \$100,000 in subsequent years pending performance and the  
 20.19 funding limitation in subdivision 3, paragraph (b).

20.20 (b) A grant recipient must:

20.21 (1) adopt the inclusive higher education national accreditation standards and guiding  
 20.22 principles as established by the National Coordinating Center;

20.23 (2) provide a 25 percent match for the grant funds, either monetary or in-kind; and

20.24 (3) collaborate with the Office of Higher Education, the center, and key stakeholders in  
 20.25 the development of the inclusive higher education initiative.

20.26 Subd. 6. **Grantee reporting.** By August 1 and January 1 following a fiscal year in which  
 20.27 a grant was received and for five years thereafter, the grantee must submit a report to the  
 20.28 director that includes the status and outcomes of the initiative funded. The report must  
 20.29 include performance indicators and information deemed relevant by the director and  
 20.30 commissioner. The report must include the following performance indicators:



- 20.31 (1) student recruitment and number of students enrolled;
- 20.32 (2) student retainment effort and retention rate;
- 21.1 (3) initiative goals and outcomes;
- 21.2 (4) student attainment rate;
- 21.3 (5) graduated student employment rates and salary levels at year one and year five after  
21.4 completion; and
- 21.5 (6) additional performance indicators or information established under subdivision 1,  
21.6 paragraph (a), clauses (5) and (6).
- 21.7 Subd. 7. **Reporting.** The director must evaluate the development and implementation  
21.8 of the Minnesota inclusive higher education initiatives receiving a grant under this section.  
21.9 The director must submit an annual report by October 1 on the progress to expand Minnesota  
21.10 inclusive higher education options for students with intellectual disabilities to the  
21.11 commissioner and chairs and ranking minority members of the legislative committees with  
21.12 jurisdiction over higher education policy and finance. The report must include statutory and  
21.13 budget recommendations.
- 21.14 **EFFECTIVE DATE.** This section is effective June 30, 2022, except that the reporting  
21.15 requirements under subdivision 7 are effective June 30, 2023.
- 21.16 Sec. 6. **[136A.0205] FREE COLLEGE GRANTS.**
- 21.17 Subdivision 1. **Program established.** The commissioner shall establish a free college  
21.18 grant program to pay for the remaining financial needs of students attending state colleges.
- 21.19 Subd. 2. **Eligibility.** A student is eligible for a free college grant if the student:
- 21.20 (1) is eligible to receive a state grant award under section 136A.121; and
- 21.21 (2) is enrolled at a two-year institution within the Minnesota State Colleges and  
21.22 Universities system.
- 21.23 Subd. 3. **Award amounts.** (a) The amount of the free college grant is equal to:
- 21.24 (1) the eligible student's allowance for tuition and fees under section 136A.121,  
21.25 subdivision 6, after deducting:
- 21.26 (i) the amount of a federal Pell Grant award for which the student is eligible;
- 21.27 (ii) the amount of the state grant;
- 21.28 (iii) the amount of any other state or federal gift aid received;
- 21.29 (iv) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission  
21.30 amounts; and

- 22.1 (v) the sum of all Tribal or private grants or scholarships;
- 22.2 (2) multiplied by:
- 22.3 (i) 100 percent if the student reports a family adjusted gross income less than \$75,000;
- 22.4 (ii) 95 percent if the student reports a family adjusted gross income greater than or equal  
22.5 to \$75,000 and less than \$80,000;
- 22.6 (iii) 90 percent if the student reports a family adjusted gross income greater than or equal  
22.7 to \$80,000 and less than \$85,000;
- 22.8 (iv) 85 percent if the student reports a family adjusted gross income greater than or equal  
22.9 to \$85,000 and less than \$90,000;
- 22.10 (v) 80 percent if the student reports a family adjusted gross income greater than or equal  
22.11 to \$90,000 and less than \$95,000;
- 22.12 (vi) 75 percent if the student reports a family adjusted gross income greater than or equal  
22.13 to \$95,000 and less than \$100,000;
- 22.14 (vii) 70 percent if the student reports a family adjusted gross income greater than or  
22.15 equal to \$100,000 and less than \$105,000;
- 22.16 (viii) 65 percent if the student reports a family adjusted gross income greater than or  
22.17 equal to \$105,000 and less than \$110,000;
- 22.18 (ix) 60 percent if the student reports a family adjusted gross income greater than or equal  
22.19 to \$110,000 and less than \$115,000;
- 22.20 (x) 55 percent if the student reports a family adjusted gross income greater than or equal  
22.21 to \$115,000 and less than \$120,000;
- 22.22 (xi) 50 percent if the student reports a family adjusted gross income greater than or equal  
22.23 to \$120,000 and less than \$125,000; and
- 22.24 (xii) 0 percent if the student reports a family adjusted gross income greater than or equal  
22.25 to \$125,000.
- 22.26 (b) Eligible students are encouraged to apply for all other sources of financial aid.
- 22.27 Subd. 4. **Administration.** The commissioner shall administer the free college grant  
22.28 program consistent with the state grant program under section 136A.121. Any provisions  
22.29 of section 136A.121 that do not conflict with this section apply to the free college grant  
22.30 program.
- 23.1 Subd. 5. **Report.** The commissioner shall include spending projections for the free  
23.2 college grant program in the report required under section 136A.121, subdivision 19.

23.3 EFFECTIVE DATE. This section is effective the day following final enactment. The  
 23.4 commissioner shall begin offering grants under this section in the 2023-2024 academic  
 23.5 year.

19.16 Sec. 2. Minnesota Statutes 2020, section 136A.103, is amended to read:

19.17 **136A.103 INSTITUTION ELIGIBILITY REQUIREMENTS.**

19.18 (a) A postsecondary institution is eligible for state student aid under chapter 136A and  
 19.19 sections 197.791 and 299A.45, if the institution ~~is located in this state and:~~

19.20 (1) is operated by this state or the Board of Regents of the University of Minnesota; ~~or~~

19.21 (2) is operated privately, is located in the state, and, as determined by the office, meets  
 19.22 the requirements of paragraph (b); or

19.23 (3) is a university that:

19.24 (i) is a nonprofit entity as defined by Internal Revenue Code, section 501(c)(3);

19.25 (ii) is accredited by the institutional accreditor, Northwest Commission on Colleges and  
 19.26 Universities;

19.27 (iii) provides online education;

19.28 (iv) offers exclusively competency-based education; and

19.29 (v) as determined by the office, meets the requirements of paragraph (b).

19.30 For purposes of this clause, competency-based education means an educational delivery  
 19.31 model which organizes academic content by competency rather than more traditional  
 20.1 methods, such as by course, and measures a student's academic progress by assessing learning  
 20.2 outcomes, typically on the basis of mastery of a defined set of competency standards.

20.3 (b) A private institution must:

20.4 (1) maintain academic standards substantially equivalent to those of comparable  
 20.5 institutions operated in this state;

20.6 (2) be licensed or registered as a postsecondary institution by the office; and

20.7 (3)(i) by July 1, 2010, participate in the federal Pell Grant program under Title IV of  
 20.8 the Higher Education Act of 1965, Public Law 89-329, as amended; or

20.9 (ii) if an institution was participating in state student aid programs as of June 30, 2010,  
 20.10 and the institution did not participate in the federal Pell Grant program by June 30, 2010,  
 20.11 the institution must require every student who enrolls to sign a disclosure form, provided  
 20.12 by the office, stating that the institution is not participating in the federal Pell Grant program.

23.6 Sec. 7. Minnesota Statutes 2020, section 136A.121, subdivision 5, is amended to read:

23.7 Subd. 5. **Grant stipends.** The grant stipend shall be based on a sharing of responsibility  
23.8 for covering the recognized cost of attendance by the applicant, the applicant's family, and  
23.9 the government. The amount of a financial stipend must not exceed a grant applicant's  
23.10 recognized cost of attendance, as defined in subdivision 6, after deducting the following:

23.11 (1) the assigned student responsibility of at least ~~50~~ 48 percent of the cost of attending  
23.12 the institution of the applicant's choosing;

23.13 (2) the assigned family responsibility as defined in section 136A.101; and

23.14 (3) the amount of a federal Pell grant award for which the grant applicant is eligible.

23.15 The minimum financial stipend is \$100 per academic year.

20.13 (c) An institution that offers only graduate-level degrees or graduate-level nondegree  
20.14 programs is an eligible institution if the institution is licensed or registered as a postsecondary  
20.15 institution by the office.

20.16 (d) An eligible institution under paragraph (b), clause (3), item (ii), that changes  
20.17 ownership as defined in section 136A.63, subdivision 2, must participate in the federal Pell  
20.18 Grant program within four calendar years of the first ownership change to continue eligibility.

20.19 (e) An institution that loses its eligibility for the federal Pell Grant program is not an  
20.20 eligible institution. The office may terminate an institution's eligibility to participate in state  
20.21 student aid programs effective the date of the loss of eligibility for the federal Pell Grant  
20.22 program.

20.23 (f) An institution must maintain adequate administrative and financial standards and  
20.24 compliance with all state statutes, rules, and administrative policies related to state financial  
20.25 aid programs.

20.26 (g) The office may terminate a postsecondary institution's eligibility to participate in  
20.27 state student aid programs if the institution is terminated from participating in federal  
20.28 financial aid programs by the United States Department of Education for a violation of laws,  
20.29 regulations, or participation agreements governing federal financial aid programs.

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

21.1 Sec. 3. **[136A.1213] GRANTS FOR STUDENTS PURSUING LAW ENFORCEMENT.**

21.2 Subdivision 1. **Grant amount; eligibility.** (a) A student is eligible for a \$3,000 annual  
21.3 grant, awarded at the beginning of the academic term and distributed evenly between two  
21.4 terms, if the student:

21.5 (1) meets the eligibility requirements in section 136A.121, subdivision 2;

23.16 Sec. 8. [136A.1251] STUDENT-PARENT SUPPORT INITIATIVE.

23.17 Subdivision 1. **Grants.** (a) To address the needs and support the educational goals of  
 23.18 expectant and parenting college students across Minnesota, the commissioner shall award  
 23.19 grants and provide support services to institutions and partnering entities that assist parents  
 23.20 of young children and expectant parents. Grants shall be awarded to postsecondary  
 23.21 institutions, professional organizations, community-based organizations, or other applicants  
 23.22 deemed appropriate by the commissioner. Grants must be used to offer services to support  
 23.23 the academic goals, health, and well-being of student parents. Services and costs eligible  
 23.24 for grant funding include but are not limited to:

23.25 (1) program development costs;

23.26 (2) costs related to the start-up of on-campus child care;

23.27 (3) evaluation and data collection; and

23.28 (4) direct assistance to student parents including:

23.29 (i) scholarships;

23.30 (ii) basic needs support; and

24.1 (iii) expenses related to child care.

24.2 (b) Postsecondary institutions may act as the fiscal agents in partnership with a local  
 24.3 nongovernmental agency, child care center, or other organization that serves student parents.

24.4 Subd. 2. **Application process.** The commissioner shall develop a grant application  
 24.5 process. The commissioner shall support projects in a manner that attempts to ensure eligible  
 24.6 students throughout the state have access to program services.

21.6 (2) is enrolled for at least nine credits in a law enforcement degree program or a nondegree  
 21.7 program under section 626.84, subdivision 1, paragraph (g);

21.8 (3) attends an eligible institution as defined in section 136A.103; and

21.9 (4) is making satisfactory academic progress as defined under section 136A.101,  
 21.10 subdivision 10.

21.11 (b) The lifetime limit for:

21.12 (1) nondegree students is \$3,000;

21.13 (2) associate degree students is \$6,000; and

21.14 (3) baccalaureate degree students is \$12,000.

21.15 Subd. 2. **Application.** To receive a grant under this section, a student must apply in the  
 21.16 form and manner specified by the commissioner.

24.7 Subd. 3. **Health-related supports.** The commissioner, in partnership with the Department  
24.8 of Health, shall provide health-related supports. Activities for health-related supports include:

24.9 (1) ensuring programs, services, and materials are medically accurate, age appropriate,  
24.10 culturally and linguistically appropriate, and inclusive of all populations;

24.11 (2) working with community health care providers and other service support organizations  
24.12 that serve the target population for this program; and

24.13 (3) providing technical assistance and training for institutional parent support center  
24.14 staff on how to conduct screenings and referrals for the health concerns of student parents,  
24.15 including alcohol misuse, substance use disorders, depression, anxiety, intimate partner  
24.16 violence, tobacco and nicotine, and other health concerns.

24.17 Subd. 4. **Report and evaluation.** By August 1 of each odd-numbered year, the  
24.18 commissioner shall submit a report to the chairs and ranking minority members of the  
24.19 legislative committees with jurisdiction over higher education finance regarding the grant  
24.20 recipients and their activities. The report shall include information about the students served,  
24.21 the organizations providing services, program activities, program goals, and outcomes.

