

1.1 ..... moves to amend H.F. No. 1935 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 STATE GOVERNMENT APPROPRIATIONS

1.5 Section 1. APPROPRIATIONS.

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
1.7 and for the purposes specified in this article. The appropriations are from the general fund,  
1.8 or another named fund, and are available for the fiscal years indicated for each purpose.

1.9 The figures "2020" and "2021" used in this article mean that the appropriations listed under  
1.10 them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively.  
1.11 "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium"  
1.12 is fiscal years 2020 and 2021.

1.13	<b><u>APPROPRIATIONS</u></b>	
1.14	<b><u>Available for the Year</u></b>	
1.15	<b><u>Ending June 30</u></b>	
1.16	<b><u>2020</u></b>	<b><u>2021</u></b>

1.17 Sec. 2. LEGISLATURE

1.18	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>88,669,000</u>	<u>\$</u>	<u>92,220,000</u>
------	---	-----------	-------------------	-----------	-------------------

1.19 Appropriations by Fund

1.20		<u>2020</u>	<u>2021</u>
1.21	<u>General</u>	<u>88,541,000</u>	<u>92,092,000</u>
1.22	<u>Health Care Access</u>	<u>128,000</u>	<u>128,000</u>

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

2.1	<u>Subd. 2. Senate</u>	<u>32,105,000</u>	<u>32,105,000</u>
2.2	<u>Subd. 3. House of Representatives</u>	<u>37,420,000</u>	<u>38,857,000</u>
2.3	<u>Subd. 4. Legislative Coordinating Commission</u>	<u>19,144,000</u>	<u>21,258,000</u>
2.4	<u>Appropriations by Fund</u>		
2.5	<u>General</u>	<u>19,016,000</u>	<u>21,130,000</u>
2.6	<u>Health Care Access</u>	<u>128,000</u>	<u>128,000</u>
2.7	<u>(a) \$161,000 the first year and \$156,000 the</u>		
2.8	<u>second year are to support the Office on the</u>		
2.9	<u>Economic Status of Women and other duties</u>		
2.10	<u>under Minnesota Statutes, section 3.303,</u>		
2.11	<u>subdivision 7.</u>		
2.12	<u>(b) \$140,000 the first year and \$1,039,000 the</u>		
2.13	<u>second year are to implement the accessibility</u>		
2.14	<u>standards established in Minnesota Statutes,</u>		
2.15	<u>section 3.199, including support for the</u>		
2.16	<u>working group on the legislature's accessibility</u>		
2.17	<u>measures established in article 2. The base for</u>		
2.18	<u>this appropriation is \$780,000 each year</u>		
2.19	<u>beginning in fiscal year 2022.</u>		
2.20	<u>(c) \$218,000 the second year is for the</u>		
2.21	<u>Redistricting Advisory Commission</u>		
2.22	<u>established in Minnesota Statutes, section</u>		
2.23	<u>2.032. The base for the commission is</u>		
2.24	<u>\$190,000 in fiscal year 2022 and \$0 in fiscal</u>		
2.25	<u>year 2023.</u>		
2.26	<u>(d) \$135,000 the first year and \$130,000 the</u>		
2.27	<u>second year are for the Legislative</u>		
2.28	<u>Commission on Data Practices and Personal</u>		
2.29	<u>Data Privacy.</u>		
2.30	<u>Legislative Auditor. \$7,205,000 the first year</u>		
2.31	<u>and \$7,596,000 the second year are for the</u>		
2.32	<u>Office of the Legislative Auditor.</u>		

3.1 **Revisor of Statutes.** \$6,768,000 the first year  
 3.2 and \$7,207,000 the second year are for the  
 3.3 Office of the Revisor of Statutes.

3.4 **Legislative Reference Library.** \$1,664,000  
 3.5 the first year and \$1,775,000 the second year  
 3.6 are for the Legislative Reference Library.

3.7 **Sec. 3. GOVERNOR AND LIEUTENANT**  
 3.8 **GOVERNOR** \$ 3,972,000 \$ 3,972,000

3.9 (a) This appropriation is to fund the Office of  
 3.10 the Governor and Lieutenant Governor.

3.11 (b) \$350,000 each year is for the Office of  
 3.12 Public Engagement.

3.13 (b) Up to \$19,000 each year is for necessary  
 3.14 expenses in the normal performance of the  
 3.15 Governor's and Lieutenant Governor's duties  
 3.16 for which no other reimbursement is provided.

3.17 **Sec. 4. STATE AUDITOR** \$ 10,669,000 \$ 10,943,000

3.18 **Sec. 5. ATTORNEY GENERAL** \$ 26,681,000 \$ 27,740,000

<u>Appropriations by Fund</u>		
	<u>2020</u>	<u>2021</u>
3.21 <u>General</u>	<u>23,822,000</u>	<u>24,824,000</u>
3.22 <u>State Government</u>		
3.23 <u>Special Revenue</u>	<u>2,464,000</u>	<u>2,521,000</u>
3.24 <u>Environmental</u>	<u>145,000</u>	<u>145,000</u>
3.25 <u>Remediation</u>	<u>250,000</u>	<u>250,000</u>

3.26 **Sec. 6. SECRETARY OF STATE** \$ 7,525,000 \$ 7,411,000

3.27 \$163,000 the first year is transferred from the  
 3.28 general fund to the Help America Vote Act  
 3.29 account under Minnesota Statutes, section  
 3.30 5.30, and is credited to the state match  
 3.31 requirement of the Omnibus Appropriations  
 3.32 Act of 2018, Public Law 115-1410, and the  
 3.33 Help America Vote Act of 2002, Public Law



5.1 Office of MN.IT Services for the purpose of  
 5.2 managing revenue and expenditure  
 5.3 differences. These funds shall be repaid with  
 5.4 interest by the end of the fiscal year 2021  
 5.5 closing period.

5.6 Sec. 11. **ADMINISTRATION**

5.7 **Subdivision 1. Total Appropriation**                    **\$**        **28,426,000** **\$**        **25,661,000**

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

5.11 **Subd. 2. Government and Citizen Services**                    **11,583,000**                    **10,013,000**

5.12 (a) \$100,000 each year is for website  
 5.13 accessibility grants under Minnesota Statutes,  
 5.14 section 16B.90.

5.15 (b) \$30,000 the second year is for the Capitol  
 5.16 flag program established in Minnesota  
 5.17 Statutes, section 16B.276. This is a onetime  
 5.18 appropriation and is available until June 30,  
 5.19 2023.

5.20 **Council on Developmental Disabilities.**

5.21 \$74,000 each year is for the Council on  
 5.22 Developmental Disabilities.

5.23 **Office of State Procurement. \$2,862,000**

5.24 each year is for the Office of State  
 5.25 Procurement.

5.26 Of this amount, \$441,000 each year is for the  
 5.27 state match to the Procurement Technical  
 5.28 Assistance Center. This is a onetime  
 5.29 appropriation. The base for the Office of State  
 5.30 Procurement is \$2,421,000 in fiscal year 2022  
 5.31 and each year thereafter.

5.32 **State Demographer. \$2,339,000 the first year**  
 5.33 **and \$739,000 the second year are for the state**

6.1 demographer. Of this amount, \$1,600,000 the  
 6.2 first year is for Minnesota Census 2020  
 6.3 mobilization, including the grant program  
 6.4 required under article 2.

6.5 **State Historic Preservation Office. \$527,000**  
 6.6 each year is for the State Historic Preservation  
 6.7 Office.

6.8 **Subd. 3. Strategic Management Services** 2,671,000 2,651,000

6.9 **Subd. 4. Fiscal Agent** 14,172,000 12,997,000

6.10 **In-Lieu of Rent. \$9,391,000 each year is for**  
 6.11 space costs of the legislature and veterans  
 6.12 organizations, ceremonial space, and  
 6.13 statutorily free space.

6.14 **Public Television. (a) \$1,550,000 each year**  
 6.15 is for matching grants for public television.

6.16 **(b) \$250,000 each year is for public television**  
 6.17 equipment grants under Minnesota Statutes,  
 6.18 section 129D.13.

6.19 **(c) The commissioner of administration must**  
 6.20 consider the recommendations of the  
 6.21 Minnesota Public Television Association  
 6.22 before allocating the amounts appropriated in  
 6.23 paragraphs (a) and (b) for equipment or  
 6.24 matching grants.

6.25 **Public Radio. (a) \$492,000 each year is for**  
 6.26 community service grants to public  
 6.27 educational radio stations. This appropriation  
 6.28 may be used to disseminate emergency  
 6.29 information in foreign languages.

6.30 **(b) \$142,000 each year is for equipment grants**  
 6.31 to public educational radio stations. This  
 6.32 appropriation may be used for the repair,

- 7.1 rental, and purchase of equipment including  
7.2 equipment under \$500.
- 7.3 (c) \$510,000 each year is for equipment grants  
7.4 to Minnesota Public Radio, Inc., including  
7.5 upgrades to Minnesota's Emergency Alert and  
7.6 AMBER Alert Systems.
- 7.7 (d) The appropriations in paragraphs (a) to (c)  
7.8 may not be used for indirect costs claimed by  
7.9 an institution or governing body.
- 7.10 (e) The commissioner of administration must  
7.11 consider the recommendations of the  
7.12 Association of Minnesota Public Educational  
7.13 Radio Stations before awarding grants under  
7.14 Minnesota Statutes, section 129D.14, using  
7.15 the appropriations in paragraphs (a) and (b).  
7.16 No grantee is eligible for a grant unless they  
7.17 are a member of the Association of Minnesota  
7.18 Public Educational Radio Stations on or before  
7.19 July 1, 2019.
- 7.20 (f) \$75,000 the first year is for a grant to the  
7.21 Association of Minnesota Public Educational  
7.22 Radio Stations for statewide programming to  
7.23 promote the Veterans' Voices program. The  
7.24 grant must be used to educate and engage  
7.25 communities regarding veterans' contributions,  
7.26 knowledge, skills, and experiences with an  
7.27 emphasis on Korean War veterans.
- 7.28 (g) Any unencumbered balance remaining the  
7.29 first year for grants to public television or  
7.30 public radio stations does not cancel and is  
7.31 available for the second year.
- 7.32 (h) \$1,600,000 the first year is for grants to  
7.33 Twin Cities Public Television and to the  
7.34 Association of Minnesota Public Educational