24.22 Sec. 9. Minnesota Statutes 2021 Supplement, section 136A.126, subdivision 1, is amended  
24.23 to read:

24.24 Subdivision 1. **Student eligibility.** The commissioner shall establish procedures for the  
24.25 distribution of scholarships to a Minnesota resident student as defined under section  
24.26 136A.101, subdivision 8, who:

24.27 (1) is of one-fourth or more Indian ancestry or is an enrolled member or citizen of a  
24.28 federally recognized American Indian or Canadian First Nations tribe;

24.29 (2) has applied for other existing state and federal scholarship and grant programs;

24.30 (3) is meeting satisfactory academic progress as defined under section 136A.101,  
24.31 subdivision 10;

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

25.3 (5) if enrolled in an undergraduate program, ~~is eligible or would be eligible to receive~~  
25.4 ~~a federal Pell Grant or a state grant based on the federal needs analysis and~~ is enrolled for  
25.5 nine semester credits per term or more, or the equivalent; and

25.6 (6) if enrolled in a graduate program, demonstrates a remaining financial need in the  
25.7 award amount calculation and is enrolled, per term, on a half-time basis or more as defined  
25.8 by the postsecondary institution.

25.9 Sec. 10. Minnesota Statutes 2021 Supplement, section 136A.126, subdivision 4, is amended  
25.10 to read:

25.11 Subd. 4. **Award amount.** (a) Each student shall be awarded a scholarship based on the  
25.12 federal need analysis. Applicants are encouraged to apply for all other sources of financial  
25.13 aid. The amount of the award must not exceed the applicant's cost of attendance, as defined  
25.14 in subdivision 3, after deducting:

25.15 (1) the expected family contribution as calculated by the federal need analysis;

25.16 (2) the amount of a federal Pell Grant award for which the applicant is eligible;

25.17 (3) the amount of the state grant;

25.18 (4) the federal Supplemental Educational Opportunity Grant;

25.19 (5) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission  
25.20 amounts;

25.21 (6) the sum of all Tribal scholarships;

25.22 (7) the amount of any other state and federal gift aid; and

25.23 (8) the amount of any private grants or scholarships.

25.24 (b) The award shall be paid directly to the postsecondary institution where the student  
25.25 receives federal financial aid.

25.26 (c) Awards are limited as follows:

25.27 (1) the maximum award for an undergraduate is ~~\$4,000~~ \$8,000 per academic year;

25.28 (2) the maximum award for a graduate student is ~~\$6,000~~ \$8,000 per academic year; and

25.29 (3) the minimum award for all students is \$100 per academic year.

26.1 (d) Scholarships may not be given to any Indian student for more than three years of  
26.2 study for a two-year degree, certificate, or diploma program or five years of study for a  
26.3 four-year degree program at the undergraduate level and for more than five years at the  
26.4 graduate level. Students may acquire only one degree per level and one terminal graduate  
26.5 degree. Scholarships may not be given to any student for more than ten years including five  
26.6 years of undergraduate study and five years of graduate study.

26.7 (e) Scholarships may be given to an eligible student for four quarters, three semesters,  
26.8 or the equivalent during the course of a single fiscal year. In calculating the award amount,  
26.9 the office must use the same calculation it would for any other term.

26.10 Sec. 11. Minnesota Statutes 2021 Supplement, section 136A.1791, subdivision 5, is  
26.11 amended to read:

26.12 Subd. 5. **Amount of loan repayment.** (a) To the extent funding is available, the annual  
26.13 amount of teacher shortage loan repayment for an approved applicant shall not exceed  
26.14 ~~\$1,000~~ \$2,000 or the cumulative balance of the applicant's qualified educational loans,  
26.15 including principal and interest, whichever amount is less.

26.16 (b) Recipients must secure their own qualified educational loans. Teachers who graduate  
26.17 from an approved teacher preparation program or teachers who add a licensure field,  
26.18 consistent with the teacher shortage requirements of this section, are eligible to apply for  
26.19 the loan repayment program.

26.20 (c) No teacher shall receive more than five annual awards.

21.17 Sec. 4. **[136A.247] SKILLS PATH GRANT PROGRAM.**

21.18 Subdivision 1. **Grant amount.** The commissioner of higher education shall award grants  
21.19 up to \$50,000 per grant to up to ten secondary schools annually for skills path programs  
21.20 under section 124D.351 that align career and technical education dual credit program options  
21.21 with employment-based training opportunities. Applications must demonstrate how grant  
21.22 funding will provide students with clear pathways from high school to postsecondary training  
21.23 that lead to careers in skilled work and the trades. The commissioner of higher education  
21.24 may work with the commissioner of education and the commissioner of labor and industry  
21.25 to develop the grant application and administer the grants.

21.26 Subd. 2. **Grant uses.** (a) A secondary school awarded a grant under this section must  
21.27 use the grant award for any of the following implementation and coordination activities:

21.28 (1) marketing efforts to students about skills path program opportunities;

21.29 (2) coordinating academic, vocational, and occupational learning; school-based and  
21.30 work-based learning; and secondary and postsecondary education for participants in the  
21.31 program;

22.1 (3) reimbursement of tuition, books, required tools, and other expenses necessary for  
22.2 participation in the program; and

22.3 (4) any other implementation or coordination activity that the commissioner may direct  
22.4 or permit the eligible institution to perform.

22.5 (b) Grant awards may not be used to pay the wages of a student directly or indirectly.

22.6 Subd. 3. **Grant application.** The following information must be included in the grant  
22.7 application:



- 22.8 (1) the identity of each secondary school that is a participant in the skills path program;
- 22.9 (2) the identity of each registered apprenticeship program or apprenticeship readiness
- 22.10 program, dual-training program, workforce training program at an opportunities
- 22.11 industrialization center, or other work-based learning program in which the student has the
- 22.12 opportunity for paid employment that is a participant in the skills path program;
- 22.13 (3) the identity of each postsecondary institution, intermediate school district, public
- 22.14 agency, nonprofit organization, union, career and technical education consortium, or
- 22.15 workforce development authority that is a participant in the skills path program;
- 22.16 (4) the identity of any employers participating in the skills path program;
- 22.17 (5) a description of any career-connected learning components;
- 22.18 (6) a description of the career and technical education dual-credit program options;
- 22.19 (7) a description of any postsecondary education components in the skills path program;
- 22.20 (8) a description of employment-based training opportunities; and
- 22.21 (9) applicable career planning information.
- 22.22 Sec. 5. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:
- 22.23 Subdivision 1. **Membership.** The board consists of 15 members appointed by the
- 22.24 governor, including three members who are students who have attended an institution for
- 22.25 at least one year and are enrolled at the time of appointment at least half time in a degree,
- 22.26 diploma, or certificate program in an institution governed by the board. The student members
- 22.27 shall include one member from a community college, one member from a state university,
- 22.28 and one member from a technical college. One member representing labor must be appointed
- 22.29 after considering the recommendations made under section 136F.045. The governor is not
- 22.30 bound by the recommendations. Appointments to the board are with the advice and consent
- 22.31 of the senate. At least one member of the board must be a resident of each congressional
- 23.1 district. All other members must be appointed to represent the state at large. In selecting
- 23.2 appointees, the governor must consider the needs of the board and the balance of the board
- 23.3 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,
- 23.4 and ethnic composition; and occupation and experience. In selecting appointees, the governor
- 23.5 must consider the needs of the board for skills relevant to the governance of the Minnesota
- 23.6 State Colleges and Universities and the candidate's ability to discharge the responsibilities
- 23.7 of the board.
- 23.8 A commissioner of a state agency may not serve as a member of the board.

26.21 Sec. 12. Minnesota Statutes 2021 Supplement, section 136F.20, subdivision 4, is amended  
26.22 to read:

26.23 Subd. 4. **Mental health awareness program.** (a) The board shall implement a mental  
26.24 health awareness program at each Minnesota state college and university by the start of the  
26.25 2022-2023 academic year. A mental health awareness program shall include:

26.26 (1) a web page at each institution that includes links to existing self-assessment resources,  
26.27 resources connecting students to campus and community-based resources, and emergency  
26.28 contact information and resources;

26.29 (2) mandatory mental health first aid training, evidence-based suicide prevention training,  
26.30 or other similar mental health training for faculty, staff, and students, giving priority to those  
26.31 who serve in roles that include increased direct contact with students who are experiencing  
26.32 mental health concerns, such as student housing and campus safety employees. Each college  
27.1 and university shall identify the appropriate faculty, staff, and students to receive training  
27.2 based on college or university structure and available funding;

27.3 (3) a session at each student orientation program that includes information about  
27.4 maintaining good mental health, the symptoms of mental health conditions common among  
27.5 college students, and mental health resources and services available to students;

27.6 (4) a messaging strategy to send students information on available mental health resources  
27.7 and services at least once per term, and during periods of high academic stress; and

27.8 (5) distributing the suicide prevention helpline and text line contact information in a  
27.9 way that increases accessibility and awareness of that information to students.

27.10 (b) The board shall create and maintain a mental health community of practice including  
27.11 faculty and staff with subject matter expertise in mental health to identify resources and  
27.12 best practices to inform campus-based strategies to raise awareness of local and state  
27.13 resources and implement appropriate training experiences.

27.14 (c) The board shall make grants to Minnesota State Colleges and Universities to establish  
27.15 a peer support pilot program designed to assist students with a mental health condition. The  
27.16 program shall utilize student peers to support students living with mental health conditions  
27.17 on campus. The peer support program may be housed within the counseling center, wellness  
27.18 center, or resident assistance programs on campus. The peer support program leaders must  
27.19 be trained to facilitate discussions on mental health, identify students who may be in crisis,  
27.20 and refer students to programs for mental health support.

27.21 (d) The board shall pursue additional centralized mental health resources, training  
27.22 opportunities, and support that will enhance student mental health capacity on college and  
27.23 university campuses and in local communities.

27.24 Sec. 13. Minnesota Statutes 2021 Supplement, section 136F.202, subdivision 1, is amended  
27.25 to read:

27.26 Subdivision 1. **Basic needs resources.** (a) Each college and university shall create and  
27.27 maintain a web page that clearly identifies basic needs resources available at the college or  
27.28 university. This web page shall clearly identify at least one staff member, faculty member,  
27.29 or department as a point of contact to whom students may direct questions. Each college  
27.30 and university shall also make the information under this paragraph available on the college  
27.31 or university mobile application, if possible.

27.32 (b) The board shall pursue the creation of a centralized basic needs online resource web  
27.33 page that will raise awareness of campus-based resources available at colleges and  
28.1 universities and local, state, and national resources that can assist in addressing basic needs  
28.2 insecurity.

28.3 (c) The board shall pursue additional centralized basic needs resources, training  
28.4 opportunities, and support that will enhance student basic needs capacity on college and  
28.5 university campuses and in local communities.

23.9 Sec. 6. Minnesota Statutes 2020, section 136F.302, subdivision 1, is amended to read:

23.10 Subdivision 1. **ACT or SAT college ready score; Minnesota Comprehensive**  
23.11 **Assessment career and college ready benchmarks.** (a) A state college or university must  
23.12 not require an individual to take a ~~remedial~~ developmental, noncredit course in a subject  
23.13 area if the individual has received a college ready ACT or SAT score or met a career and  
23.14 college ready Minnesota Comprehensive Assessment benchmark in that subject area. Only  
23.15 the ACT and SAT scores an individual received and the Minnesota Comprehensive  
23.16 Assessment benchmarks an individual met in the previous five years are valid for purposes  
23.17 of this section. Each state college and university must post notice of the exemption from  
23.18 remedial developmental course taking on its website explaining student course placement  
23.19 requirements. Prior to enrolling an individual in a developmental course, a college or  
23.20 university must (1) determine if the individual's performance on the ACT, SAT, or Minnesota  
23.21 Comprehensive Assessments exempts the individual from the developmental course under  
23.22 this paragraph, and (2) inform the individual if a developmental course is required.

23.23 (b) When deciding if an individual is admitted to or if an individual may enroll in a state  
23.24 college or university, the state college or university must consider the individual's scores  
23.25 on the high school Minnesota Comprehensive Assessments, in addition to other factors  
23.26 determined relevant by the college or university.

23.27 Sec. 7. Minnesota Statutes 2020, section 136F.302, subdivision 2, is amended to read:

23.28 Subd. 2. **Testing Process for determining if remediating developmental education**  
23.29 **is necessary.** (a) A college or university must not determine if an individual is placed in a  
23.30 developmental, noncredit course based solely on a testing process. A state college or

- 23.31 university may use multiple measures to make a holistic determination on whether to place  
 23.32 an individual in a developmental course. Multiple measures may include:
- 23.33 (1) testing under paragraph (b);
- 24.1 (2) the individual's scores on the high school Minnesota Comprehensive Assessments,  
 24.2 the ACT, or the SAT;
- 24.3 (3) high school grade point average;
- 24.4 (4) teacher recommendations; and
- 24.5 (5) other factors determined relevant by the college or university.
- 24.6 (b) A college or university testing process used to determine whether an individual is  
 24.7 placed in a remedial developmental, noncredit course must comply with this subdivision.  
 24.8 Prior to taking a test, an individual must be given reasonable time and opportunity to review  
 24.9 materials provided by the college or university covering the material to be tested which  
 24.10 must include a sample test. An individual who is required to take a remedial developmental,  
 24.11 noncredit course as a result of a test given by a college or university must be given an  
 24.12 opportunity to retake the test at the earliest time determined by the individual when testing  
 24.13 is otherwise offered. The college or university must provide an individual with study materials  
 24.14 for the purpose of retaking and passing the test.
- 24.15 Sec. 8. Minnesota Statutes 2020, section 136F.38, subdivision 2, is amended to read:
- 24.16 Subd. 2. **Scholarship awards.** The program shall award scholarships at the beginning  
 24.17 of an academic term, in the amount of \$2,500, or \$5,000 for law enforcement students, to  
 24.18 be distributed evenly between two terms.
- 24.19 Sec. 9. Minnesota Statutes 2021 Supplement, section 136F.38, subdivision 3, is amended  
 24.20 to read:
- 24.21 Subd. 3. **Program eligibility.** (a) Scholarships shall be awarded only to a student eligible  
 24.22 for resident tuition, as defined in section 135A.043, who is enrolled in any of the following  
 24.23 programs of study or certification: (1) advanced manufacturing; (2) agriculture; (3) health  
 24.24 care services; (4) information technology; (5) early childhood; (6) transportation; ~~or~~ (7)  
 24.25 construction; (8) law enforcement; or (9) a program of study under paragraph (b).
- 24.26 (b) Each institution may add one additional area of study or certification, based on a  
 24.27 workforce shortage for full-time employment requiring postsecondary education that is  
 24.28 unique to the institution's specific region, as reported in the most recent Department of  
 24.29 Employment and Economic Development job vacancy survey data for the economic  
 24.30 development region in which the institution is located. A workforce shortage area is one in  
 24.31 which the job vacancy rate for full-time employment in a specific occupation in a region is  
 25.1 higher than the state average vacancy rate for that same occupation. The institution may  
 25.2 change the area of study or certification based on new data once every two years.

- 25.3 (c) The student must be enrolled for at least nine credits in a two-year college in the  
 25.4 Minnesota State Colleges and Universities system to be eligible for first- and second-year  
 25.5 scholarships.
- 25.6 (d) The student is eligible for a one-year transfer scholarship if the student transfers from  
 25.7 a two-year college after two or more terms, and the student is enrolled for at least nine  
 25.8 credits in a four-year university in the Minnesota State Colleges and Universities system.
- 25.9 Sec. 10. Minnesota Statutes 2020, section 136F.38, subdivision 4, is amended to read:
- 25.10 Subd. 4. **Renewal; cap.** A student who has received a scholarship may apply again but  
 25.11 total lifetime awards are not to exceed \$7,500 per student, or \$15,000 for law enforcement  
 25.12 students. Students may only be awarded a second scholarship upon completion of two  
 25.13 academic terms. Students may be awarded a third scholarship if the student transfers to a  
 25.14 corresponding program at a Minnesota state university.
- 25.15 Sec. 11. Minnesota Statutes 2020, section 137.022, subdivision 4, is amended to read:
- 25.16 Subd. 4. **Mineral research; scholarships.** (a) All income credited after July 1, 1992,  
 25.17 to the permanent university fund from royalties for mining under state mineral leases from  
 25.18 and after July 1, 1991, must be allocated as provided in this subdivision.
- 25.19 (b)(1) Beginning January 1, 2013, 50 percent of the income must be allocated according  
 25.20 to this paragraph. One-half of the income under this paragraph, up to ~~\$50,000,000~~  
 25.21 \$100,000,000, must be credited to the mineral research account of the fund to be allocated  
 25.22 for the Natural Resources Research Institute-Duluth and Coleraine facilities, for mineral  
 25.23 and mineral-related research including mineral-related environmental research. The other  
 25.24 one-half of the income under this paragraph, up to \$25,000,000, is credited to an endowment  
 25.25 for the costs of operating a mining, ~~metallurgical~~ mineral, mineral-related, or ~~related~~  
 25.26 ~~engineering~~ science, technology, engineering, and mathematics (STEM) degree ~~program~~  
 25.27 programs offered through the University of Minnesota at Mesabi Range Community and  
 25.28 Technical College and the Swenson College of Science and Engineering at Duluth to support  
 25.29 workforce development and collaborations benefiting regional academics, industry, and  
 25.30 natural resources on the Iron Range in northeast Minnesota and for scholarships for  
 25.31 Minnesota students to attend the mining, ~~metallurgical, or related engineering program~~  
 25.32 mineral, mineral-related, or STEM programs. The maximum scholarship awarded to attend  
 25.33 the mining, metallurgical, or related engineering degree program programs funded under  
 26.1 this paragraph cannot exceed ~~\$6,500~~ 75 percent of current in-state tuition rates per academic  
 26.2 year and may be awarded a maximum of four academic years.
- 26.3 (2) The remainder of the income under paragraph (a) plus the amount of any income  
 26.4 under clause (1) after ~~\$50,000,000~~ \$100,000,000 has been credited to the mineral research  
 26.5 account for the Natural Resources Research Institute and the amount of any income over  
 26.6 the \$25,000,000 for the ~~engineering program~~ programming in clause (1) must be credited  
 26.7 to the endowed scholarship account of the fund for distribution annually for scholastic

26.8 achievement as provided by the Board of Regents to undergraduates enrolled at the University  
26.9 of Minnesota who are resident students as defined in section 136A.101, subdivision 8.

26.10 (c) The annual distribution from the endowed scholarship account must be allocated to  
26.11 the various campuses of the University of Minnesota in proportion to the number of  
26.12 undergraduate resident students enrolled on each campus.

26.13 (d) The Board of Regents must report to the education committees of the legislature  
26.14 biennially at the time of the submission of its budget request on the disbursement of money  
26.15 from the endowed scholarship account and to the environment and natural resources  
26.16 committees on the use of the mineral research account.

26.17 (e) Capital gains and losses and portfolio income of the permanent university fund must  
26.18 be credited to its three accounts in proportion to the market value of each account.

26.19 (f) The endowment support from the income and capital gains of the endowed mineral  
26.20 research and endowed scholarship accounts of the fund must not total more than six percent  
26.21 per year of the 36-month trailing average market value of the account from which the support  
26.22 is derived.

28.6 Sec. 14. Minnesota Statutes 2020, section 137.023, is amended to read:

28.7 **137.023 UNIVERSITY STUDENT ON BOARD OF REGENTS SEATS ASSIGNED.**

28.8 Subdivision 1. Seats assigned. (a) In electing members of the Board of Regents pursuant  
28.9 to article 13, section 3, of the Constitution of the state of Minnesota, and Territorial Laws  
28.10 1851, chapter 3, section 5;

28.11 (1) one member of the ~~Board of Regents of the university board~~ shall be a person who  
28.12 at the time of election to the board is a student who is enrolled in a degree program at the  
28.13 university;

28.14 (2) one member of the board must be a person who at the time of election to the board  
28.15 is a tenured faculty member of the university; and

28.16 (3) one member of the board must represent a university employee organization, as  
28.17 defined by section 179A.03, subdivision 6.

28.18 (b) ~~This person~~ Persons elected under paragraph (a) shall represent the state at large.  
28.19 Upon expiration of the term or in the event of a vacancy in the office, ~~one position~~ the seats  
28.20 assigned in paragraph (a) shall be filled by a person having the same qualifications.

28.21 Subd. 2. American Indian regent. At least one member of the Board of Regents shall  
28.22 be an enrolled member of a federally recognized Indian Tribe within the state of Minnesota.

28.23 EFFECTIVE DATE. This section is effective the day following final enactment. The  
28.24 first at-large position to be elected following enactment of this section shall be assigned to

28.25 a tenured faculty member, and the next at-large position to be elected shall be assigned to  
28.26 a representative of a university employee organization.

28.27 Sec. 15. Minnesota Statutes 2020, section 137.024, is amended to read:

28.28 **137.024 CONGRESSIONAL DISTRICTS REPRESENTED ON BOARD OF**  
28.29 **REGENTS.**

28.30 (a) At least one member of the Board of Regents of the university shall be a resident of  
28.31 each congressional district.

29.1 (b) If legislative redistricting changes the boundaries of the state's congressional districts,  
29.2 sitting regents representing specific congressional districts may fulfill their elected terms  
29.3 on the Board of Regents. When a seat designated for a congressional district first becomes  
29.4 vacant after redistricting, the legislature shall apply current district boundaries in order to  
29.5 comply with paragraph (a).

29.6 (c) If, due to congressional apportionment, the state loses a congressional district, the  
29.7 regent seat designated for that district shall represent the state at large. If the state gains a  
29.8 congressional district, the next vacant at-large seat that is not reserved pursuant to section  
29.9 137.023 must be assigned to the new district.

29.10 Sec. 16. **137.0242 TERM LIMITS FOR UNIVERSITY REGENTS.**

29.11 The legislature shall not elect a person to the Board of Regents of the university more  
29.12 than twice.

29.13 Sec. 17. Minnesota Statutes 2020, section 137.0245, subdivision 2, is amended to read:

29.14 Subd. 2. **Membership.** (a) The Regent Candidate Advisory Council shall consist of ~~24~~  
29.15 25 members.

29.16 ~~Twelve~~ (b) Five members shall be appointed by the Subcommittee on Committees of  
29.17 the Committee on Rules and Administration of the senate. ~~Twelve~~ Five members shall be  
29.18 appointed by the speaker of the house. ~~Each appointing authority must appoint one member~~  
29.19 ~~who is a student enrolled in a degree program at the University of Minnesota at the time of~~  
29.20 ~~appointment.~~ No more than one-third of the members appointed by each appointing authority  
29.21 may be current or former legislators. No more than two-thirds of the members appointed  
29.22 by each appointing authority may belong to the same political party; however, political  
29.23 activity or affiliation is not required for the appointment of any member. Geographical  
29.24 representation must be taken into consideration when making appointments.

29.25 (c) Additional members of the council shall include:

29.26 (1) one current faculty member from each of the five University of Minnesota system  
29.27 campuses, each of whom shall be appointed by the faculty senate of that faculty member's

- 29.28 campus, or, if no campus-specific faculty senate exists, by the university system's faculty  
29.29 senate;
- 29.30 (2) the student body president of each of the five University of Minnesota system  
29.31 campuses, or designees thereof; and
- 29.32 (3) one designee from each of the following entities:
- 30.1 (i) the Indian Affairs Council;
- 30.2 (ii) the Minnesota Council on Latino Affairs;
- 30.3 (iii) the Council for Minnesotans of African Heritage;
- 30.4 (iv) the Council on Asian-Pacific Minnesotans; and
- 30.5 (v) the Council on Disability.
- 30.6 (d) Section 15.0575 shall govern the advisory council, except that:
- 30.7 (1) the members shall be appointed to six-year terms with one-third appointed each  
30.8 even-numbered year; and
- 30.9 (2) student members are appointed to two-year terms with two students appointed each  
30.10 even-numbered year.
- 30.11 (e) A member may not serve more than two full terms.
- 30.12 **EFFECTIVE DATE.** This section is effective the day following final enactment. By  
30.13 September 1, 2022, the house and senate shall appoint one member to a term that expires  
30.14 January 2024, two members to terms that expire January 2026, and two members to full  
30.15 terms that expire January 2028. Members of the Regent Candidate Advisory Council at the  
30.16 time of enactment may be reappointed, but remain subject to the two-term limit imposed  
30.17 by this section.
- 30.18 Sec. 18. Minnesota Statutes 2020, section 137.0245, subdivision 3, is amended to read:
- 30.19 Subd. 3. **Duties.** (a) The advisory council shall:
- 30.20 (1) develop, in consultation with current and former regents and the administration of  
30.21 the University of Minnesota, a statement of the selection criteria to be applied and a  
30.22 description of the responsibilities and duties of a regent, and shall distribute this to potential  
30.23 candidates; and
- 30.24 (2) for each position on the board, identify and recruit qualified candidates for the Board  
30.25 of Regents, based on the background and experience of the candidates, their potential for  
30.26 discharging the responsibilities of a member of the Board of Regents, and the needs of the  
30.27 board. ~~The selection criteria must not include a limitation on the number of terms an~~  
30.28 ~~individual may serve on the Board of Regents.~~



30.29 (b) The selection criteria developed under paragraph (a), clause (1), must include a  
30.30 criterion that regents represent diversity in geography; gender; race; occupation, including  
30.31 business and labor; and experience.

31.1 (c) The selection criterion must include an identification of the membership needs of  
31.2 the board for individual skills relevant to the governance of the University of Minnesota  
31.3 and the needs for certain individual characteristics. Individual characteristics relate to  
31.4 qualities such as gender, race, and geographic location of residence.

31.5 Sec. 19. Minnesota Statutes 2020, section 137.0246, is amended to read:

31.6 **137.0246 REGENT NOMINATION AND ELECTION.**

31.7 Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee  
31.8 consists of the members of the higher education budget and policy divisions in each house  
31.9 of the legislature. The chairs of the divisions from each body shall be cochairs of the joint  
31.10 legislative committee. A majority of the members from each house is a quorum of the joint  
31.11 committee.