9.1	<u>General</u>	<u>160,745,000</u>	<u>162,944,000</u>		
9.2	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>		
9.3	<u>Highway User Tax</u>				
9.4	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>		
9.5	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>		
9.6	<b><u>Subd. 2. Tax System Management</u></b>			<u>136,190,000</u>	<u>137,892,000</u>
9.7	<u>Appropriations by Fund</u>				
9.8		<u>2020</u>	<u>2021</u>		
9.9	<u>General</u>	<u>131,930,000</u>	<u>133,632,000</u>		
9.10	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>		
9.11	<u>Highway User Tax</u>				
9.12	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>		
9.13	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>		
9.14	<b><u>Subd. 3. Debt Collection Management</u></b>			<u>28,815,000</u>	<u>29,312,000</u>
9.15	<b><u>Sec. 15. GAMBLING CONTROL</u></b>			<b><u>\$ 3,472,000</u></b>	<b><u>\$ 3,472,000</u></b>
9.16	<u>These appropriations are from the lawful</u>				
9.17	<u>gambling regulation account in the special</u>				
9.18	<u>revenue fund.</u>				
9.19	<b><u>Sec. 16. RACING COMMISSION</u></b>			<b><u>\$ 913,000</u></b>	<b><u>\$ 913,000</u></b>
9.20	<u>These appropriations are from the racing and</u>				
9.21	<u>card playing regulation accounts in the special</u>				
9.22	<u>revenue fund.</u>				
9.23	<b><u>Sec. 17. STATE LOTTERY</u></b>				
9.24	<u>Notwithstanding Minnesota Statutes, section</u>				
9.25	<u>349A.10, subdivision 3, the State Lottery's</u>				
9.26	<u>operating budget must not exceed \$35,000,000</u>				
9.27	<u>in fiscal year 2020 and \$36,500,000 in fiscal</u>				
9.28	<u>year 2021.</u>				
9.29	<b><u>Sec. 18. AMATEUR SPORTS COMMISSION</u></b>			<b><u>\$ 1,666,000</u></b>	<b><u>\$ 306,000</u></b>
9.30	<u>(a) \$1,000,000 the first year is for grants under</u>				
9.31	<u>Minnesota Statutes, section 240A.09,</u>				
9.32	<u>paragraph (b).</u>				
9.33	<u>(b) \$250,000 the first year is for grants to</u>				
9.34	<u>reimburse local governments that made</u>				

10.1 improvements between January 1, 2017, and  
 10.2 the effective date of this section that would  
 10.3 have been eligible for grants under Minnesota  
 10.4 Statutes, section 240A.09, paragraph (b), if  
 10.5 funding had been available.

10.6 (c) \$75,000 the first year is to determine a site  
 10.7 and plans for a new velodrome for track  
 10.8 cycling.

10.9 **Sec. 19. COUNCIL FOR MINNESOTANS OF**  
 10.10 **AFRICAN HERITAGE**

**\$ 681,000 \$ 682,000**

10.11 **Sec. 20. COUNCIL ON LATINO AFFAIRS**

**\$ 679,000 \$ 685,000**

10.12 **Sec. 21. COUNCIL ON ASIAN-PACIFIC**  
 10.13 **MINNESOTANS**

**\$ 609,000 \$ 616,000**

10.14 **Sec. 22. INDIAN AFFAIRS COUNCIL**

**\$ 1,119,000 \$ 1,106,000**

10.15 **Sec. 23. MINNESOTA HISTORICAL**  
 10.16 **SOCIETY**

10.17 **Subdivision 1. Total Appropriation**

**\$ 24,063,000 \$ 24,213,000**

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

10.21 **Subd. 2. Operations and Programs**

**23,342,000 23,892,000**

10.22 \$395,000 each year is for digital preservation  
 10.23 and access to preserve and make available  
 10.24 resources related to Minnesota history.

10.25 **Subd. 3. Fiscal Agent**

10.26 **(a) Global Minnesota**

**39,000 39,000**

10.27 **(b) Minnesota Air National Guard Museum**

**17,000 17,000**

10.28 **(c) Minnesota Military Museum**

**450,000 50,000**

10.29 Of these amounts, \$400,000 the first year is  
 10.30 to:

10.31 (1) care for, catalog, and display the recently  
 10.32 acquired collection of the personal and

11.1	<u>professional effects belonging to General John</u>		
11.2	<u>W. Vessey, Minnesota's most decorated</u>		
11.3	<u>veteran; and</u>		
11.4	<u>(2) conduct a statewide story-sharing program</u>		
11.5	<u>to honor the distinct service of post 9/11</u>		
11.6	<u>veterans in anticipation of the 2021</u>		
11.7	<u>anniversary.</u>		
11.8	<u>(d) Farmamerica</u>	<u>115,000</u>	<u>115,000</u>
11.9	<u>(e) Hockey Hall of Fame</u>	<u>50,000</u>	<u>50,000</u>
11.10	<u>Any unencumbered balance remaining in this</u>		
11.11	<u>subdivision the first year does not cancel but</u>		
11.12	<u>is available for the second year of the</u>		
11.13	<u>biennium.</u>		
11.14	<b>Sec. 24. <u>BOARD OF THE ARTS</u></b>		
11.15	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ 8,241,000</u></b>	<b><u>\$ 7,541,000</u></b>
11.16	<u>The amounts that may be spent for each</u>		
11.17	<u>purpose are specified in the following</u>		
11.18	<u>subdivisions.</u>		
11.19	<b><u>Subd. 2. Operations and Services</u></b>	<b><u>1,302,000</u></b>	<b><u>602,000</u></b>
11.20	<u>\$700,000 in the first year is for moving and</u>		
11.21	<u>relocation expenses for the board.</u>		
11.22	<b><u>Subd. 3. Grants Program</u></b>	<b><u>4,800,000</u></b>	<b><u>4,800,000</u></b>
11.23	<b><u>Subd. 4. Regional Arts Councils</u></b>	<b><u>2,139,000</u></b>	<b><u>2,139,000</u></b>
11.24	<u>Any unencumbered balance remaining in this</u>		
11.25	<u>section the first year does not cancel, but is</u>		
11.26	<u>available for the second year.</u>		
11.27	<u>Money appropriated in this section and</u>		
11.28	<u>distributed as grants may only be spent on</u>		
11.29	<u>projects located in Minnesota. A recipient of</u>		
11.30	<u>a grant funded by an appropriation in this</u>		
11.31	<u>section must not use more than ten percent of</u>		

12.1	<u>the total grant for costs related to travel outside</u>			
12.2	<u>the state of Minnesota.</u>			
12.3	<b>Sec. 25. <u>MINNESOTA HUMANITIES</u></b>			
12.4	<b><u>CENTER</u></b>	<b>\$</b>	<b><u>700,000</u></b>	<b>\$ <u>700,000</u></b>
12.5	<b>Sec. 26. <u>BOARD OF ACCOUNTANCY</u></b>	<b>\$</b>	<b><u>736,000</u></b>	<b>\$ <u>667,000</u></b>
12.6	<u>\$50,000 the first year is to update the online</u>			
12.7	<u>permitting system. The base in fiscal year</u>			
12.8	<u>2023 is \$657,000.</u>			
12.9	<b>Sec. 27. <u>BOARD OF ARCHITECTURE</u></b>			
12.10	<b><u>ENGINEERING, LAND SURVEYING,</u></b>			
12.11	<b><u>LANDSCAPE ARCHITECTURE,</u></b>			
12.12	<b><u>GEOSCIENCE, AND INTERIOR DESIGN</u></b>	<b>\$</b>	<b><u>905,000</u></b>	<b>\$ <u>851,000</u></b>
12.13	<u>\$50,000 the first year is to update the online</u>			
12.14	<u>permitting system. The base in fiscal year</u>			
12.15	<u>2022 is \$831,000 and in fiscal year 2023 is</u>			
12.16	<u>\$821,000.</u>			
12.17	<b>Sec. 28. <u>BOARD OF COSMETOLOGIST</u></b>			
12.18	<b><u>EXAMINERS</u></b>	<b>\$</b>	<b><u>2,916,000</u></b>	<b>\$ <u>2,935,000</u></b>
12.19	<b>Sec. 29. <u>BOARD OF BARBER EXAMINERS</u></b>	<b>\$</b>	<b><u>343,000</u></b>	<b>\$ <u>343,000</u></b>
12.20	<b>Sec. 30. <u>GENERAL CONTINGENT</u></b>			
12.21	<b><u>ACCOUNTS</u></b>	<b>\$</b>	<b><u>1,000,000</u></b>	<b>\$ <u>500,000</u></b>
12.22	<u>Appropriations by Fund</u>			
12.23		<u>2020</u>	<u>2021</u>	
12.24	<u>General</u>	<u>500,000</u>	<u>-0-</u>	
12.25	<u>State Government</u>			
12.26	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>	
12.27	<u>Workers'</u>			
12.28	<u>Compensation</u>	<u>100,000</u>	<u>100,000</u>	
12.29	<u>(a) The appropriations in this section may only</u>			
12.30	<u>be spent with the approval of the governor</u>			
12.31	<u>after consultation with the Legislative</u>			
12.32	<u>Advisory Commission pursuant to Minnesota</u>			
12.33	<u>Statutes, section 3.30.</u>			
12.34	<u>(b) If an appropriation in this section for either</u>			
12.35	<u>year is insufficient, the appropriation for the</u>			
12.36	<u>other year is available for it.</u>			

13.1 (c) If a contingent account appropriation is  
 13.2 made in one fiscal year, it should be  
 13.3 considered a biennial appropriation.

13.4 **Sec. 31. TORT CLAIMS** **\$ 161,000 \$ 161,000**

13.5 These appropriations are to be spent by the  
 13.6 commissioner of management and budget  
 13.7 according to Minnesota Statutes, section  
 13.8 3.736, subdivision 7. If the appropriation for  
 13.9 either year is insufficient, the appropriation  
 13.10 for the other year is available for it.

13.11 **Sec. 32. MINNESOTA STATE RETIREMENT**  
 13.12 **SYSTEM**

13.13 **Subdivision 1. Total Appropriation** **\$ 15,111,000 \$ 15,151,000**

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

13.17 **Subd. 2. Combined Legislators and**  
 13.18 **Constitutional Officers Retirement Plan**

**9,111,000 9,151,000**

13.19 Under Minnesota Statutes, sections 3A.03,  
 13.20 subdivision 2; 3A.04, subdivisions 3 and 4;  
 13.21 and 3A.115.