31.12 (b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent  
31.13 resolution, the joint legislative committee shall meet to consider the advisory council's  
31.14 recommendations for regent of the University of Minnesota for possible presentation to a  
31.15 joint convention of the legislature.

31.16 (c) The joint committee may recommend to the joint convention candidates recommended  
31.17 by the advisory council and the other candidates nominated by the joint committee. A  
31.18 candidate other than those recommended by the advisory council may be nominated for  
31.19 consideration by the joint committee only if the nomination receives the support of at least  
31.20 three house of representatives members of the committee and two senate members of the  
31.21 committee. A candidate must receive a majority vote of members from the house of  
31.22 representatives and from the senate on the joint committee to be recommended to the joint  
31.23 convention. The joint committee ~~may~~ must recommend ~~no more than one candidate~~ two  
31.24 candidates for each vacancy. In recommending nominees, the joint committee must consider  
31.25 the needs of the board of regents and the balance of the board membership with respect to  
31.26 gender, racial, and ethnic composition.

31.27 Subd. 3. **Joint convention to elect regents.** At the joint convention of the senate and  
31.28 house of representatives called to elect regents, the joint committee shall report the names  
31.29 of the persons recommended for each vacancy. These persons are considered to be nominated.  
31.30 No additional nominations may be submitted.

31.31 Subd. 4. **Joint rules must conform to this section.** The joint rules of the senate and  
31.32 house of representatives must be amended to conform to the requirements of this section.

32.1 Sec. 20. **[137.035] GREEN TRAINING PROGRAM.**

32.2 Subdivision 1. **Account established.** (a) A green training program account is established  
32.3 in the special revenue fund. Money in the account is appropriated to the Board of Regents

- 32.4 to administer the green training program in accordance with this section. Appropriations to  
32.5 the board for the program are for transfer to the account. Appropriations from the account  
32.6 do not cancel and are available until expended.
- 32.7 (b) If the Board of Regents does not establish the committee as requested in subdivision  
32.8 2, all unencumbered balances in the account shall cancel back to the general fund at the end  
32.9 of the fiscal year.
- 32.10 **Subd. 2. Committee established.** (a) The Board of Regents is requested to establish a  
32.11 green training program committee to administer funds in the program account and to appoint  
32.12 members to the committee. At least 50 percent of the committee's members must represent  
32.13 and be appointed by labor organizations for frontline service workers at the university.  
32.14 Frontline service workers include those in the following job categories:
- 32.15 (1) food service worker and senior food service worker;  
32.16 (2) cashier/food aide, junior cashier/food aide, and senior cashier/food aide;  
32.17 (3) cook;  
32.18 (4) baker;  
32.19 (5) attendant and senior attendant;  
32.20 (6) stores specialist;  
32.21 (7) delivery service driver;  
32.22 (8) laborer and senior laborer;  
32.23 (9) waste treatment attendant;  
32.24 (10) building and grounds worker and senior building and grounds worker;  
32.25 (11) athletic grounds worker;  
32.26 (12) packer helper;  
32.27 (13) maintenance equipment operator and senior maintenance equipment operator;  
32.28 (14) heavy equipment operator;  
32.29 (15) farm equipment operator;  
32.30 (16) mechanic 1, 2, and 3;  
33.1 (17) copy center equipment operator and lead copy center operator;  
33.2 (18) intercollegiate athletic equipment worker;  
33.3 (19) farm animal attendant;

- 33.4 (20) gardener and senior gardener;
- 33.5 (21) assistant gardener;
- 33.6 (22) laboratory attendant and senior laboratory attendant;
- 33.7 (23) laboratory animal attendant;
- 33.8 (24) utility worker and senior utility worker; and
- 33.9 (25) hazardous material disposal specialist.
- 33.10 (b) Initial appointments to the committee shall be made no later than September 1, 2022.
- 33.11 Committee members shall serve for a term of three years and may be reappointed.
- 33.12 (c) The committee shall annually elect a chair and vice-chair from among its members,
- 33.13 and may elect other officers as necessary.
- 33.14 (d) The Board of Regents is requested to convene the first meeting of the committee no
- 33.15 later than October 1, 2022. Thereafter, the committee shall meet upon the call of the chair
- 33.16 or at the request of a majority of committee members.
- 33.17 Subd. 3. **Committee duties.** (a) The green training program committee shall oversee
- 33.18 and administer funds appropriated for the green training program. Program funds may be
- 33.19 used for the following purposes:
- 33.20 (1) education and training of university employees in fields determined by the committee,
- 33.21 including but not limited to:
- 33.22 (i) reduction in solid waste;
- 33.23 (ii) proper sorting of solid waste; and
- 33.24 (iii) reduction in energy usage; and
- 33.25 (2) training incentives for university employees in the form of a per-hour increase in
- 33.26 pay upon employee completion of training.
- 33.27 (b) The committee shall monitor industry issues and trends affecting solid waste
- 33.28 management, energy consumption, and other sustainability measures and make
- 33.29 recommendations to the Board of Regents regarding university practices in these areas.
- 34.1 (c) For the purposes of university employee training, the committee may procure direct
- 34.2 technical and educational assistance by using existing institutions and resources, including
- 34.3 but not limited to:
- 34.4 (1) local workforce investment boards;
- 34.5 (2) state colleges;

- 34.6 (3) labor organizations;
- 34.7 (4) administrative entities for service delivery areas under the federal Workforce
- 34.8 Investment Act or its successor statute; and
- 34.9 (5) nonprofit organizations and other entities that have expertise in providing technical
- 34.10 assistance regarding employee training in the fields determined by the committee under
- 34.11 paragraph (a).
- 34.12 Subd. 4. **Collective bargaining.** By mutual agreement through collective bargaining
- 34.13 with frontline service worker unions, the Board of Regents may adopt additional rules and
- 34.14 procedures for the green training program, the program committee, and the use of green
- 34.15 training program account funds. These rules and procedures must not conflict with this
- 34.16 section.
- 34.17 Subd. 5. **Report required.** Not later than February 28 of each year, beginning in 2023,
- 34.18 the green training program committee shall report to the chairs and ranking minority members
- 34.19 of the legislative committees with jurisdiction over higher education policy and finance
- 34.20 concerning the state of the program account and account funds disbursed, together with any
- 34.21 recommendations and additional information the committee considers appropriate.
- 35.1 Sec. 22. Laws 2021, First Special Session chapter 2, article 2, section 45, is amended by
- 35.2 adding a subdivision to read:
- 35.3 Subd. 7. **Expiration.** This section expires June 30, 2027.
- 35.4 Sec. 23. **SOCIAL WORK SCHOLARSHIP PROGRAM.**
- 35.5 Subdivision 1. **Program established.** The commissioner of the Office of Higher
- 35.6 Education shall establish a scholarship program for eligible students preparing to become
- 35.7 licensed social workers in Minnesota.
- 35.8 Subd. 2. **Eligible students.** (a) A student is eligible for a scholarship under this section
- 35.9 if the student is:
- 35.10 (1) a resident student as defined in Minnesota Statutes, section 136A.101;
- 35.11 (2) enrolled in a baccalaureate degree-granting social work program at an eligible
- 35.12 institution as defined in Minnesota Statutes, section 136A.101; and
- 35.13 (3) in good academic standing and making satisfactory academic progress as defined in
- 35.14 Minnesota Statutes, section 136A.101.
- 35.15 (b) To receive a scholarship under this section, a student must:
- 35.16 (1) apply in the form and manner specified by the commissioner; and
- 35.17 (2) sign a contract agreeing to fulfill the employment obligation under subdivision 4.

- 35.18 (c) A student may receive a scholarship under this section for no more than eight  
35.19 semesters or the equivalent.
- 35.20 Subd. 3. **Scholarship amounts.** (a) The amount of a scholarship awarded under this  
35.21 section shall be equal to the recipient's recognized cost of attendance after deducting:
- 35.22 (1) the amount of the federal Pell grant award for which the recipient is eligible;
- 35.23 (2) the amount of the state grant award for which the recipient is eligible;
- 35.24 (3) the amount of any other state or federal gift aid received; and
- 35.25 (4) the sum of all institutional scholarships, grants, tuition waivers, and tuition remission  
35.26 amounts.
- 35.27 (b) For purposes of this section, the recognized cost of attendance for a public institution  
35.28 has the meaning given in Code of Federal Regulations, title 20, chapter 28, subchapter IV,  
35.29 part F, section 1087ll. The recognized cost of attendance for a private institution equals the  
35.30 lesser of:
- 36.1 (1) the cost of attendance for the institution as calculated under Code of Federal  
36.2 Regulations, title 20, chapter 28, subchapter IV, part F, section 1087ll; or
- 36.3 (2) an amount equal to the highest recognized cost of attendance at a public university.
- 36.4 (c) The scholarship shall be paid directly to the institution where the recipient is enrolled.
- 36.5 Subd. 4. **Employment obligation.** (a) Beginning within six months of the completion  
36.6 of the academic program for which the scholarship was awarded, a scholarship recipient  
36.7 must:
- 36.8 (1) be licensed with the Minnesota Board of Social Work; and
- 36.9 (2) be employed full time as a social worker in Minnesota for at least four years.
- 36.10 (b) A recipient who has completed the program for which the scholarship was awarded,  
36.11 but who has not fulfilled the total employment obligation, must annually verify, in a form  
36.12 and manner specified by the commissioner, that the recipient is employed in a position that  
36.13 fulfills the employment obligation.
- 36.14 (c) If a recipient fails to meet the employment requirement, the commissioner shall  
36.15 convert the recipient's total scholarship award to a student loan and collect from the  
36.16 participant the total amount paid plus interest at a rate established according to Minnesota  
36.17 Statutes, section 270C.40.
- 36.18 (d) The commissioner may waive or defer the employment obligation for a scholarship  
36.19 recipient for continued graduate studies in social work or for circumstances involving  
36.20 extreme hardship.

- 36.21 (e) Any obligation to fulfill the employment obligation cancels upon the death or  
36.22 permanent and total disability of the scholarship recipient.
- 36.23 (f) The commissioner shall develop a contract to be signed by all scholarship applicants.  
36.24 The contract shall bind the applicant to the employment obligation under this subdivision.
- 36.25 Subd. 5. **Insufficient appropriation.** If the amount appropriated for this program is  
36.26 determined by the office to be insufficient to make full awards to all eligible applicants, the  
36.27 commissioner shall prioritize awards to eligible applicants based on the applicants' individual  
36.28 financial needs as determined by the federal needs analysis.
- 36.29 Subd. 6. **Report required.** By February 15 of each year, the commissioner of the Office  
36.30 of Higher Education shall submit a report on the details of the program under this section  
36.31 to the legislative committees with jurisdiction over higher education finance and policy and  
37.1 to the Legislative Reference Library as provided by Minnesota Statutes, section 3.195. The  
37.2 report shall include the following information:
- 37.3 (1) the number of students receiving an award in the previous year and the institutions  
37.4 they attended;
- 37.5 (2) the average and total award amounts in the previous year, disaggregate by institution  
37.6 attended;
- 37.7 (3) summary demographic data on award recipients in the previous year;
- 37.8 (4) data on recipients currently subject to the employment obligation under subdivision  
37.9 4, including the number of recipients subject to the obligation, the number who are  
37.10 successfully completing the obligation, the number who have had their scholarships converted  
37.11 to loans; and the number who have had their obligation waived or deferred; and
- 37.12 (5) if the appropriation for the program was determined to be insufficient, an explanation  
37.13 of measures taken under subdivision 5.
- 37.14 Subd. 7. **Expiration.** This section expires June 30, 2027.
- 37.15 **EFFECTIVE DATE.** This section is effective the day following final enactment. The  
37.16 commissioner shall begin offering scholarships under this section in the 2023-2024 academic  
37.17 year.
- 37.18 Sec. 24. **REQUEST TO THE BOARD OF REGENTS.**
- 37.19 The Board of Regents of the University of Minnesota is requested to amend its policies  
37.20 to permit a regent elected under Minnesota Statutes, section 137.023, subdivision 1, to serve  
37.21 as a compensated university employee.

26.23      Sec. 12. **OWATONNA LEARN TO EARN COALITION GRANT FUNDS REPORT.**

26.24           By February 1, 2026, the Owatonna Learn to Earn Coalition must report to the  
 26.25 commissioner of the Office of Higher Education and to the chairs and ranking minority  
 26.26 members of the committees with jurisdiction over higher education on activities funded  
 26.27 under article 1, section 2, subdivisions 4 and 5. The report must include but is not limited  
 26.28 to information regarding:

26.29           (1) the impact of the grant funds on high school and technical college student enrollment  
 26.30 in technical education courses receiving equipment funded through the grant;

26.31           (2) the number of grant-related degrees awarded by Owatonna Riverland Community  
 26.32 College;

27.1           (3) the results of the Department of Employment and Economic Development grant to  
 27.2 conduct a needs assessment examining current and future workforce needs in the region;  
 27.3 and

27.4           (4) employment impacted in the area associated with the grant, including recruitment  
 27.5 and retention.

27.6           Sec. 13. **UNIVERSITY OF MINNESOTA SPECIAL COMMISSION ON**  
 27.7 **INTERCOLLEGIATE SPORTS.**

27.8           It is requested that the Board of Regents of the University of Minnesota establish a  
 27.9 special commission to conduct a comprehensive review and evaluation of the role of  
 27.10 intercollegiate athletics at the University of Minnesota. If the commission is established,  
 27.11 the duties of the commission must include but are not limited to determining the value of  
 27.12 athletics and the preservation of intercollegiate sports opportunities for university students,  
 27.13 exploring reasonable financing models for nonrevenue sports, and establishing  
 27.14 evidence-based proposals to guide decisions affecting the future of athletics at the University  
 27.15 of Minnesota. If the commission is established, it is requested that the research and findings  
 27.16 of the commission be provided to members of the legislative committees with jurisdiction  
 27.17 over higher education issues.

27.18          Sec. 14. **REVISOR INSTRUCTION.**

27.19           The revisor of statutes shall substitute the term "developmental" for "remedial" wherever  
 27.20 the term refers to remedial education courses at a postsecondary institution. The revisor  
 27.21 shall also make grammatical changes related to the changes in terms to preserve the meaning  
 27.22 of the text.

27.23          Sec. 15. **REPEALER.**

27.24           Minnesota Statutes 2020, section 136F.03, is repealed.

37.22

**ARTICLE 3**

37.23

**OFFICE OF HIGHER EDUCATION**

37.24 Section 1. Minnesota Statutes 2020, section 136A.121, subdivision 18, is amended to  
37.25 read:

37.26 Subd. 18. **Data.** (a) An eligible institution whose students are eligible to receive funding  
37.27 under sections 136A.095 to 136A.246 must provide to the office data on student enrollment  
37.28 and federal and state financial aid.

37.29 (b) An institution or its agent must provide to the office aggregate and distributional  
37.30 financial or other data as determined by the commissioner that is directly related to the  
37.31 responsibilities of the office under this chapter. The commissioner may only request aggregate  
38.1 and distributional data after establishing and consulting with a data advisory task force to  
38.2 determine the need, content, and detail of the information. Data provided by nonpublic  
38.3 institutions under this paragraph is considered nonpublic data under chapter 13.

38.4 Sec. 2. Minnesota Statutes 2020, section 136A.1701, subdivision 11, is amended to read:

38.5 Subd. 11. **Data.** (a) An eligible institution whose students are eligible to receive funding  
38.6 under sections 136A.15 to 136A.1795 and licensed or registered under sections 136A.61  
38.7 to 136A.834 must provide to the office data on student enrollment and federal and state  
38.8 financial aid.

38.9 (b) An institution or its agent must provide to the office aggregate and distributional  
38.10 financial or other data as determined by the commissioner that is directly related to the  
38.11 responsibilities of the office under this chapter. The commissioner may only request aggregate  
38.12 and distributional data after establishing and consulting with a data advisory task force to  
38.13 determine the need, content, and detail of the information. Data provided by nonpublic  
38.14 institutions under this paragraph is considered nonpublic data under chapter 13.

38.15 Sec. 3. Minnesota Statutes 2020, section 136A.833, is amended to read:

38.16 **136A.833 EXEMPTIONS.**

38.17 Subdivision 1. **Application for exemptions.** A school that seeks an exemption from the  
38.18 provisions of sections 136A.822 to 136A.834 for the school and all of its programs or some  
38.19 of its programs must apply to the office to establish that the school or program meets the  
38.20 requirements of an exemption. An exemption for the school or program expires two years  
38.21 from the date of approval or when a school adds a new program or makes a modification  
38.22 equal to or greater than 25 percent to an existing educational program. If a school is  
38.23 reapplying for an exemption, the application must be submitted to the office 90 days before  
38.24 the current exemption expires. This exemption shall not extend to any school that uses any  
38.25 publication or advertisement that is not truthful and gives any false, fraudulent, deceptive,  
38.26 inaccurate, or misleading impressions about the school or its personnel, programs, services,  
38.27 or occupational opportunities for its graduates for promotion and student recruitment.



38.28 ~~Exemptions denied under this section are subject to appeal under section 136A.65,~~  
 38.29 ~~subdivision 8, paragraph (e) If an exemption is denied, the office shall provide notice of the~~  
 38.30 ~~right to appeal under chapter 14. If an appeal is initiated, the denial of the exemption is not~~  
 38.31 ~~effective until the final determination of the appeal, unless immediate effect is ordered by~~  
 38.32 ~~the court.~~

39.1 Subd. 2. **Exemption reasons.** Sections 136A.821 to 136A.832 shall not apply to the  
 39.2 following:

39.3 (1) public postsecondary institutions;

39.4 (2) postsecondary institutions registered under sections 136A.61 to 136A.71;

39.5 (3) postsecondary institutions exempt from registration under sections 136A.653,  
 39.6 subdivisions 2, 3, and 3a; 136A.657; and 136A.658;

39.7 ~~(3)~~ (4) private career schools of nursing accredited by the state Board of Nursing or an  
 39.8 equivalent public board of another state or foreign country;

39.9 ~~(4)~~ (5) private schools complying with the requirements of section 120A.22, subdivision  
 39.10 4;

39.11 ~~(5)~~ (6) courses taught to students in ~~a valid~~ an apprenticeship program registered by the  
 39.12 United States Department of Labor or Minnesota Department of Labor and taught by or  
 39.13 required by a trade union;

39.14 ~~(6)~~ (7) private career schools exclusively engaged in training physically or mentally  
 39.15 disabled persons for the state of Minnesota;

39.16 ~~(7)~~ (8) private career schools licensed by boards authorized under Minnesota law to  
 39.17 issue licenses for training programs except private career schools required to obtain a private  
 39.18 career school license due to the use of "academy," "institute," "college," or "university" in  
 39.19 their names;

39.20 ~~(8)~~ (9) private career schools and educational programs, or training programs, contracted  
 39.21 for by persons, firms, corporations, government agencies, or associations, for the training  
 39.22 of their own employees, for which no fee is charged the employee;

39.23 ~~(9)~~ (10) private career schools engaged exclusively in the teaching of purely avocational,  
 39.24 recreational, or remedial subjects, including adult basic education, as determined by the  
 39.25 office except private career schools required to obtain a private career school license due  
 39.26 to the use of "academy," "institute," "college," or "university" in their names unless the  
 39.27 private career school used "academy" or "institute" in its name prior to August 1, 2008;

39.28 ~~(10)~~ (11) classes, courses, or programs conducted by a bona fide trade, professional, or  
 39.29 fraternal organization, solely for that organization's membership;

39.30 ~~(11)~~ (12) programs in the fine arts provided by organizations exempt from taxation under  
 39.31 section 290.05 and registered with the attorney general under chapter 309. For the purposes

39.32 of this clause, "fine arts" means activities resulting in artistic creation or artistic performance  
 40.1 of works of the imagination which are engaged in for the primary purpose of creative  
 40.2 expression rather than commercial sale or employment. In making this determination the  
 40.3 office may seek the advice and recommendation of the Minnesota Board of the Arts;

40.4 ~~(12)~~ (13) classes, courses, or programs intended to fulfill the continuing education  
 40.5 requirements for licensure or certification in a profession, that have been approved by a  
 40.6 legislatively or judicially established board or agency responsible for regulating the practice  
 40.7 of the profession or by an industry-specific certification entity, and that are offered  
 40.8 exclusively to ~~an individual practicing the profession~~ individuals with the professional  
 40.9 licensure or certification;

40.10 ~~(13)~~ (14) classes, courses, or programs intended to prepare students to sit for  
 40.11 undergraduate, graduate, postgraduate, or occupational licensing ~~and occupational,~~  
 40.12 certification, or entrance examinations;

40.13 ~~(14)~~ (15) classes, courses, or programs providing 16 or fewer clock hours of instruction  
 40.14 that are not part of the curriculum for an occupation or entry level employment except  
 40.15 private career schools required to obtain a private career school license due to the use of  
 40.16 "academy," "institute," "college," or "university" in their names;

40.17 ~~(15)~~ (16) classes, courses, or programs providing instruction in personal development,  
 40.18 modeling, or acting;

40.19 ~~(16) training or instructional programs, in which one instructor teaches an individual~~  
 40.20 ~~student, that are not part of the curriculum for an occupation or are not intended to prepare~~  
 40.21 ~~a person for entry level employment;~~

40.22 (17) private career schools with no physical presence in Minnesota, as determined by  
 40.23 the office, engaged exclusively in offering distance instruction that are located in and  
 40.24 regulated by other states or jurisdictions if the distance education instruction does not include  
 40.25 internships, externships, field placements, or clinical placements for residents of Minnesota;  
 40.26 and

40.27 (18) private career schools providing exclusively training, instructional programs, or  
 40.28 courses where tuition, fees, and any other charges for a student to participate do not exceed  
 40.29 \$100.

40.30 Sec. 4. Minnesota Statutes 2021 Supplement, section 136A.91, subdivision 1, is amended  
 40.31 to read:

40.32 Subdivision 1. **Grants.** (a) The Office of Higher Education must establish a competitive  
 40.33 grant program for postsecondary institutions to expand concurrent enrollment opportunities.

41.1 To the extent that there are qualified applicants, the commissioner of the Office of Higher  
 41.2 Education shall distribute grant funds to ensure:

41.3 (1) eligible students throughout the state have access to concurrent enrollment programs;  
 41.4 and

- 41.5 (2) preference for grants that expand programs is given to programs already at capacity.
- 41.6 (b) The commissioner may award grants under this section to postsecondary institutions  
41.7 for any of the following purposes:
- 41.8 (1) to develop new concurrent enrollment courses under section 124D.09, subdivision  
41.9 10, that satisfy the elective standard for career and technical education; or
- 41.10 (2) to expand the existing concurrent enrollment programs already offered by the  
41.11 postsecondary institution by:
- 41.12 (i) creating new sections within the same high school;
- 41.13 (ii) offering the existing course in new high schools; ~~or~~ and
- 41.14 (iii) supporting the preparation, recruitment, and success of students who are  
41.15 underrepresented in concurrent enrollment classrooms.
- 41.16 Sec. 5. Minnesota Statutes 2021 Supplement, section 136A.91, subdivision 2, is amended  
41.17 to read:
- 41.18 Subd. 2. **Application.** ~~(a)~~ The commissioner shall develop a grant application process.  
41.19 A grant applicant must:
- 41.20 (1) specify the purpose under subdivision 1, paragraph (b), for which the institution is  
41.21 applying;
- 41.22 (2) specify both program and student outcome goals;
- 41.23 (3) include student feedback in the development of new programs or the expansion of  
41.24 existing programs; and
- 41.25 (4) demonstrate a commitment to equitable access to concurrent enrollment coursework  
41.26 for all eligible high school students.
- 41.27 ~~(b) A postsecondary institution applying for a grant under subdivision 1, paragraph (b);~~  
41.28 ~~clause (3), must provide a 50 percent match for the grant funds.~~
- 42.1 Sec. 6. **REPEALER.**
- 42.2 Minnesota Rules, part 4880.2500, is repealed.

27.25

**ARTICLE 3**

27.26

**MINNESOTA HEALTH AND EDUCATION FACILITIES AUTHORITY**

27.27

Section 1. Minnesota Statutes 2020, section 136A.25, is amended to read:

27.28

**136A.25 CREATION.**

27.29

A state agency known as the Minnesota ~~Higher Health and~~ Education Facilities Authority is hereby created.

27.30

28.1

Sec. 2. Minnesota Statutes 2020, section 136A.26, is amended to read:

28.2

**136A.26 MEMBERSHIPS; OFFICERS; COMPENSATION; REMOVAL.**

28.3

Subdivision 1. **Membership.** The Minnesota ~~Higher Health and~~ Education Facilities Authority shall consist of ~~eight~~ nine members appointed by the governor with the advice and consent of the senate, and a representative of the ~~office~~ Office of Higher Education.

28.4

28.5

28.6

All members to be appointed by the governor shall be residents of the state. At least two members must reside outside the metropolitan area as defined in section 473.121, subdivision

28.7

28.8

28.9

28.10

28.11

28.12

28.13

2. At least one of the members shall be a person having a favorable reputation for skill, knowledge, and experience in the field of state and municipal finance; ~~and~~ at least one shall be a person having a favorable reputation for skill, knowledge, and experience in the building construction field; ~~and~~ at least one of the members shall be a trustee, director, officer, or employee of an institution of higher education; and at least one of the members shall be a trustee, director, officer, or employee of a health care organization.

28.14

Subd. 1a. **Private College Council member.** The president of the Minnesota Private College Council, or the president's designee, shall serve without compensation as an advisory, nonvoting member of the authority.

28.15

28.16

28.17

Subd. 1b. **Nonprofit health care association member.** The chief executive officer of a Minnesota nonprofit membership association whose members are primarily nonprofit health care organizations, or the chief executive officer's designee, shall serve without compensation as an advisory, nonvoting member of the authority. The identity of the Minnesota nonprofit membership association shall be determined and may be changed from time to time by the members of the authority in accordance with and as shall be provided in the bylaws of the authority.