13.22 If an appropriation in this section for either  
 13.23 year is insufficient, the appropriation for the  
 13.24 other year is available for it.

13.25 **Subd. 3. Judges Retirement Plan** **6,000,000 6,000,000**

13.26 For transfer to the judges retirement fund  
 13.27 under Minnesota Statutes, section 490.123.  
 13.28 This transfer continues each fiscal year until  
 13.29 the judges retirement plan reaches 100 percent  
 13.30 funding as determined by an actuarial  
 13.31 valuation prepared according to Minnesota  
 13.32 Statutes, section 356.214.

13.33 **Sec. 33. PUBLIC EMPLOYEES RETIREMENT**  
 13.34 **ASSOCIATION**

**\$ 20,500,000 \$ 25,000,000**

14.1 General employees retirement plan of the  
 14.2 Public Employees Retirement Association  
 14.3 relating to the merged former MERF division.

14.4 State payments from the general fund to the  
 14.5 Public Employees Retirement Association on  
 14.6 behalf of the former MERF division account  
 14.7 are \$16,000,000 on September 15, 2019, and  
 14.8 \$16,000,000 on September 15, 2020.

14.9 These amounts are estimated to be needed  
 14.10 under Minnesota Statutes, section 353.505.

14.11 Sec. 34. **TEACHERS RETIREMENT**  
 14.12 **ASSOCIATION**

\$ 29,831,000 \$ 29,831,000

14.13 The amounts estimated to be needed are as  
 14.14 follows:

14.15 **Special Direct State Aid.** \$27,331,000 each  
 14.16 year is for special direct state aid authorized  
 14.17 under Minnesota Statutes, section 354.436.

14.18 **Special Direct State Matching Aid.**  
 14.19 \$2,500,000 each year is for special direct state  
 14.20 matching aid authorized under Minnesota  
 14.21 Statutes, section 354.435.

14.22 Sec. 35. **ST. PAUL TEACHERS RETIREMENT**  
 14.23 **FUND**

\$ 14,827,000 \$ 14,827,000

14.24 The amounts estimated to be needed for  
 14.25 special direct state aid to the first class city  
 14.26 teachers retirement fund association authorized  
 14.27 under Minnesota Statutes, section 354A.12,  
 14.28 subdivisions 3a and 3c.

14.29 Sec. 36. **APPROPRIATION; SECRETARY OF STATE; COURT ORDERED**  
 14.30 **ATTORNEY'S FEES.**

14.31 \$1,290,000 is appropriated in fiscal year 2019 from the general fund to the secretary of  
 14.32 state for the payment of attorney's fees awarded by court order in *Minnesota Voters Alliance*  
 14.33 *v. Mansky*. This is a onetime appropriation.

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

15.2 Sec. 37. **CONTRACTS FOR PROFESSIONAL OR TECHNICAL SERVICES.**

15.3 (a) During the biennium ending June 30, 2021, the commissioner of management and  
15.4 budget must reduce total general fund appropriations across all executive branch state  
15.5 agencies for planned expenditures on contracts for professional or technical services by at  
15.6 least \$890,000. Contracts that provide services to support client-facing health care workers,  
15.7 corrections officers, public safety workers, mental health workers, and state cybersecurity  
15.8 systems, and contracts that support the enterprise resource planning system replacement at  
15.9 the Minnesota State Colleges and Universities may not be reduced under this paragraph.

15.10 (b) The commissioner of management and budget, in consultation with the commissioner  
15.11 of administration, may authorize an agency to exceed the expenditure restriction provided  
15.12 by this section if a contract for professional or technical services is required to respond to  
15.13 an emergency.

15.14 (b) For purposes of this section:

15.15 (1) "professional or technical services" has the meaning given in Minnesota Statutes,  
15.16 section 16C.08, subdivision 1;

15.17 (2) "emergency" has the meaning given in Minnesota Statutes, section 16C.02, subdivision  
15.18 6b; and

15.19 (3) "executive branch state agency" has the meaning given in Minnesota Statutes, section  
15.20 16A.011, subdivision 12a, and includes the Minnesota State Colleges and Universities.

15.21 Sec. 38. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;**  
15.22 **SECRETARY OF STATE.**

15.23 (a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established  
15.24 in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving  
15.25 the administration and security of elections as authorized by federal law. Use of the  
15.26 appropriation is limited to the following activities:

15.27 (1) modernizing, securing, and updating the statewide voter registration system and for  
15.28 cybersecurity upgrades as authorized by federal law;

15.29 (2) improving accessibility;

15.30 (3) preparing training materials and training local election officials; and

15.31 (4) implementing security improvements for election systems.

16.1 (b) Any amount earned in interest on the amount appropriated under paragraph (a) is  
16.2 appropriated from the HAVA account to the secretary of state for purposes of improving  
16.3 the administration and security of elections as authorized by federal law.

16.4 (c) The appropriations under paragraphs (a) and (b) are onetime and available until  
16.5 March 23, 2023.

16.6 (d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for  
16.7 increasing secure access to the statewide voter registration system is deemed:

16.8 (1) to be money used for carrying out the purposes authorized under the Omnibus  
16.9 Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002,  
16.10 Public Law 107-252, section 101; and

16.11 (2) to be credited toward any match required by those laws.

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

## 16.13 **ARTICLE 2**

### 16.14 **STATE GOVERNMENT OPERATIONS**

16.15 Section 1. **[3.199] ACCESSIBILITY IN THE LEGISLATURE'S INFORMATION**  
16.16 **TECHNOLOGY.**

16.17 Subdivision 1. **Definitions.** (a) For purposes of this section, the following term has the  
16.18 meaning given.

16.19 (b) "Responsible authority" means:

16.20 (1) for the house of representatives, the chief clerk of the house;

16.21 (2) for the senate, the secretary of the senate;

16.22 (3) for the Office of the Revisor of Statutes, the revisor of statutes;

16.23 (4) for the Office of the Legislative Auditor, the legislative auditor;

16.24 (5) for the Legislative Reference Library, the library director;

16.25 (6) for the Legislative Budget Office, the director of the Legislative Budget Office; and

16.26 (7) for any entity administered by the legislative branch not listed in clauses (1) to (6),  
16.27 the director of the Legislative Coordinating Commission.

16.28 Subd. 2. **Accessibility standards; compliance.** The senate, the house of representatives,  
16.29 and joint legislative offices and commissions must comply with accessibility standards  
16.30 adopted for state agencies by the chief information officer under section 16E.03, subdivision

17.1 9, for technology, software, and hardware procurement, unless the responsible authority for  
17.2 a legislative body or office has approved an exception for a standard for that body or office.

17.3 Subd. 3. **Not subject to MN.IT authority.** The chief information officer is not authorized  
17.4 to manage or direct compliance of the legislature with accessibility standards.

17.5 **EFFECTIVE DATE.** This section is effective September 1, 2021.

17.6 Sec. 2. Minnesota Statutes 2018, section 3.8843, subdivision 7, is amended to read:

17.7 Subd. 7. **Expiration.** This section expires June 30, ~~2019~~ 2026.

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

17.9 Sec. 3. Minnesota Statutes 2018, section 3.886, subdivision 6, is amended to read:

17.10 Subd. 6. **Expiration.** This section expires July 1, ~~2019~~ 2025.

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

17.12 Sec. 4. Minnesota Statutes 2018, section 15A.083, subdivision 6a, is amended to read:

17.13 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative  
17.14 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the  
17.15 assistant chief administrative law judge and administrative law judge supervisors are ~~93.60~~  
17.16 100 percent of the salary of a chief district court judge. The salary of an administrative law  
17.17 judge employed by the Office of Administrative Hearings is 98.52 percent of the salary of  
17.18 a district court judge as set under section 15A.082, subdivision 3.

17.19 **EFFECTIVE DATE.** This section is effective July 1, 2019.

17.20 Sec. 5. **[16A.1335] EMPLOYEE SALARIES AND BENEFITS IN EVENT OF STATE**  
17.21 **GOVERNMENT SHUTDOWN.**

17.22 Subdivision 1. **Definition.** As used in this section, "government shutdown" means that,  
17.23 as of July 1 of an odd-numbered year, legislation appropriating money for the general  
17.24 operations of:

17.25 (1) an executive agency;

17.26 (2) an office or department of the legislature, including each house of the legislature and  
17.27 the Legislative Coordinating Commission; or

17.28 (3) a judicial branch agency or department, including a court;

18.1 has not been enacted for the biennium beginning July 1 of that year.

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

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

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

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

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

18.26 Sec. 6. Minnesota Statutes 2018, section 16A.90, is amended to read:

18.27 **16A.90 EMPLOYEE GAINSHARING SYSTEM.**

18.28 Subdivision 1. **Commissioner must establish program.** (a) The commissioner shall  
18.29 establish a program to provide onetime bonus compensation to state employees for ~~efforts~~  
18.30 ~~made to reduce~~ suggestions that are implemented and result in a reduction of the costs of  
18.31 operating state government or for ways of providing better or more efficient state services.  
18.32 The commissioner may authorize an executive branch appointing authority to make a onetime  
18.33 award to an employee or group of employees whose suggestion ~~or involvement in a project~~

19.1 is determined by the commissioner to have resulted in documented cost-savings to the state.  
 19.2 Before authorizing awards under this section, the commissioner shall establish guidelines  
 19.3 for the program including but not limited to:

19.4 (1) the maximum award is ten percent of the documented savings ~~in the first fiscal year~~  
 19.5 within the first year after implementation of the employee suggestion in which the savings  
 19.6 are realized up to \$50,000;

19.7 ~~(2) the award must be paid from the appropriation to which the savings accrued; and~~

19.8 ~~(3)~~ (2) employees whose primary job responsibility is to identify cost savings or ways  
 19.9 of providing better or more efficient state services are generally not eligible for bonus  
 19.10 compensation under this section except in extraordinary circumstances as defined by the  
 19.11 commissioner; and

19.12 (3) employees are eligible for awards under this section notwithstanding chapter 179A.

19.13 (b) The program required by this section must be in addition to any existing monetary  
 19.14 or nonmonetary performance-based recognition programs for state employees, including  
 19.15 achievement awards, continuous improvement awards, and general employee recognitions.

19.16 Subd. 2. **Biannual Legislative report.** No later than ~~August 1, 2017, and biannually~~  
 19.17 July 1, 2020, and annually thereafter, the commissioner must report to the chairs and ranking  
 19.18 minority members of the house of representatives and senate committees with jurisdiction  
 19.19 over Minnesota Management and Budget ~~on the status of the program required by this~~  
 19.20 ~~section. The report must detail:~~

19.21 (1) the specific program guidelines established by the commissioner as required by  
 19.22 subdivision 1, if the guidelines have not been described in a previous report;

19.23 (2) any proposed modifications to the established guidelines under consideration by the  
 19.24 commissioner, including the reason for the proposed modifications; and

19.25 ~~(3) the methods used by the commissioner to promote the program to state employees;~~  
 19.26 ~~if the methods have not been described in a previous report;~~

19.27 ~~(4) a summary of the results of the program that includes the following, categorized by~~  
 19.28 ~~agency:~~

19.29 ~~(i) the number of state employees whose suggestions or involvement in a project were~~  
 19.30 ~~considered for possible bonus compensation, and a description of each suggestion or project~~  
 19.31 ~~that was considered;~~

20.1 ~~(ii) the total amount of bonus compensation actually awarded, itemized by each suggestion~~  
20.2 ~~or project that resulted in an award and the amount awarded for that suggestion or project;~~  
20.3 ~~and~~

20.4 ~~(iii) the total amount of documented cost savings that accrued to the agency as a result~~  
20.5 ~~of each suggestion or project for which bonus compensation was granted; and~~

20.6 ~~(5)~~ (3) any recommendations for legislation that, in the judgment of the commissioner,  
20.7 would improve the effectiveness of the bonus compensation program established by this  
20.8 section or which would otherwise increase opportunities for state employees to actively  
20.9 participate in the development and implementation of strategies for reducing the costs of  
20.10 operating state government or for providing better or more efficient state services.

20.11 Subd. 3. **Pilot program.** To the extent that appropriations are not available to fully  
20.12 implement the program required by subdivision 1, the commissioner must use available  
20.13 resources to implement a pilot program that meets the requirements of subdivision 1 within  
20.14 a single agency designated by the commissioner. If established, details on the pilot program  
20.15 must be included in the legislative report required under subdivision 2.

20.16 Sec. 7. [16B.276] CAPITOL FLAG PROGRAM.

20.17 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given  
20.18 them.

20.19 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

20.20 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,  
20.21 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has  
20.22 died while serving honorably in active service in the United States armed forces. For purposes  
20.23 of this section, an eligibility relationship may be established by birth or adoption.

20.24 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision  
20.25 3.

20.26 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

20.27 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the  
20.28 program is to make a Minnesota state flag and an American flag that was flown over the  
20.29 Minnesota State Capitol available to the family members of a public safety officer killed  
20.30 in the line of duty or a member of the United States armed forces who died while in active  
20.31 service. In addition to appropriations provided by law, the commissioner of management  
20.32 and budget may receive gifts to support administration of the program as authorized in

21.1 sections 16A.013 to 16A.016. The program established by this section is required only to  
21.2 the extent that sufficient funds are available through appropriations or gifts to support its  
21.3 operations.

21.4 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made  
21.5 by a legislator or state constitutional officer on behalf of an eligible family member, after  
21.6 verification of the family member's eligibility under the procedures adopted under subdivision  
21.7 4. The request must be made to the commissioner of administration, and must indicate the  
21.8 type of flag requested, a certification that the family member's eligibility has been verified,  
21.9 special requests for the date the flag is flown over the Capitol, and the method of presentment.  
21.10 The commissioner may adopt a form to be used for this purpose. With at least 30 days'  
21.11 notice, the commissioner must honor a request that a flag be flown on a specific  
21.12 commemorative date.

21.13 (b) Upon receipt of a request, the commissioner must present a flag to the eligible family  
21.14 member, or to the requesting legislator or constitutional officer for coordination of a later  
21.15 presentment ceremony. If relevant information is made available, the commissioner shall  
21.16 provide a certificate memorializing the details of the occasion and the date the flag was  
21.17 flown with each flag presented.

21.18 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each  
21.19 constitutional officer must adopt procedures for the administration of flag requests received  
21.20 from eligible family members, including a procedure for verification of a family member's  
21.21 eligibility to receive a flag.

21.22 Subd. 5. **No fee for first flag.** The family of a public safety officer killed in the line of  
21.23 duty or service member of the United States armed forces who died in active service is  
21.24 entitled to receive one United States flag and one Minnesota state flag free of charge under  
21.25 this section. If multiple flags of the same type are requested to be flown in honor of the  
21.26 same decedent, the commissioner may charge a reasonable fee that does not exceed the  
21.27 actual cost of flying each flag and preparing a certificate memorializing the occasion.

21.28 **EFFECTIVE DATE.** This section is effective July 1, 2020.

21.29 Sec. 8. Minnesota Statutes 2018, section 16B.32, subdivision 1a, is amended to read:

21.30 Subd. 1a. **Onsite Energy generation from renewable sources.** A state agency that  
21.31 prepares a predesign for a new building must consider meeting at least two percent of the  
21.32 energy needs of the building from renewable sources ~~located on the building site~~. For  
21.33 purposes of this subdivision, "renewable sources" are limited to wind and the sun. The

22.1 predesign must include an explicit cost and price analysis of complying with the two-percent  
22.2 requirement compared with the present and future costs of energy supplied by a public  
22.3 utility from a location away from the building site and the present and future costs of  
22.4 controlling carbon emissions. If the analysis concludes that the building should not meet at  
22.5 least two percent of its energy needs from renewable sources ~~located on the building site~~,  
22.6 the analysis must provide explicit reasons why not. The building may not receive further  
22.7 state appropriations for design or construction unless at least two percent of its energy needs  
22.8 are designed to be met from renewable sources, unless the commissioner finds that the  
22.9 reasons given by the agency for not meeting the two-percent requirement were supported  
22.10 by evidence in the record.

22.11 Sec. 9. Minnesota Statutes 2018, section 16B.323, subdivision 2, is amended to read:

22.12 Subd. 2. **Solar energy system.** (a) As provided in paragraphs (b) and (c), a project for  
22.13 the construction or major renovation of a state building, after the completion of a cost-benefit  
22.14 analysis, may include installation of solar energy systems ~~of up to 300 kilowatts capacity~~  
22.15 ~~on, adjacent, or in proximity to the state building~~ on state-owned buildings and land.

22.16 (b) The capacity of a solar energy system ~~must be less than 300 kilowatts to the extent~~  
22.17 ~~necessary to match the electrical load of the building, or the capacity~~ must be no more than  
22.18 necessary to keep the costs for the installation below the five percent maximum set by  
22.19 paragraph (c).

22.20 (c) The cost of the solar energy system must not exceed five percent of the appropriations  
22.21 from the bond proceeds fund for the construction or renovation of the state building. Purchase  
22.22 and installation of a solar thermal system may account for no more than 25 percent of the  
22.23 cost of a solar energy system installation.

22.24 (d) A project subject to this section is ineligible to receive a rebate for the installation  
22.25 of a solar energy system under section 116C.7791 or from any utility.

22.26 Sec. 10. **[16B.372] OFFICE OF ENTERPRISE SUSTAINABILITY.**

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

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

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

23.4 (3) publishing an annual report.

23.5 Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make  
23.6 reasonable attempts to share tools and best practices with local governments.

23.7 Sec. 11. **[16B.90] WEBSITE ACCESSIBILITY GRANTS; ADVISORY COUNCIL.**

23.8 Subdivision 1. **Grant program established.** A website accessibility grant program is  
23.9 established. Within available appropriations, grants must be awarded by the commissioner  
23.10 to local governments to improve the accessibility of local government websites for persons  
23.11 with disabilities.

23.12 Subd. 2. **Website Accessibility Grant Advisory Council.** (a) A Website Accessibility  
23.13 Grant Advisory Council is established. The purpose of the advisory council is to assist the  
23.14 commissioner in awarding grants under subdivision 1. The advisory council consists of the  
23.15 following members:

23.16 (1) one representative of the League of Minnesota Cities, appointed by the league;

23.17 (2) one representative of the Association of Minnesota Counties, appointed by the  
23.18 association;

23.19 (3) one representative of the Minnesota Council on Disability, appointed by the council;

23.20 (4) one member of the public who is a self-advocate, appointed by the governor; and

23.21 (5) the state chief information officer, or a designee.

23.22 (b) The terms, compensation, and removal of members is governed by section 15.059.

23.23 The council must elect a chair from among its members.

23.24 (c) The advisory council is subject to chapter 13D. The council must meet at the request  
23.25 of the commissioner or the chair, but no fewer than two times per year to fulfill its duties.

23.26 The commissioner must provide meeting space and other administrative assistance to support  
23.27 the work of the council.

23.28 (d) The council must review applications from local governments for grant funding to  
23.29 support website accessibility projects and to make recommendations to the commissioner  
23.30 for the award of grants. The commissioner may not award a grant unless it has been reviewed  
23.31 by the advisory council. Consistent with the policies and procedures established by the

24.1 commissioner under section 16B.97 and 16B.98, the council must establish uniform, objective  
24.2 criteria to be used in evaluating grant applications. The criteria must include standards to  
24.3 ensure grant funding is distributed equitably across the state, and that grant funds are available  
24.4 without regard to a local government's population size.

24.5 Subd. 3. **Report to legislature.** No later than January 15, 2020, and annually thereafter,  
24.6 the commissioner must submit a report to the chairs and ranking minority members of the  
24.7 legislative committees with jurisdiction over state government finance and local government  
24.8 detailing the grants awarded under this section, including the number of grant applications  
24.9 received, the number of grants awarded, the geographic distribution of grant applications  
24.10 and awards, and the amount of each grant awarded and how it was used.

24.11 Sec. 12. **[16C.067] CONFLICT-FREE MINERALS.**

24.12 Subdivision 1. **Definitions.** (a) The following terms have the meanings given them.

24.13 (b) "Conflict mineral" means a mineral or mineral derivative determined under federal  
24.14 law to be financing human conflict. Conflict mineral includes columbite-tantalite (coltan),  
24.15 cassiterite, gold, wolframite, or derivatives of those minerals.