28.18

28.19

28.20

28.21

28.22

28.23

28.24

Subd. 2. **Term; compensation; removal.** The membership terms, compensation, removal of members, and filling of vacancies for authority members other than the representative of the office, ~~and~~ the president of the Private College Council, or the chief executive officer of the Minnesota nonprofit membership association described in subdivision 1b shall be as provided in section 15.0575.

28.25

28.26

28.27

28.28

28.29 Sec. 3. Minnesota Statutes 2020, section 136A.27, is amended to read:

28.30 **136A.27 POLICY.**

28.31 It is hereby declared that for the benefit of the people of the state, the increase of their  
 28.32 commerce, welfare and prosperity and the improvement of their health and living conditions  
 28.33 it is essential that health care organizations within the state be provided with appropriate  
 29.1 additional means to establish, acquire, construct, improve, and expand health care facilities  
 29.2 in furtherance of their purposes; that this and future generations of youth be given the fullest  
 29.3 opportunity to learn and to develop their intellectual and mental capacities; ~~that it is essential~~  
 29.4 that institutions of higher education within the state be provided with appropriate additional  
 29.5 means to assist such youth in achieving the required levels of learning and development of  
 29.6 their intellectual and mental capacities; and that health care organizations and institutions  
 29.7 of higher education be enabled to refinance outstanding indebtedness incurred to provide  
 29.8 existing facilities used for such purposes in order to preserve and enhance the utilization of  
 29.9 facilities for purposes of health care and higher education, to extend or adjust maturities in  
 29.10 relation to the resources available for their payment, and to save interest costs and thereby  
 29.11 reduce health care costs or higher education tuition, fees, and charges; ~~and~~. It is hereby  
 29.12 further declared that it is the purpose of sections 136A.25 to 136A.42 to provide a measure  
 29.13 of assistance and an alternative method to enable health care organizations and institutions  
 29.14 of higher education in the state to provide the facilities and structures which are sorely  
 29.15 needed to accomplish the purposes of sections 136A.25 to 136A.42, all to the public benefit  
 29.16 and good, to the extent and manner provided herein.

29.17 Sec. 4. Minnesota Statutes 2020, section 136A.28, is amended to read:

29.18 **136A.28 DEFINITIONS.**

29.19 Subdivision 1. **Scope.** In sections 136A.25 to 136A.42, the following words and terms  
 29.20 shall, unless the context otherwise requires, have the meanings ascribed to them.

29.21 Subd. 1a. **Affiliate.** "Affiliate" means an entity that directly or indirectly controls, is  
 29.22 controlled by, or is under common control with, another entity. For the purposes of this  
 29.23 subdivision, "control" means either the power to elect a majority of the members of the  
 29.24 governing body of an entity or the power, whether by contract or otherwise, to direct the  
 29.25 management and policies of the entity. Affiliate also means an entity whose business or  
 29.26 substantially all of whose property is operated under a lease, management agreement, or  
 29.27 operating agreement by another entity, or an entity who operates the business or substantially  
 29.28 all of the property of another entity under a lease, management agreement, or operating  
 29.29 agreement.

29.30 Subd. 2. **Authority.** "Authority" means the Higher Health and Education Facilities  
 29.31 Authority created by sections 136A.25 to 136A.42.

29.32 Subd. 3. **Project.** "Project" means a structure or structures available for use as a dormitory  
 29.33 or other student housing facility, a dining hall, student union, administration building,  
 29.34 academic building, library, laboratory, research facility, classroom, athletic facility, health

30.1 ~~care facility, child care facility, and maintenance, storage, or utility facility and other~~  
 30.2 ~~structures or facilities related thereto or required or useful for the instruction of students or~~  
 30.3 ~~the conducting of research or the operation of an institution of higher education, whether~~  
 30.4 ~~proposed, under construction, or completed, including parking and other facilities or~~  
 30.5 ~~structures essential or convenient for the orderly conduct of such institution for higher~~  
 30.6 ~~education, and shall also include landscaping, site preparation, furniture, equipment and~~  
 30.7 ~~machinery, and other similar items necessary or convenient for the operation of a particular~~  
 30.8 ~~facility or structure in the manner for which its use is intended but shall not include such~~  
 30.9 ~~items as books, fuel, supplies, or other items the costs of which are customarily deemed to~~  
 30.10 ~~result in a current operating charge, and shall~~ a health care facility or an education facility  
 30.11 ~~whether proposed, under construction, or completed, and includes land or interests in land,~~  
 30.12 ~~appurtenances, site preparation, landscaping, buildings and structures, systems, fixtures,~~  
 30.13 ~~furniture, machinery, equipment, and parking. Project also includes other structures, facilities,~~  
 30.14 ~~improvements, machinery, equipment, and means of transport of a capital nature that are~~  
 30.15 ~~necessary or convenient for the operation of the facility. Project does not include: (1) any~~  
 30.16 ~~facility used or to be used for sectarian instruction or as a place of religious worship nor;~~  
 30.17 ~~(2) any facility which is used or to be used primarily in connection with any part of the~~  
 30.18 ~~program of a school or department of divinity for any religious denomination; nor (3) any~~  
 30.19 ~~books, supplies, medicine, medical supplies, fuel, or other items, the cost of which are~~  
 30.20 ~~customarily deemed to result in a current operating charge.~~

30.21 Subd. 4. **Cost.** "Cost," as applied to a project or any portion thereof financed under the  
 30.22 provisions of sections 136A.25 to 136A.42, means all or any part of the cost of construction,  
 30.23 acquisition, alteration, enlargement, reconstruction and remodeling of a project including  
 30.24 all lands, structures, real or personal property, rights, rights-of-way, franchises, easements  
 30.25 and interests acquired or used for or in connection with a project, the cost of demolishing  
 30.26 or removing any buildings or structures on land so acquired, including the cost of acquiring  
 30.27 any lands to which ~~such~~ buildings or structures may be moved, the cost of all machinery  
 30.28 and equipment, financing charges, interest prior to, during and for a period after completion  
 30.29 of such construction and acquisition, provisions for reserves for principal and interest and  
 30.30 for extensions, enlargements, additions and improvements, the cost of architectural,  
 30.31 engineering, financial and legal services, plans, specifications, studies, surveys, estimates  
 30.32 of cost and of revenues, administrative expenses, expenses necessary or incident to  
 30.33 determining the feasibility or practicability of constructing the project and such other  
 30.34 expenses as may be necessary or incident to the construction and acquisition of the project,  
 30.35 the financing of such construction and acquisition and the placing of the project in operation.

31.1 Subd. 5. **Bonds.** "Bonds," or "revenue bonds" means revenue bonds of the authority  
 31.2 issued under the provisions of sections 136A.25 to 136A.42, including revenue refunding  
 31.3 bonds, notwithstanding that the same may be secured by mortgage or the full faith and credit  
 31.4 of a participating institution ~~for higher education~~ or any other lawfully pledged security of  
 31.5 a participating institution ~~for higher education~~.

31.6 Subd. 6. **Institution of higher education.** "Institution of higher education" means a  
 31.7 nonprofit educational institution within the state authorized to provide a program of education  
 31.8 beyond the high school level.

31.9 Subd. 6a. **Health care organization.** (a) "Health care organization" means a nonprofit  
 31.10 organization located within the state and authorized by law to operate a nonprofit health  
 31.11 care facility in the state. Health care organization also means a nonprofit affiliate of a health  
 31.12 care organization as defined under this paragraph, provided the affiliate is located within  
 31.13 the state or within a state that is geographically contiguous to Minnesota.

31.14 (b) Health care organization also means a nonprofit organization located within another  
 31.15 state that is geographically contiguous to Minnesota and authorized by law to operate a  
 31.16 nonprofit health care facility in that state, provided that the nonprofit organization located  
 31.17 within the contiguous state is an affiliate of a health care organization located within the  
 31.18 state.

31.19 Subd. 6b. **Education facility.** "Education facility" means a structure or structures  
 31.20 available for use as a dormitory or other student housing facility, dining hall, student union,  
 31.21 administration building, academic building, library, laboratory, research facility, classroom,  
 31.22 athletic facility, student health care facility, or child care facility, and includes other facilities  
 31.23 or structures related thereto essential or convenient for the orderly conduct of an institution  
 31.24 of higher education.

31.25 Subd. 6c. **Health care facility.** (a) "Health care facility" means a structure or structures  
 31.26 available for use within this state as a hospital, clinic, psychiatric residential treatment  
 31.27 facility, birth center, outpatient surgical center, comprehensive outpatient rehabilitation  
 31.28 facility, outpatient physical therapy or speech pathology facility, end-stage renal dialysis  
 31.29 facility, medical laboratory, pharmacy, radiation therapy facility, diagnostic imaging facility,  
 31.30 medical office building, residence for nurses or interns, nursing home, boarding care home,  
 31.31 assisted living facility, residential hospice, intermediate care facility for persons with  
 31.32 developmental disabilities, supervised living facility, housing with services establishment,  
 31.33 board and lodging establishment with special services, adult day care center, day services  
 31.34 facility, prescribed pediatric extended care facility, community residential setting, adult  
 32.1 foster home, or other facility related to medical or health care research, or the delivery or  
 32.2 administration of health care services, and includes other structures or facilities related  
 32.3 thereto essential or convenient for the orderly conduct of a health care organization.

32.4 (b) Health care facility also means a facility in a state that is geographically contiguous  
 32.5 to Minnesota operated by a health care organization that corresponds by purpose, function,  
 32.6 or use with a facility listed in paragraph (a).

32.7 Subd. 7. **Participating institution of higher education.** "Participating institution of  
 32.8 ~~higher education~~" means a health care organization or an institution of higher education  
 32.9 that, under the provisions of sections 136A.25 to 136A.42, undertakes the financing and  
 32.10 construction or acquisition of a project or undertakes the refunding or refinancing of  
 32.11 obligations or of a mortgage or of advances as provided in sections 136A.25 to 136A.42.

- 32.12 Community colleges and technical colleges may be considered participating institutions of  
 32.13 ~~higher education~~ for the purpose of financing and constructing child care facilities and  
 32.14 parking facilities.
- 32.15 Sec. 5. Minnesota Statutes 2020, section 136A.29, subdivision 1, is amended to read:
- 32.16 Subdivision 1. **Purpose.** The purpose of the authority shall be to assist health care  
 32.17 organizations and institutions of higher education in the construction, financing, and  
 32.18 refinancing of projects. The exercise by the authority of the powers conferred by sections  
 32.19 136A.25 to 136A.42, shall be deemed and held to be the performance of an essential public  
 32.20 function. For the purpose of sections 136A.25 to 136A.42, the authority shall have the  
 32.21 powers and duties set forth in subdivisions 2 to 23.
- 32.22 Sec. 6. Minnesota Statutes 2020, section 136A.29, subdivision 3, is amended to read:
- 32.23 Subd. 3. **Employees.** The authority is authorized and empowered to appoint and employ  
 32.24 employees as it may deem necessary to carry out its duties, determine the title of the  
 32.25 employees so employed, and fix the salary of ~~said~~ its employees. Employees of the authority  
 32.26 shall participate in retirement and other benefits in the same manner that employees in the  
 32.27 ~~unclassified service of the office~~ managerial plan under section 43A.18, subdivision 3,  
 32.28 participate.
- 32.29 Sec. 7. Minnesota Statutes 2020, section 136A.29, subdivision 6, is amended to read:
- 32.30 Subd. 6. **Projects; generally.** (a) The authority is authorized and empowered to determine  
 32.31 the location and character of any project to be financed under the provisions of sections  
 32.32 136A.25 to 136A.42, and to construct, reconstruct, remodel, maintain, manage, enlarge,  
 33.1 alter, add to, repair, operate, lease, as lessee or lessor, and regulate the same, to enter into  
 33.2 contracts for any or all of such purposes, to enter into contracts for the management and  
 33.3 operation of a project, and to designate a participating institution of ~~higher education~~ as its  
 33.4 agent to determine the location and character of a project undertaken by such participating  
 33.5 institution of ~~higher education~~ under the provisions of sections 136A.25 to 136A.42 and as  
 33.6 the agent of the authority, to construct, reconstruct, remodel, maintain, manage, enlarge,  
 33.7 alter, add to, repair, operate, lease, as lessee or lessor, and regulate the same, and as the  
 33.8 agent of the authority, to enter into contracts for any or all of such purposes, including  
 33.9 contracts for the management and operation of such project.
- 33.10 (b) Notwithstanding paragraph (a), a project involving a health care facility within the  
 33.11 state financed under sections 136A.25 to 136A.42, must comply with all applicable  
 33.12 requirements in state law related to authorizing construction of or modifications to a health  
 33.13 care facility, including the requirements of sections 144.5509, 144.551, 144A.071, and  
 33.14 252.291.
- 33.15 (c) Contracts of the authority or of a participating institution of higher education to  
 33.16 acquire or to construct, reconstruct, remodel, maintain, enlarge, alter, add to, or repair  
 33.17 projects shall not be subject to the provisions of chapter 16C or section 574.26, or any other  
 33.18 public contract or competitive bid law.