24.16 (c) "Noncompliant person" means a person:

24.17 (1) who is required to disclose under federal law information relating to conflict minerals  
24.18 that originated in the Democratic Republic of the Congo or its neighboring countries; and

24.19 (2) for whom the disclosure is not filed, is considered under federal law to be an unreliable  
24.20 determination, or contains false information.

24.21 Subd. 2. **Compliance.** By execution of a state contract to provide goods or services, a  
24.22 vendor attests that it is not a noncompliant person and is in compliance with the required  
24.23 disclosures under federal law related to conflict minerals.

24.24 Subd. 3. **Exemption; commissioner may waive.** (a) This section does not apply to  
24.25 contracts with a value of less than \$100,000.

24.26 (b) The commissioner may waive application of this section in a contract if the  
24.27 commissioner determines that compliance is not practicable or in the best interest of the  
24.28 state.

24.29 Subd. 4. **Notice.** In any solicitation for supplies or services, a commissioner shall provide  
24.30 notice of the requirements of this section.

24.31 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to solicitations  
24.32 issued on or after that date.

25.1 Sec. 13. Minnesota Statutes 2018, section 16C.10, subdivision 2, is amended to read:

25.2 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and  
25.3 chapter 16B is not required in emergencies. In emergencies, the commissioner may make  
25.4 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and  
25.5 improvement of a ~~state-owned~~ publicly owned structure or may make or authorize ~~an agency~~  
25.6 ~~to do so and may purchase, or may authorize an agency to purchase,~~ any purchases of goods,  
25.7 services, or utility services directly for immediate use.

25.8 Sec. 14. Minnesota Statutes 2018, section 16C.19, is amended to read:

25.9 **16C.19 ELIGIBILITY; RULES.**

25.10 (a) A small business wishing to participate in the programs under section 16C.16,  
25.11 subdivisions 4 to 7, must be certified by the commissioner or, if authorized by the  
25.12 commissioner, by a nationally recognized certifying organization. The commissioner may  
25.13 choose to authorize a nationally recognized certifying organization if the certification  
25.14 requirements are substantially the same as those adopted under the rules authorized in this  
25.15 section and the business meets the requirements in section 16C.16, subdivision 2.

25.16 (b) The commissioner shall adopt by rule standards and procedures for certifying that  
25.17 small targeted group businesses, small businesses located in economically disadvantaged  
25.18 areas, and veteran-owned small businesses are eligible to participate under the requirements  
25.19 of sections 16C.16 to 16C.21. The commissioner shall adopt by rule standards and procedures  
25.20 for hearing appeals and grievances and other rules necessary to carry out the duties set forth  
25.21 in sections 16C.16 to 16C.21.

25.22 ~~(b)~~ (c) The commissioner may make rules which exclude or limit the participation of  
25.23 nonmanufacturing business, including third-party lessors, brokers, franchises, jobbers,  
25.24 manufacturers' representatives, and others from eligibility under sections 16C.16 to 16C.21.

25.25 ~~(c)~~ (d) The commissioner may make rules that set time limits and other eligibility limits  
25.26 on business participation in programs under sections 16C.16 to 16C.21.

25.27 ~~(d)~~ (e) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a  
25.28 veteran-owned small business, the principal place of business of which is in Minnesota, is  
25.29 certified if:

25.30 (1) it has been verified by the United States Department of Veterans Affairs as being  
25.31 either a veteran-owned small business or a service-disabled veteran-owned small business,  
25.32 in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74;  
25.33 or

26.1 (2) the veteran-owned small business supplies the commissioner with proof that the  
26.2 small business is majority-owned and operated by:

26.3 (i) a veteran as defined in section 197.447; or

26.4 (ii) a veteran with a service-connected disability, as determined at any time by the United  
26.5 States Department of Veterans Affairs.

26.6 ~~(e)~~ (f) Until rules are adopted pursuant to paragraph (a) for the purpose of certifying  
26.7 veteran-owned small businesses, the provisions of Minnesota Rules, part 1230.1700, may  
26.8 be read to include veteran-owned small businesses. In addition to the documentation required  
26.9 in Minnesota Rules, part 1230.1700, the veteran owner must have been discharged under  
26.10 honorable conditions from active service, as indicated by the veteran owner's most current  
26.11 United States Department of Defense form DD-214.

26.12 ~~(f)~~ (g) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a  
26.13 minority- or woman-owned small business, the principal place of business of which is in  
26.14 Minnesota, is certified if it has been certified by the Minnesota unified certification program  
26.15 under the provisions of Code of Federal Regulations, title 49, part 26.

26.16 ~~(g)~~ (h) The commissioner may adopt rules to implement the programs under section  
26.17 16C.16, subdivisions 4 to 7, using the expedited rulemaking process in section 14.389.

26.18 Sec. 15. Minnesota Statutes 2018, section 16C.251, is amended to read:

26.19 **16C.251 BEST AND FINAL OFFER.**

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

26.22 Sec. 16. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to  
26.23 read:

26.24 Subd. 11. **Technical support to the legislature.** The chief information officer, or a  
26.25 designee, must provide technical support to assist the legislature to comply with accessibility  
26.26 standards under section 3.199, subdivision 2. Support under this subdivision must include:

26.27 (1) clarifying the requirements of the accessibility standards;

26.28 (2) providing templates for common software applications used in developing documents  
26.29 used by the legislature;

26.30 (3) assisting the development of training for staff to comply with the accessibility  
26.31 standards and assisting in providing the training; and

27.1 (4) assisting the development of technical applications that enable legislative documents  
27.2 to be fully accessible.

27.3 The chief information officer must provide these services at no cost to the legislature.

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

27.5 Sec. 17. Minnesota Statutes 2018, section 155A.25, subdivision 1a, is amended to read:

27.6 Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this  
27.7 subdivision.

27.8 (b) Three-year license fees are as follows:

27.9 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

27.10 (i) \$155 for each initial license; and

27.11 (ii) \$40 for each initial license application fee;

27.12 (2) \$115 renewal of practitioner license, divided as follows:

27.13 (i) \$100 for each renewal license; and

27.14 (ii) \$15 for each renewal application fee;

27.15 (3) \$145 renewal of manager or instructor license, divided as follows:

27.16 (i) \$130 for each renewal license; and

27.17 (ii) \$15 for each renewal application fee;

27.18 (4) \$350 initial salon license, divided as follows:

27.19 (i) \$250 for each initial license; and

27.20 (ii) \$100 for each initial license application fee;

27.21 (5) \$225 renewal of salon license, divided as follows:

27.22 (i) \$175 for each renewal; and

27.23 (ii) \$50 for each renewal application fee;

27.24 (6) \$4,000 initial school license, divided as follows:

27.25 (i) \$3,000 for each initial license; and

27.26 (ii) \$1,000 for each initial license application fee; and

27.27 (7) \$2,500 renewal of school license, divided as follows:

- 28.1 (i) \$2,000 for each renewal; and
- 28.2 (ii) \$500 for each renewal application fee.
- 28.3 (c) Penalties may be assessed in amounts up to the following:
- 28.4 (1) reinspection fee, \$150;
- 28.5 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 28.6 (3) expired practitioner or instructor found on inspection, \$200;
- 28.7 (4) expired salon found on inspection, \$500;
- 28.8 (5) expired school found on inspection, \$1,000;
- 28.9 (6) failure to display current license, \$100;
- 28.10 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 28.11 under section 155A.355, subdivision 1, \$500;
- 28.12 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 28.13 subdivision 2, \$500;
- 28.14 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 28.15 or cosmetology services in a nail salon, \$500;
- 28.16 (10) owner and manager allowing an operator to work as an independent contractor,
- 28.17 \$200;
- 28.18 (11) operator working as an independent contractor, \$100;
- 28.19 (12) refusal or failure to cooperate with an inspection, \$500;
- 28.20 (13) practitioner late renewal fee, \$45; and
- 28.21 (14) salon or school late renewal fee, \$50.
- 28.22 (d) Administrative fees are as follows:
- 28.23 (1) homebound service permit, \$50 three-year fee;
- 28.24 (2) name change, \$20;
- 28.25 (3) certification of licensure, \$30 each;
- 28.26 (4) duplicate license, \$20;
- 28.27 (5) special event permit, \$75 per year;
- 28.28 ~~(6) registration of hair braiders, \$20 per year;~~

29.1 ~~(7)~~ (6) \$100 for each temporary military license for a cosmetologist, nail technician,  
29.2 esthetician, or advanced practice esthetician one-year fee;

29.3 ~~(8)~~ (7) expedited initial individual license, \$150;

29.4 ~~(9)~~ (8) expedited initial salon license, \$300;

29.5 ~~(10)~~ (9) instructor continuing education provider approval, \$150 each year; and

29.6 ~~(11)~~ (10) practitioner continuing education provider approval, \$150 each year.

29.7 Sec. 18. Minnesota Statutes 2018, section 155A.28, is amended by adding a subdivision  
29.8 to read:

29.9 Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the  
29.10 requirements of this chapter.

29.11 Sec. 19. Minnesota Statutes 2018, section 240.01, is amended by adding a subdivision to  
29.12 read:

29.13 Subd. 18a. **Racing or gaming-related vendor.** "Racing or gaming-related vendor"  
29.14 means any person or entity that manufactures, sells, provides, distributes, repairs or maintains  
29.15 equipment or supplies used at a Class A facility, or provides services to a Class A facility  
29.16 or Class B license holder, that are directly related to the running of a horse race, simulcasting,  
29.17 pari-mutuel betting, or card playing.

29.18 Sec. 20. Minnesota Statutes 2018, section 240.02, subdivision 2, is amended to read:

29.19 Subd. 2. **Qualifications.** A member of the commission must have been a resident of  
29.20 Minnesota for at least five years before appointment, and must have a background and  
29.21 experience as would qualify for membership on the commission. ~~A member must, before~~  
29.22 ~~taking a place on the commission, file a bond in the principal sum of \$100,000 payable to~~  
29.23 ~~the state, conditioned upon the faithful performance of duties.~~ No commissioner, nor any  
29.24 member of the commissioner's immediate family residing in the same household, may hold  
29.25 a license issued by the commission or have a direct or indirect financial interest in a  
29.26 corporation, partnership, or association which holds a license issued by the commission.

29.27 Sec. 21. Minnesota Statutes 2018, section 240.02, subdivision 6, is amended to read:

29.28 Subd. 6. **Annual Biennial report.** The commission shall on February 15 of each  
29.29 odd-numbered year submit a report to the governor and legislature on its activities,  
29.30 organizational structure, receipts and disbursements, including specific detail on the use of

30.1 amounts statutorily appropriated to the commission under this chapter, and recommendations  
30.2 for changes in the laws relating to racing and pari-mutuel betting.

30.3 Sec. 22. Minnesota Statutes 2018, section 240.08, subdivision 5, is amended to read:

30.4 Subd. 5. **Revocation and suspension.** (a) After providing a licensee with notice and an  
30.5 opportunity to be heard, the commission may:

30.6 (1) revoke a class C license for a violation of law or rule which in the commission's  
30.7 opinion adversely affects the integrity of horse racing in Minnesota, the public health,  
30.8 welfare, or safety, or for an intentional false statement made in a license application; or

30.9 ~~The commission may~~ (2) suspend a class C license for up to one year five years for a  
30.10 violation of law, order or rule. If the license expires during the term of suspension, the  
30.11 licensee shall be ineligible to apply for another license from the commission until the  
30.12 expiration of the term of suspension.

30.13 (b) The commission may delegate to its designated agents the authority to impose  
30.14 suspensions of class C licenses, ~~and~~.

30.15 (c) Except as provided in paragraph (d), the ~~revocation or~~ suspension of a class C license  
30.16 may be appealed to the commission according to its rules.

30.17 ~~(b) A license revocation or suspension for more than 90 days is a contested case under~~  
30.18 ~~sections 14.57 to 14.69 of the Administrative Procedure Act and is in addition to criminal~~  
30.19 ~~penalties imposed for a violation of law or rule.~~

30.20 (d) If the commission revokes or suspends a class C license for more than one year, the  
30.21 licensee has the right to appeal by requesting a contested case hearing under chapter 14. The  
30.22 request must be made in writing and sent to the commission by certified mail or personal  
30.23 service. A request sent by certified mail must be postmarked within ten days after the licensee  
30.24 receives the order of revocation or suspension from the commission. A request sent by  
30.25 personal service must be received by the commission within ten days after the licensee  
30.26 receives the order of revocation or suspension from the commission.

30.27 (e) The commission may summarily suspend a license for ~~more than~~ up to 90 days ~~prior~~  
30.28 ~~to a contested case hearing~~ where it is necessary to ensure the integrity of racing or to protect  
30.29 the public health, welfare, or safety. ~~A contested case hearing must be held within 30 days~~  
30.30 ~~of the summary suspension and the administrative law judge's report must be issued within~~  
30.31 ~~30 days from the close of the hearing record. In all cases involving summary suspension~~  
30.32 ~~the commission must issue its final decision within 30 days from receipt of the report of~~  
30.33 ~~the administrative law judge and subsequent exceptions and argument under section 14.61.~~

31.1 The licensee has the right to appeal a summary suspension to the commission according to  
31.2 its rules.

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

31.4 Sec. 23. Minnesota Statutes 2018, section 240.10, is amended to read:

31.5 **240.10 LICENSE FEES.**

31.6 (a) The fee for a class A license is \$253,000 per year and must be remitted on July 1.

31.7 The fee for a class B license is \$500 for each assigned racing day and \$100 for each day on  
31.8 which simulcasting is authorized and must be remitted on July 1. The fee for a class D  
31.9 license is \$50 for each assigned racing day on which racing is actually conducted. Fees  
31.10 imposed on class D licenses must be paid to the commission at a time and in a manner as  
31.11 provided by rule of the commission.

31.12 (b) The commission shall by rule establish an annual license fee for each occupation it  
31.13 licenses under section 240.08.

31.14 (c) The initial annual license application fee for a class C license to provide advance  
31.15 deposit wagering on horse racing under this chapter is \$10,000 and an annual license fee  
31.16 of \$2,500 applies thereafter.

31.17 (d) Notwithstanding section 16A.1283, the commission shall by rule establish an annual  
31.18 license fee for each type of racing or gaming-related vendor it licenses, not to exceed \$2,500.

31.19 Sec. 24. Minnesota Statutes 2018, section 240.12, is amended to read:

31.20 **240.12 LICENSE AGREEMENTS.**

31.21 The commission may enter into agreements or compacts with comparable bodies in  
31.22 other racing jurisdictions for the mutual recognition of occupational licenses issued by each  
31.23 body. The commission may by rule provide for and may charge a fee for the registration of  
31.24 each license issued in another jurisdiction.

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

31.26 Sec. 25. Minnesota Statutes 2018, section 240.13, subdivision 5, is amended to read:

31.27 Subd. 5. **Purses.** (a) From the amounts deducted from all pari-mutuel pools by a licensee,  
31.28 including breakage, an amount equal to not less than the following percentages of all money  
31.29 in all pools must be set aside by the licensee and used for purses for races conducted by the  
31.30 licensee, provided that a licensee may agree by contract with an organization representing

32.1 a majority of the horsepersons racing the breed involved to set aside amounts in addition  
32.2 to the following percentages, if the contract is in writing and ~~filed with~~ reviewed by the  
32.3 commission for compliance with this subdivision:

32.4 (1) for live races conducted at a class A facility, 8.4 percent of handle;

32.5 (2) for simulcasts conducted any day a class A facility is licensed, not less than 37 percent  
32.6 of the ~~takeout~~ amount remaining after deduction for the state pari-mutuel tax, payment to  
32.7 the breeders fund, and payment to the sending out-of-state racetrack for receipt of the signal.

32.8 The commission may by rule provide for the administration and enforcement of this  
32.9 subdivision. The deductions for payment to the sending out-of-state racetrack must be actual,  
32.10 except that when there exists any overlap of ownership, control, or interest between the  
32.11 sending out-of-state racetrack and the receiving licensee, the deduction must not be greater  
32.12 than three percent unless agreed to between the licensee and the horsepersons' organization  
32.13 representing the majority of horsepersons racing the breed racing the majority of races  
32.14 during the existing racing meeting or, if outside of the racing season, during the most recent  
32.15 racing meeting.

32.16 The licensee shall pay to the commission for deposit in the Minnesota breeders fund  
32.17 5-1/2 percent of the takeout from all pari-mutuel pools generated by wagering at the licensee's  
32.18 facility on simulcasts of races not conducted in this state.

32.19 (b) ~~From the money set aside for purses,~~ The licensee shall pay to the horseperson's  
32.20 organization representing the majority of the horsepersons racing the breed involved and  
32.21 contracting with the licensee with respect to purses and the conduct of the racing meetings  
32.22 and providing representation to its members, an amount as may be determined by agreement  
32.23 by the licensee and the horsepersons' organization sufficient to provide benevolent programs,  
32.24 benefits, and services for horsepersons and their on-track employees. The amount paid may  
32.25 be deducted ~~only~~ from the money set aside for purses to be paid in races for the breed  
32.26 represented by the horseperson's organization or may be paid from breakage retained by  
32.27 the licensee from live or simulcast wagering as agreed between the licensee and horsepersons'  
32.28 organization. With respect to racing meetings where more than one breed is racing, the  
32.29 licensee may contract independently with the horseperson's organization representing each  
32.30 breed racing. The contract must be in writing and reviewed by the commission for compliance  
32.31 with this subdivision.

32.32 (c) Notwithstanding sections 325D.49 to 325D.66, a horseperson's organization  
32.33 representing the majority of the horsepersons racing a breed at a meeting, and the members  
32.34 thereof, may agree to withhold horses during a meeting.

33.1 (d) Money set aside for purses from wagering on simulcasts must be used for purses for  
33.2 live races involving the same breed involved in the simulcast except that money set aside  
33.3 for purses and payments to the breeders fund from wagering on simulcasts of races not  
33.4 conducted in this state, occurring during a live mixed meet, must be allotted to the purses  
33.5 and breeders fund for each breed participating in the mixed meet as agreed upon by the  
33.6 breed organizations participating in the live mixed meet. The agreement shall be in writing  
33.7 and ~~filed with~~ reviewed by the commission for compliance with this subdivision prior to  
33.8 the first day of the live mixed meet. In the absence of a written agreement ~~filed with~~ reviewed  
33.9 by the commission, the money set aside for purses and payments to the breeders fund from  
33.10 wagering on simulcasts, occurring during a live mixed meet, shall be allotted to each breed  
33.11 participating in the live mixed meet in the same proportion that the number of live races  
33.12 run by each breed bears to the total number of live races conducted during the period of the  
33.13 mixed meet.

33.14 (e) The allocation of money set aside for purses to particular racing meets may be  
33.15 adjusted, relative to overpayments and underpayments, by contract between the licensee  
33.16 and the horsepersons' organization representing the majority of horsepersons racing the  
33.17 breed involved at the licensee's facility. The contract must be in writing and reviewed by  
33.18 the commission for compliance with this subdivision.

33.19 (f) Subject to the provisions of this chapter, money set aside from pari-mutuel pools for  
33.20 purses must be for the breed involved in the race that generated the pool, except that if the  
33.21 breed involved in the race generating the pari-mutuel pool is not racing in the current racing  
33.22 meeting, or has not raced within the preceding 12 months at the licensee's class A facility,  
33.23 money set aside for purses may be distributed proportionately to those breeds that have run  
33.24 during the preceding 12 months or paid to the commission and used for purses or to promote  
33.25 racing for the breed involved in the race generating the pari-mutuel pool, or both, in a manner  
33.26 prescribed by the commission.

33.27 (g) This subdivision does not apply to a class D licensee.

33.28 Sec. 26. Minnesota Statutes 2018, section 240.131, subdivision 7, is amended to read:

33.29 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent  
33.30 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering  
33.31 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
33.32 provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of  
33.33 the month in which the wager was made. Fees collected under this paragraph must be  
33.34 deposited in the state treasury and credited to a racing and card-playing regulation account

34.1 in the special revenue fund and are appropriated to the commission to offset the costs  
34.2 associated with regulating horse racing and pari-mutuel wagering in Minnesota.

34.3 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all  
34.4 amounts wagered by Minnesota residents with an authorized advance deposit wagering  
34.5 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
34.6 provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of  
34.7 the month in which the wager was made. Fees collected under this paragraph must be  
34.8 deposited in the state treasury and credited to a racing and card-playing regulation account  
34.9 in the special revenue fund and are appropriated to the commission to offset the cost of  
34.10 administering the breeders fund and promote horse breeding in Minnesota.