33.19 Sec. 8. Minnesota Statutes 2020, section 136A.29, subdivision 9, is amended to read:

33.20 Subd. 9. **Revenue bonds; limit.** (a) The authority is authorized and empowered to issue  
 33.21 revenue bonds whose aggregate principal amount at any time shall not exceed ~~\$1,300,000,000~~  
 33.22 \$4,000,000,000 and to issue notes, bond anticipation notes, and revenue refunding bonds  
 33.23 of the authority under the provisions of sections 136A.25 to 136A.42, to provide funds for  
 33.24 acquiring, constructing, reconstructing, enlarging, remodeling, renovating, improving,  
 33.25 furnishing, or equipping one or more projects or parts thereof.

33.26 (b) Of the \$4,000,000,000 limit in paragraph (a), the aggregate principal amount used  
 33.27 to fund education facilities may not exceed \$1,750,000,000 at any time, and the aggregate  
 33.28 principal amount used to fund health care facilities may not exceed \$2,250,000,000 at any  
 33.29 time.

33.30 Sec. 9. Minnesota Statutes 2020, section 136A.29, subdivision 10, is amended to read:

33.31 Subd. 10. **Revenue bonds; issuance, purpose, conditions.** The authority is authorized  
 33.32 and empowered to issue revenue bonds to acquire projects from or to make loans to  
 33.33 participating institutions of higher education and thereby refinance outstanding indebtedness  
 34.1 incurred by participating institutions of higher education to provide funds for the acquisition,  
 34.2 construction or improvement of a facility before or after the enactment of sections 136A.25  
 34.3 to 136A.42, but otherwise eligible to be and being a project thereunder, whenever the  
 34.4 authority finds that such refinancing will enhance or preserve such participating institutions  
 34.5 and such facilities or utilization thereof for health care or educational purposes or extend  
 34.6 or adjust maturities to correspond to the resources available for their payment, or reduce  
 34.7 charges or fees imposed on patients or occupants, or the tuition, charges, or fees imposed  
 34.8 on students for the use or occupancy of the facilities of such participating institutions of  
 34.9 higher education or costs met by federal or state public funds, or enhance or preserve health  
 34.10 care or educational programs and research or the acquisition or improvement of other  
 34.11 facilities eligible to be a project or part thereof by the participating institution of higher  
 34.12 education. The amount of revenue bonds to be issued to refinance outstanding indebtedness  
 34.13 of a participating institution of higher education shall not exceed the lesser of (a) the fair  
 34.14 value of the project to be acquired by the authority from the institution or mortgaged to the  
 34.15 authority by the institution or (b) the amount of the outstanding indebtedness including any  
 34.16 premium thereon and any interest accrued or to accrue to the date of redemption and any  
 34.17 legal, fiscal and related costs in connection with such refinancing and reasonable reserves,  
 34.18 as determined by the authority. The provisions of this subdivision do not prohibit the authority  
 34.19 from issuing revenue bonds within and charged against the limitations provided in subdivision  
 34.20 9 to provide funds for improvements, alteration, renovation, or extension of the project  
 34.21 refinanced.

34.22 Sec. 10. Minnesota Statutes 2020, section 136A.29, subdivision 14, is amended to read:

34.23 Subd. 14. **Rules for use of projects.** The authority is authorized and empowered to  
 34.24 establish rules for the use of a project or any portion thereof and to designate a participating

34.25 institution ~~of higher education~~ as its agent to establish rules for the use of a project undertaken  
 34.26 for such participating institution ~~of higher education~~.

34.27 Sec. 11. Minnesota Statutes 2020, section 136A.29, subdivision 19, is amended to read:

34.28 Subd. 19. **Surety.** Before the issuance of any revenue bonds under the provisions of  
 34.29 sections 136A.25 to 136A.42, any member or officer of the authority authorized by resolution  
 34.30 of the authority to handle funds or sign checks of the authority shall be covered under a  
 34.31 surety or fidelity bond in an amount to be determined by the authority. Each such bond shall  
 34.32 be conditioned upon the faithful performance of the duties of the office of the member or  
 34.33 officer, and shall be executed by a surety company authorized to transact business in the  
 34.34 state of Minnesota as surety. The cost of each such bond shall be paid by the authority.

35.1 Sec. 12. Minnesota Statutes 2020, section 136A.29, subdivision 20, is amended to read:

35.2 Subd. 20. **Sale, lease, and disposal of property.** The authority is authorized and  
 35.3 empowered to sell, lease, release, or otherwise dispose of real and personal property or  
 35.4 interests therein, or a combination thereof, acquired by the authority under authority of  
 35.5 sections 136A.25 to 136A.42 and no longer needed for the purposes of ~~such this~~ chapter or  
 35.6 of the authority, and grant such easements and other rights in, over, under, or across a project  
 35.7 as will not interfere with its use of ~~such the~~ property. ~~Such~~ The sale, lease, release,  
 35.8 disposition, or grant may be made without competitive bidding and in ~~such the~~ manner and  
 35.9 for such consideration as the authority in its judgment deems appropriate.

35.10 Sec. 13. Minnesota Statutes 2020, section 136A.29, subdivision 21, is amended to read:

35.11 Subd. 21. **Loans.** The authority is authorized and empowered to make loans to any  
 35.12 participating institution ~~of higher education~~ for the cost of a project in accordance with an  
 35.13 agreement between the authority and the participating institution ~~of higher education~~;  
 35.14 provided that no ~~such~~ loan shall exceed the total cost of the project as determined by the  
 35.15 participating institution ~~of higher education~~ and approved by the authority.

35.16 Sec. 14. Minnesota Statutes 2020, section 136A.29, subdivision 22, is amended to read:

35.17 Subd. 22. **Costs, expenses, and other charges.** The authority is authorized and  
 35.18 empowered to charge to and apportion among participating institutions ~~of higher education~~  
 35.19 its administrative costs and expenses incurred in the exercise of the powers and duties  
 35.20 conferred by sections 136A.25 to 136A.42 in the manner as the authority in its judgment  
 35.21 deems appropriate.

35.22 Sec. 15. Minnesota Statutes 2020, section 136A.29, is amended by adding a subdivision  
 35.23 to read:

35.24 Subd. 24. **Determination of affiliate status.** The authority is authorized and empowered  
 35.25 to determine whether an entity is an affiliate as defined in section 136A.28, subdivision 1a.  
 35.26 A determination by the authority of affiliate status shall be deemed conclusive for the  
 35.27 purposes of sections 136A.25 to 136A.42.

35.28 Sec. 16. Minnesota Statutes 2020, section 136A.32, subdivision 4, is amended to read:

35.29 Subd. 4. **Provisions of resolution authorizing bonds.** Any resolution or resolutions  
35.30 authorizing any revenue bonds or any issue of revenue bonds may contain provisions, which  
35.31 shall be a part of the contract with the holders of the revenue bonds to be authorized, as to:

36.1 (1) pledging all or any part of the revenues of a project or projects, any revenue producing  
36.2 contract or contracts made by the authority with ~~any individual partnership, corporation or~~  
36.3 ~~association or other body~~ one or more partnerships, corporations or associations, or other  
36.4 bodies, public or private, to secure the payment of the revenue bonds or of any particular  
36.5 issue of revenue bonds, subject to such agreements with bondholders as may then exist;

36.6 (2) the rentals, fees and other charges to be charged, and the amounts to be raised in  
36.7 each year thereby, and the use and disposition of the revenues;

36.8 (3) the setting aside of reserves or sinking funds, and the regulation and disposition  
36.9 thereof;

36.10 (4) limitations on the right of the authority or its agent to restrict and regulate the use of  
36.11 the project;

36.12 (5) limitations on the purpose to which the proceeds of sale of any issue of revenue  
36.13 bonds then or thereafter to be issued may be applied and pledging such proceeds to secure  
36.14 the payment of the revenue bonds or any issue of the revenue bonds;

36.15 (6) limitations on the issuance of additional bonds, the terms upon which additional  
36.16 bonds may be issued and secured and the refunding of outstanding bonds;

36.17 (7) the procedure, if any, by which the terms of any contract with bondholders may be  
36.18 amended or abrogated, the amount of bonds the holders of which must consent thereto, and  
36.19 the manner in which such consent may be given;

36.20 (8) limitations on the amount of moneys derived from the project to be expended for  
36.21 operating, administrative or other expenses of the authority;

36.22 (9) defining the acts or omissions to act which shall constitute a default in the duties of  
36.23 the authority to holders of its obligations and providing the rights and remedies of such  
36.24 holders in the event of a default; or

36.25 (10) the mortgaging of a project and the site thereof for the purpose of securing the  
36.26 bondholders.

36.27 Sec. 17. Minnesota Statutes 2020, section 136A.33, is amended to read:

36.28 **136A.33 TRUST AGREEMENT.**

36.29 In the discretion of the authority any revenue bonds issued under the provisions of  
36.30 sections 136A.25 to 136A.42, may be secured by a trust agreement by and between the  
36.31 authority and a corporate trustee or trustees, which may be any trust company or bank having

36.32 the powers of a trust company within the state. ~~Such~~ The trust agreement or the resolution  
 37.1 providing for the issuance of ~~such~~ revenue bonds may pledge or assign the revenues to be  
 37.2 received or proceeds of any contract or contracts pledged and may convey or mortgage the  
 37.3 project or any portion thereof. ~~Such~~ The trust agreement or resolution providing for the  
 37.4 issuance of ~~such~~ revenue bonds may contain such provisions for protecting and enforcing  
 37.5 the rights and remedies of the bondholders as may be reasonable and proper and not in  
 37.6 violation of laws, including particularly such provisions as have hereinabove been specifically  
 37.7 authorized to be included in any resolution or resolutions of the authority authorizing revenue  
 37.8 bonds thereof. Any bank or trust company incorporated under the laws of the state ~~which~~  
 37.9 that may act as depository of the proceeds of bonds or of revenues or other moneys may  
 37.10 furnish ~~such~~ indemnifying bonds or ~~pledges such~~ pledge securities as may be required by  
 37.11 the authority. Any ~~such~~ trust agreement may set forth the rights and remedies of the  
 37.12 bondholders and of the trustee or trustees and may restrict the individual right of action by  
 37.13 bondholders. In addition to the foregoing, any ~~such~~ trust agreement or resolution may contain  
 37.14 ~~such~~ other provisions as the authority may deem reasonable and proper for the security of  
 37.15 the bondholders. All expenses incurred in carrying out the provisions of ~~such~~ the trust  
 37.16 agreement or resolution may be treated as a part of the cost of the operation of a project.

37.17 Sec. 18. Minnesota Statutes 2020, section 136A.34, subdivision 3, is amended to read:

37.18 Subd. 3. **Investment.** Any ~~such~~ escrowed proceeds, pending such use, may be invested  
 37.19 and reinvested in direct obligations of the United States of America, or in certificates of  
 37.20 deposit or time deposits secured by direct obligations of the United States of America, or  
 37.21 in shares or units in any money market mutual fund whose investment portfolio consists  
 37.22 solely of direct obligations of the United States of America, maturing at such time or times  
 37.23 as shall be appropriate to assure the prompt payment, as to principal, interest and redemption  
 37.24 premium, if any, of the outstanding revenue bonds to be so refunded. The interest, income  
 37.25 and profits, if any, earned or realized on any such investment may also be applied to the  
 37.26 payment of the outstanding revenue bonds to be so refunded. After the terms of the escrow  
 37.27 have been fully satisfied and carried out, any balance of such proceeds and interest, income  
 37.28 and profits, if any, earned or realized on the investments thereof may be returned to the  
 37.29 authority for use by it in any lawful manner.

37.30 Sec. 19. Minnesota Statutes 2020, section 136A.34, subdivision 4, is amended to read:

37.31 Subd. 4. **Additional purpose; improvements.** The portion of the proceeds of any ~~such~~  
 37.32 revenue bonds issued for the additional purpose of paying all or any part of the cost of  
 37.33 constructing and acquiring additions, improvements, extensions or enlargements of a project  
 38.1 may be invested or deposited ~~in time deposits~~ as provided in section 136A.32, subdivision  
 38.2 7.