34.11 Sec. 27. Minnesota Statutes 2018, section 240.135, is amended to read:

34.12 **240.135 CARD CLUB REVENUE.**

34.13 (a) From the amounts received from charges authorized under section 240.30, subdivision  
34.14 4, the licensee shall set aside the amounts specified in this section to be used for purse  
34.15 payments. These amounts are in addition to the breeders fund and purse requirements set  
34.16 forth elsewhere in this chapter.

34.17 (1) For amounts between zero and \$6,000,000, the licensee shall set aside not less than  
34.18 ten percent to be used as purses.

34.19 (2) For amounts in excess of \$6,000,000, the licensee shall set aside not less than 14  
34.20 percent to be used as purses.

34.21 (b) From all amounts set aside under paragraph (a), the licensee shall set aside ten percent  
34.22 to be deposited in the breeders fund.

34.23 (c) It is the intent of the legislature that the proceeds of the card playing activities  
34.24 authorized by this chapter be used to improve the horse racing industry by improving purses.  
34.25 The licensee and the horseperson's organization representing the majority of horsepersons  
34.26 who have raced at the racetrack during the preceding 12 months may negotiate percentages  
34.27 that exceed those stated in this section if the agreement is in writing and ~~filed with~~ reviewed  
34.28 by the commission for compliance with this section. The commission shall annually review  
34.29 the financial details of card playing activities and determine if the present use of card playing  
34.30 proceeds is consistent with the policy established by this paragraph. If the commission  
34.31 determines that the use of the proceeds does not comply with the policy set forth herein,  
34.32 then the commission shall direct the parties to make the changes necessary to ensure

35.1 compliance. If these changes require legislation, the commission shall make the appropriate  
35.2 recommendations to the legislature.

35.3 Sec. 28. Minnesota Statutes 2018, section 240.15, subdivision 6, is amended to read:

35.4 Subd. 6. **Disposition of proceeds; account.** The commission shall distribute all money  
35.5 received under this section, and, except as provided otherwise by section 240.131, all money  
35.6 received from license fees and fines it collects, according to this subdivision. All money  
35.7 designated for deposit in the Minnesota breeders fund must be paid into that fund for  
35.8 distribution under section 240.18 except that all money generated by simulcasts must be  
35.9 distributed as provided in section 240.18, subdivisions 2, paragraph (d), clauses (1), (2),  
35.10 and (3); and 3. Revenue from an admissions tax imposed under subdivision 1 must be paid  
35.11 to the local unit of government at whose request it was imposed, at times and in a manner  
35.12 the commission determines. Taxes received under this section must be paid to the  
35.13 commissioner of management and budget for deposit in the general fund. All revenues from  
35.14 licenses and other fees imposed by the commission must be deposited in the state treasury  
35.15 and credited to a racing and card playing regulation account in the special revenue fund.  
35.16 Receipts in this account are ~~available for the operations of the commission up to the amount~~  
35.17 ~~authorized in biennial appropriations from the legislature~~ appropriated to the commission  
35.18 for its operations.

35.19 Sec. 29. Minnesota Statutes 2018, section 240.16, subdivision 1, is amended to read:

35.20 Subdivision 1. **Powers and duties.** All horse races run at a licensed racetrack must be  
35.21 presided over by a board of three stewards, who must be appointees of the commission or  
35.22 persons approved by it. The commission shall designate one steward as chair. At least two  
35.23 stewards for all races either shall be employees of the commission who shall serve in the  
35.24 unclassified service, or shall be under contract with the commission to serve as stewards.

35.25 The commission may delegate the following duties and powers to a board of stewards:

35.26 (1) to ensure that races are run in accordance with the commission's rules;

35.27 (2) to supervise the conduct of racing to ensure the integrity of the sport;

35.28 (3) to settle disputes arising from the running of horse races, and to certify official results;

35.29 (4) to impose on licensees, for violation of law or commission rules, fines ~~not exceeding~~  
35.30 ~~\$5,000 and license suspensions not exceeding 90 days~~ of up to \$10,000, suspensions of up  
35.31 to one year, and other sanctions as delegated by the commission or permitted under its rules;

36.1 (5) to recommend to the commission where warranted penalties in excess of those in  
36.2 clause (4);

36.3 (6) to otherwise enforce the laws and rules of racing; and

36.4 (7) to perform other duties and have other powers assigned by the commission.

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

36.6 Sec. 30. Minnesota Statutes 2018, section 240.16, subdivision 2, is amended to read:

36.7 Subd. 2. **Appeals; hearings.** Except as provided by section 240.08, subdivision 5, a  
36.8 ruling of a board of stewards may be appealed to the commission or be reviewed by it. The  
36.9 commission may review any ruling by the board of stewards on its own initiative. The  
36.10 commission may provide for appeals to be heard by less than a quorum of the commission.  
36.11 A hearing on a penalty imposed by a board of stewards must be granted on request.

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

36.13 Sec. 31. Minnesota Statutes 2018, section 240.18, subdivision 2, is amended to read:

36.14 Subd. 2. **Thoroughbred and quarterhorse categories.** (a) With respect to available  
36.15 money apportioned in the thoroughbred and quarterhorse categories, 20 percent must be  
36.16 expended as follows:

36.17 (1) at least one-half in the form of grants, contracts, or expenditures for equine research  
36.18 and related education at ~~the University of Minnesota School of Veterinary Medicine~~ public  
36.19 institutions of postsecondary learning in the state; and

36.20 (2) the balance in the form of grants, contracts, or expenditures for one or more of the  
36.21 following:

36.22 (i) additional equine research and related education;

36.23 (ii) substance abuse programs for licensed personnel at racetracks in this state; and

36.24 (iii) promotion and public information regarding industry and commission activities;  
36.25 racehorse breeding, ownership, and management; and development and expansion of  
36.26 economic benefits from racing.

36.27 (b) As a condition of a grant, contract, or expenditure under paragraph (a), the commission  
36.28 shall require an annual report from the recipient on the use of the funds ~~to the commission,~~  
36.29 ~~the chair of the house of representatives Committee on General Legislation, Veterans Affairs,~~  
36.30 ~~and Gaming, and the chair of the senate committee on Gaming Regulation.~~

37.1 (c) The commission shall include in its ~~annual~~ biennial report a summary of each grant,  
37.2 contract, or expenditure under paragraph (a), clause (2), and a description of how the  
37.3 commission has coordinated activities among recipients to ensure the most efficient and  
37.4 effective use of funds.

37.5 (d) After deducting the amount for paragraph (a), the balance of the available proceeds  
37.6 in each category may be expended by the commission to:

37.7 (1) supplement purses for races held exclusively for Minnesota-bred or Minnesota-foaled  
37.8 horses, and supplement purses for Minnesota-bred or Minnesota-foaled horses racing in  
37.9 nonrestricted races in that category;

37.10 (2) pay breeders' or owners' awards to the breeders or owners of Minnesota-bred horses  
37.11 in that category which win money at ~~licensed~~ pari-mutuel racetracks ~~in the state~~ licensed  
37.12 by any state or province; and

37.13 (3) provide other financial incentives to encourage the horse breeding industry in  
37.14 Minnesota.

37.15 Sec. 32. Minnesota Statutes 2018, section 240.18, subdivision 3, is amended to read:

37.16 Subd. 3. **Standardbred category.** (a) With respect to the available money apportioned  
37.17 in the standardbred category, 20 percent must be expended as follows:

37.18 (1) one-half of that amount to supplement purses for standardbreds at non-pari-mutuel  
37.19 racetracks in the state; and

37.20 ~~(2) one-fourth of that amount for the development of non-pari-mutuel standardbred~~  
37.21 ~~tracks in the state; and~~

37.22 ~~(3) one-fourth~~ (2) one-half of that amount as grants for equine research and related  
37.23 education at public institutions of postsecondary learning in the state.

37.24 (b) After deducting the amount for paragraph (a), the balance of the available proceeds  
37.25 in the standardbred category must be expended by the commission to:

37.26 (1) supplement purses for races held exclusively for Minnesota-bred and Minnesota-foaled  
37.27 standardbreds;

37.28 (2) pay breeders or owners awards to the breeders or owners of Minnesota-bred  
37.29 standardbreds which win money at licensed racetracks in the state; and

37.30 (3) provide other financial incentives to encourage the horse breeding industry in  
37.31 Minnesota.

38.1 Sec. 33. Minnesota Statutes 2018, section 240.22, is amended to read:

38.2 **240.22 FINES.**

38.3 (a) The commission shall by rule establish a schedule of civil fines of up to \$50,000 for  
38.4 a class C licensee and up to \$200,000 for a class A, B, or D licensee for violations of laws  
38.5 related to horse racing or of the commission's rules. The schedule must be based on and  
38.6 reflect the culpability, frequency and severity of the violator's actions. The commission may  
38.7 impose a fine from this schedule on a licensee for a violation of those rules or laws relating  
38.8 to horse racing. The fine is in addition to any criminal penalty imposed for the same violation.  
38.9 Except as provided in paragraph (b), fines may be appealed to the commission according  
38.10 to its rules. Fines imposed by the commission must be paid to the commission and except  
38.11 as provided in paragraph (c), forwarded to the commissioner of management and budget  
38.12 for deposit in the state treasury and credited to a racing and card-playing regulation account  
38.13 in the special revenue fund and appropriated to the commission to distribute in the form of  
38.14 grants, contracts, or expenditures to support racehorse adoption, retirement, and repurposing.

38.15 (b) If the commission issues a fine in excess of ~~\$5,000~~ \$10,000, the license holder has  
38.16 the right to request a contested case hearing under chapter 14, to be held as set forth in  
38.17 Minnesota Rules, chapter 1400. The appeal of a fine must be made in writing to the  
38.18 commission by certified mail or personal service. An appeal sent by certified mail must be  
38.19 postmarked within ten days after the license holder receives the fine order from the  
38.20 commission. An appeal sent by personal service must be received by the commission within  
38.21 ten days after the license holder receives the fine order from the commission.

38.22 (c) If the commission is the prevailing party in a contested case proceeding, the  
38.23 commission may recover, from amounts to be forwarded under paragraph (a), reasonable  
38.24 attorney fees and costs associated with the contested case.