38.3 Sec. 20. Minnesota Statutes 2020, section 136A.36, is amended to read:

38.4 **136A.36 REVENUES.**

38.5 The authority may fix, revise, charge and collect rates, rents, fees and charges for the  
38.6 use of and for the services furnished or to be furnished by each project and ~~to~~ may contract  
38.7 with any person, partnership, association or corporation, or other body, public or private,  
38.8 in respect thereof. ~~Such~~ The rates, rents, fees, and charges may vary between projects  
38.9 involving an education facility and projects involving a health care facility and shall be  
38.10 fixed and adjusted in respect of the aggregate of rates, rents, fees, and charges from ~~such~~  
38.11 the project so as to provide funds sufficient with other revenues, if any:

38.12 (1) to pay the cost of maintaining, repairing and operating the project and each and every  
38.13 portion thereof, to the extent that the payment of such cost has not otherwise been adequately  
38.14 provided for;

38.15 (2) to pay the principal of and the interest on outstanding revenue bonds of the authority  
38.16 issued in respect of such project as the same shall become due and payable; and

38.17 (3) to create and maintain reserves required or provided for in any resolution authorizing,  
38.18 or trust agreement securing, ~~such~~ revenue bonds of the authority. ~~Such~~ The rates, rents, fees  
38.19 and charges shall not be subject to supervision or regulation by any department, commission,  
38.20 board, body, bureau or agency of this state other than the authority. A sufficient amount of  
38.21 the revenues derived in respect of a project, except ~~such~~ part of ~~such~~ the revenues as may  
38.22 be necessary to pay the cost of maintenance, repair and operation and to provide reserves  
38.23 and for renewals, replacements, extensions, enlargements and improvements as may be  
38.24 provided for in the resolution authorizing the issuance of any revenue bonds of the authority  
38.25 or in the trust agreement securing the same, shall be set aside at such regular intervals as  
38.26 may be provided in ~~such~~ the resolution or trust agreement in a sinking or other similar fund  
38.27 ~~which that~~ is hereby pledged to, and charged with, the payment of the principal of and the  
38.28 interest on ~~such~~ revenue bonds as the same shall become due, and the redemption price or  
38.29 the purchase price of bonds retired by call or purchase as therein provided. ~~Such~~ The pledge  
38.30 shall be valid and binding from the time when the pledge is made; the rates, rents, fees and  
38.31 charges and other revenues or other moneys so pledged and thereafter received by the  
38.32 authority shall immediately be subject to the lien of ~~such~~ the pledge without physical delivery  
38.33 thereof or further act, and the lien of any such pledge shall be valid and binding as against  
38.34 all parties having claims of any kind against the authority, irrespective of whether such  
39.1 parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge  
39.2 is created need be filed or recorded except in the records of the authority. The use and  
39.3 disposition of moneys to the credit of such sinking or other similar fund shall be subject to  
39.4 the provisions of the resolution authorizing the issuance of such bonds or of such trust  
39.5 agreement. Except as may otherwise be provided in ~~such~~ the resolution or ~~such~~ trust  
39.6 agreement, ~~such~~ the sinking or other similar fund shall be a fund for all ~~such~~ revenue bonds  
39.7 issued to finance a project or projects at one or more participating institutions of ~~higher~~  
39.8 ~~education~~ without distinction or priority of one over another; provided the authority in any  
39.9 such resolution or trust agreement may provide that such sinking or other similar fund shall

39.10 be the fund for a particular project at ~~an~~ a participating institution of higher education and  
 39.11 for the revenue bonds issued to finance a particular project and may, additionally, permit  
 39.12 and provide for the issuance of revenue bonds having a subordinate lien in respect of the  
 39.13 security herein authorized to other revenue bonds of the authority and, in such case, the  
 39.14 authority may create separate or other similar funds in respect of ~~such~~ the subordinate lien  
 39.15 bonds.

39.16 Sec. 21. Minnesota Statutes 2020, section 136A.38, is amended to read:

39.17 **136A.38 BONDS ELIGIBLE FOR INVESTMENT.**

39.18 Bonds issued by the authority under the provisions of sections 136A.25 to 136A.42, are  
 39.19 hereby made securities in which all public officers and public bodies of the state and its  
 39.20 political subdivisions, all insurance companies, trust companies, banking associations,  
 39.21 investment companies, executors, administrators, trustees and other fiduciaries may properly  
 39.22 and legally invest funds, including capital in their control or belonging to them; it being the  
 39.23 purpose of this section to authorize the investment in such bonds of all sinking, insurance,  
 39.24 retirement, compensation, pension and trust funds, whether owned or controlled by private  
 39.25 or public persons or officers; provided, however, that nothing contained in this section may  
 39.26 be construed as relieving any person, firm, or corporation from any duty of exercising due  
 39.27 care in selecting securities for purchase or investment; and provide further, that in no event  
 39.28 shall assets of pension funds of public employees of the state of Minnesota or any of its  
 39.29 agencies, boards or subdivisions, whether publicly or privately administered, be invested  
 39.30 in bonds issued under the provisions of sections 136A.25 to 136A.42. Such bonds are hereby  
 39.31 constituted "authorized securities" within the meaning and for the purposes of Minnesota  
 39.32 Statutes 1969, section 50.14. ~~Such~~ The bonds are hereby made securities ~~which~~ that may  
 39.33 properly and legally be deposited with and received by any state or municipal officer or any  
 39.34 agency or political subdivision of the state for any purpose for which the deposit of bonds  
 39.35 or obligations of the state now or may hereafter be authorized by law.

40.1 Sec. 22. Minnesota Statutes 2020, section 136A.41, is amended to read:

40.2 **136A.41 CONFLICT OF INTEREST.**

40.3 Notwithstanding any other law to the contrary it shall not be or constitute a conflict of  
 40.4 interest for a trustee, director, officer or employee of any participating institution of higher  
 40.5 ~~education~~, financial institution, investment banking firm, brokerage firm, commercial bank  
 40.6 or trust company, architecture firm, insurance company, construction company, or any other  
 40.7 firm, person or corporation to serve as a member of the authority, provided such trustee,  
 40.8 director, officer or employee shall abstain from deliberation, action and vote by the authority  
 40.9 in each instance where the business affiliation of any such trustee, director, officer or  
 40.10 employee is involved.

40.11 Sec. 23. Minnesota Statutes 2020, section 136A.42, is amended to read:

40.12 **136A.42 ANNUAL REPORT.**

40.13 The authority shall keep an accurate account of all of its activities and all of its receipts  
40.14 and expenditures ~~and shall annually report to the office.~~ Each year, the authority shall submit  
40.15 to the Minnesota Historical Society and the Legislative Reference Library a report of the  
40.16 authority's activities in the previous year, including all financial activities.

40.17 Sec. 24. **REVISOR INSTRUCTION.**

40.18 The revisor of statutes shall renumber the law establishing and governing the Minnesota  
40.19 Higher Education Facilities Authority, renamed the Minnesota Health and Education  
40.20 Facilities Authority in this act, as Minnesota Statutes, chapter 16F, coded in Minnesota  
40.21 Statutes 2020, sections 136A.25 to 136A.42, as amended or repealed in this act. The revisor  
40.22 of statutes shall also duplicate any required definitions from Minnesota Statutes, chapter  
40.23 136A, revise any statutory cross-references consistent with the recoding, and report the  
40.24 history in Minnesota Statutes, chapter 16F.

40.25 Sec. 25. **REPEALER.**

40.26 Minnesota Statutes 2020, section 136A.29, subdivision 4, is repealed.

41.1 **ARTICLE 4**

41.2 **MINNESOTA HEALTH AND EDUCATION FACILITIES AUTHORITY**  
41.3 **CONFORMING AMENDMENTS**

41.4 Section 1. Minnesota Statutes 2020, section 3.732, subdivision 1, is amended to read:

41.5 Subdivision 1. **Definitions.** As used in this section and section 3.736 the terms defined  
41.6 in this section have the meanings given them.

41.7 (1) "State" includes each of the departments, boards, agencies, commissions, courts, and  
41.8 officers in the executive, legislative, and judicial branches of the state of Minnesota and  
41.9 includes but is not limited to the Housing Finance Agency, the Minnesota Office of Higher  
41.10 Education, the ~~Higher Health and Education Facilities Authority~~, the Health Technology  
41.11 Advisory Committee, the Armory Building Commission, the Zoological Board, the  
41.12 Department of Iron Range Resources and Rehabilitation, the Minnesota Historical Society,  
41.13 the State Agricultural Society, the University of Minnesota, the Minnesota State Colleges  
41.14 and Universities, state hospitals, and state penal institutions. It does not include a city, town,  
41.15 county, school district, or other local governmental body corporate and politic.

41.16 (2) "Employee of the state" means all present or former officers, members, directors, or  
41.17 employees of the state, members of the Minnesota National Guard, members of a bomb  
41.18 disposal unit approved by the commissioner of public safety and employed by a municipality  
41.19 defined in section 466.01 when engaged in the disposal or neutralization of bombs or other  
41.20 similar hazardous explosives, as defined in section 299C.063, outside the jurisdiction of the

- 41.21 municipality but within the state, or persons acting on behalf of the state in an official  
 41.22 capacity, temporarily or permanently, with or without compensation. It does not include  
 41.23 either an independent contractor except, for purposes of this section and section 3.736 only,  
 41.24 a guardian ad litem acting under court appointment, or members of the Minnesota National  
 41.25 Guard while engaged in training or duty under United States Code, title 10, or title 32,  
 41.26 section 316, 502, 503, 504, or 505, as amended through December 31, 1983. Notwithstanding  
 41.27 sections 43A.02 and 611.263, for purposes of this section and section 3.736 only, "employee  
 41.28 of the state" includes a district public defender or assistant district public defender in the  
 41.29 Second or Fourth Judicial District, a member of the Health Technology Advisory Committee,  
 41.30 and any officer, agent, or employee of the state of Wisconsin performing work for the state  
 41.31 of Minnesota pursuant to a joint state initiative.
- 41.32 (3) "Scope of office or employment" means that the employee was acting on behalf of  
 41.33 the state in the performance of duties or tasks lawfully assigned by competent authority.
- 41.34 (4) "Judicial branch" has the meaning given in section 43A.02, subdivision 25.
- 42.1 Sec. 2. Minnesota Statutes 2021 Supplement, section 10A.01, subdivision 35, is amended  
 42.2 to read:
- 42.3 Subd. 35. **Public official.** "Public official" means any:
- 42.4 (1) member of the legislature;
- 42.5 (2) individual employed by the legislature as secretary of the senate, legislative auditor,  
 42.6 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor  
 42.7 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of  
 42.8 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis  
 42.9 Department;
- 42.10 (3) constitutional officer in the executive branch and the officer's chief administrative  
 42.11 deputy;
- 42.12 (4) solicitor general or deputy, assistant, or special assistant attorney general;
- 42.13 (5) commissioner, deputy commissioner, or assistant commissioner of any state  
 42.14 department or agency as listed in section 15.01 or 15.06, or the state chief information  
 42.15 officer;
- 42.16 (6) member, chief administrative officer, or deputy chief administrative officer of a state  
 42.17 board or commission that has either the power to adopt, amend, or repeal rules under chapter  
 42.18 14, or the power to adjudicate contested cases or appeals under chapter 14;
- 42.19 (7) individual employed in the executive branch who is authorized to adopt, amend, or  
 42.20 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 42.21 (8) executive director of the State Board of Investment;
- 42.22 (9) deputy of any official listed in clauses (7) and (8);



- 42.23 (10) judge of the Workers' Compensation Court of Appeals;
- 42.24 (11) administrative law judge or compensation judge in the State Office of Administrative  
42.25 Hearings or unemployment law judge in the Department of Employment and Economic  
42.26 Development;
- 42.27 (12) member, regional administrator, division director, general counsel, or operations  
42.28 manager of the Metropolitan Council;
- 42.29 (13) member or chief administrator of a metropolitan agency;
- 42.30 (14) director of the Division of Alcohol and Gambling Enforcement in the Department  
42.31 of Public Safety;
- 43.1 (15) member or executive director of the ~~Higher~~ Health and Education Facilities  
43.2 Authority;
- 43.3 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 43.4 (17) member of the board of directors or executive director of the Minnesota State High  
43.5 School League;
- 43.6 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 43.7 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 43.8 (20) manager of a watershed district, or member of a watershed management organization  
43.9 as defined under section 103B.205, subdivision 13;
- 43.10 (21) supervisor of a soil and water conservation district;
- 43.11 (22) director of Explore Minnesota Tourism;
- 43.12 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section  
43.13 97A.056;
- 43.14 (24) citizen member of the Clean Water Council established in section 114D.30;
- 43.15 (25) member or chief executive of the Minnesota Sports Facilities Authority established  
43.16 in section 473J.07;
- 43.17 (26) district court judge, appeals court judge, or supreme court justice;
- 43.18 (27) county commissioner;
- 43.19 (28) member of the Greater Minnesota Regional Parks and Trails Commission;
- 43.20 (29) member of the Destination Medical Center Corporation established in section  
43.21 469.41; or
- 43.22 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges  
43.23 and Universities.

43.24 Sec. 3. Minnesota Statutes 2020, section 136F.67, subdivision 1, is amended to read:

43.25 Subdivision 1. **Authorization.** A technical college or a community college must not  
43.26 seek financing for child care facilities or parking facilities through the ~~Higher Health and~~  
43.27 Education Facilities Authority, as provided in section 136A.28, subdivision 7, without the  
43.28 explicit authorization of the board.

44.1 Sec. 4. Minnesota Statutes 2020, section 354B.20, subdivision 7, is amended to read:

44.2 Subd. 7. **Employing unit.** "Employing unit," if the agency employs any persons covered  
44.3 by the individual retirement account plan under section 354B.211, means:

44.4 (1) the board;

44.5 (2) the Minnesota Office of Higher Education; and

44.6 (3) the ~~Higher Health and~~ Education Facilities Authority.