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

38.26 Sec. 34. Minnesota Statutes 2018, section 240.27, is amended to read:

38.27 **240.27 EXCLUSION OF CERTAIN PERSONS.**

38.28 Subdivision 1. **Persons excluded.** The commission may exclude from any and all licensed  
38.29 racetracks in the state a person who:

38.30 (1) has been convicted of a felony under the laws of any state or the United States;

38.31 (2) has had a license suspended, revoked, or denied by the commission or by the racing  
38.32 authority of any other jurisdiction; or

39.1 (3) is determined by the commission, on the basis of evidence presented to it, to be a  
39.2 threat to the public safety or the integrity of racing or card playing in Minnesota.

39.3 Subd. 2. **Hearing; appeal.** An order to exclude ~~a~~ an unlicensed person from any or all  
39.4 licensed racetracks in the state must be made by the commission ~~at~~ following a public  
39.5 hearing of which the person to be excluded must have had at least five days' notice. If present  
39.6 at the hearing, the person must be permitted to show cause why the exclusion should not  
39.7 be ordered. An appeal of the order may be made in the same manner as other appeals under  
39.8 section 240.20.

39.9 Subd. 3. **Notice to racetracks.** Upon issuing an order excluding a person from any or  
39.10 all licensed racetracks, the commission shall send a copy of the order to the excluded person  
39.11 and to all racetracks or teleracing facilities named in it, along with other information as it  
39.12 deems necessary to permit compliance with the order.

39.13 Subd. 4. **Prohibitions.** It is a gross misdemeanor for a person named in an exclusion  
39.14 order to enter, attempt to enter, or be on the premises of a racetrack named in the order  
39.15 while it is in effect, and for a person licensed to conduct racing or operate a racetrack  
39.16 knowingly to permit an excluded person to enter or be on the premises.

39.17 Subd. 5. **Exclusions by racetrack.** ~~The holder of a license to conduct racing may eject~~  
39.18 ~~and exclude from its premises any licensee or any other person who is in violation of any~~  
39.19 ~~state law or commission rule or order or who is a threat to racing integrity or the public~~  
39.20 ~~safety. A person so excluded from racetrack premises may appeal the exclusion to the~~  
39.21 ~~commission and must be given a public hearing on the appeal upon request. At the hearing~~  
39.22 ~~the person must be given the opportunity to show cause why the exclusion should not have~~  
39.23 ~~been ordered. If the commission after the hearing finds that the integrity of racing and the~~  
39.24 ~~public safety do not justify the exclusion, it shall order the racetrack making the exclusion~~  
39.25 ~~to reinstate or readmit the person. An appeal of a commission order upholding the exclusion~~  
39.26 ~~is governed by section 240.20.~~ A licensed racetrack may eject and exclude from its premises  
39.27 any person for any lawful reason. If a licensed racetrack excludes a person for a suspected  
39.28 or potential violation of law or rule, or if a licensed racetrack excludes any person for more  
39.29 than five days, the licensed racetrack shall provide the person's name and reason for the  
39.30 exclusion to the commission within 72 hours.

40.1 Sec. 35. Minnesota Statutes 2018, section 240A.09, is amended to read:

40.2 **240A.09 PLAN DEVELOPMENT; CRITERIA.**

40.3 The Minnesota Amateur Sports Commission shall develop a plan to promote the  
40.4 development of proposals for new statewide public ice facilities including proposals for ice  
40.5 centers and matching grants based on the criteria in this section.

40.6 (a) For ice center proposals, the commission will give priority to proposals that come  
40.7 from more than one local government unit. Institutions of higher education are not eligible  
40.8 to receive a grant.

40.9 (b) The commission must give priority to grant applications for indoor air quality  
40.10 improvements and projects that eliminate R-22. For purposes of this section:

40.11 (1) "indoor air quality improvements" means: (i) renovation or replacement of heating,  
40.12 ventilating, and air conditioning systems in existing indoor ice arenas whose ice resurfacing  
40.13 and ice edging equipment are not powered by electricity in order to reduce concentrations  
40.14 of carbon monoxide and nitrogen dioxide; and (ii) acquisition of zero-emission ice resurfacing  
40.15 and ice edging equipment. The new or renovated systems may include continuous electronic  
40.16 air monitoring devices to automatically activate the ventilation systems when the  
40.17 concentration of carbon monoxide or nitrogen dioxide reaches a predetermined level; and

40.18 (2) "projects that eliminate R-22," means replacement of ice-making systems in existing  
40.19 public facilities that use R-22 as a refrigerant, with systems that use alternative  
40.20 non-ozone-depleting refrigerants.

40.21 (c) In the metropolitan area as defined in section 473.121, subdivision 2, the commission  
40.22 is encouraged to give priority to the following proposals:

40.23 (1) proposals for construction of two or more ice sheets in a single new facility;

40.24 (2) proposals for construction of an additional sheet of ice at an existing ice center;

40.25 (3) proposals for construction of a new, single sheet of ice as part of a sports complex  
40.26 with multiple sports facilities; and

40.27 (4) proposals for construction of a new, single sheet of ice that will be expanded to a  
40.28 two-sheet facility in the future.

40.29 (d) The commission shall administer a site selection process for the ice centers. The  
40.30 commission shall invite proposals from cities or counties or consortia of cities. A proposal  
40.31 for an ice center must include matching contributions including in-kind contributions of

41.1 land, access roadways and access roadway improvements, and necessary utility services,  
41.2 landscaping, and parking.

41.3 (e) Proposals for ice centers and matching grants must provide for meeting the demand  
41.4 for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to  
41.5 female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m.  
41.6 to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.

41.7 (f) The location for all proposed facilities must be in areas of maximum demonstrated  
41.8 interest and must maximize accessibility to an arterial highway.

41.9 (g) To the extent possible, all proposed facilities must be dispersed equitably, must be  
41.10 located to maximize potential for full utilization and profitable operation, and must  
41.11 accommodate noncompetitive family and community skating for all ages.

41.12 (h) The commission may also use the money to upgrade current facilities, purchase girls'  
41.13 ice time, or conduct amateur women's hockey and other ice sport tournaments.

41.14 (i) To the extent possible, 50 percent of all grants must be awarded to communities in  
41.15 greater Minnesota.

41.16 (j) To the extent possible, technical assistance shall be provided to Minnesota  
41.17 communities by the commission on ice arena planning, design, and operation, including the  
41.18 marketing of ice time and on projects described in paragraph (b).

41.19 (k) A grant for new facilities may not exceed \$250,000.

41.20 (l) The commission may make grants for rehabilitation and renovation. A rehabilitation  
41.21 or renovation grant for air quality may not exceed \$200,000 and a rehabilitation or renovation  
41.22 grant for R-22 elimination may not exceed ~~\$50,000~~ \$250,000 for indirect cooling systems  
41.23 and may not exceed ~~\$400,000~~ \$500,000 for direct cooling systems. Priority must be given  
41.24 to grant applications for indoor air quality improvements, including zero emission ice  
41.25 resurfacing equipment, and for projects that eliminate R-22.

41.26 (m) Grant money may be used for ice centers designed for sports other than hockey.

41.27 (n) Grant money may be used to upgrade existing facilities to comply with the bleacher  
41.28 safety requirements of section 326B.112.

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

42.1 Sec. 36. Minnesota Statutes 2018, section 307.08, is amended to read:

42.2 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**  
 42.3 **BURIALS; CEMETERIES; PENALTY; AUTHENTICATION ASSESSMENT.**

42.4 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative  
 42.5 intent that all human burials, human remains, and ~~human burial grounds~~ cemeteries shall  
 42.6 be accorded equal treatment and respect for human dignity without reference to their ethnic  
 42.7 origins, cultural backgrounds, or religious affiliations. The provisions of this section shall  
 42.8 apply to all human burials, human remains, or ~~human burial grounds~~ cemeteries found on  
 42.9 or in all public or private lands or waters in Minnesota.

42.10 Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, and  
 42.11 knowingly does any of the following is guilty of a felony:

42.12 (1) destroys, mutilates, or injures human burials or ~~human burial grounds~~ cemetery, or  
 42.13 associated grave goods; or

42.14 (2) without the consent of the appropriate authority, disturbs ~~human burial grounds~~ a  
 42.15 cemetery or removes human remains or associated grave goods.

42.16 (b) A person who, without the consent of the appropriate authority and the landowner,  
 42.17 intentionally, willfully, and knowingly does any of the following is guilty of a gross  
 42.18 misdemeanor:

42.19 (1) removes any tombstone, monument, or structure placed in any public or private  
 42.20 cemetery or ~~authenticated human burial ground~~ assessed cemetery; or

42.21 (2) removes any fence, railing, or other work erected for protection or ornament, or any  
 42.22 tree, shrub, or plant or grave goods and artifacts within the limits of a ~~public or private~~  
 42.23 ~~cemetery or authenticated human burial ground~~; or

42.24 (3) discharges any firearms upon or over the grounds of any ~~public or private~~ cemetery  
 42.25 ~~or authenticated burial ground~~.

42.26 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the  
 42.27 landowner, ~~an authenticated or recorded human burial ground~~ a cemetery may be posted  
 42.28 for protective purposes every 75 feet around its perimeter with signs listing the activities  
 42.29 prohibited by subdivision 2 and the penalty for violation of it. Posting is at the discretion  
 42.30 of the Indian affairs council in the case of American Indian burials ceteries or at the  
 42.31 discretion of the state archaeologist in the case of ~~non-Indian burials~~ non-American Indian  
 42.32 cemeteries. This subdivision does not require posting of a ~~burial ground~~ cemetery. The size,

43.1 description, location, and information on the signs used for protective posting must be  
43.2 approved by the appropriate authority and the landowner.

43.3 Subd. 3a. **Authentication Cemeteries; records and condition assessments.** ~~The state~~  
43.4 ~~archaeologist shall authenticate all burial grounds for purposes of this section. The state~~  
43.5 ~~archaeologist may retain the services of a qualified professional archaeologist, a qualified~~  
43.6 ~~physical anthropologist, or other appropriate experts for the purpose of gathering information~~  
43.7 ~~that the state archaeologist can use to authenticate or identify burial grounds. If probable~~  
43.8 ~~Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian~~  
43.9 ~~Affairs Council must approve the professional archaeologist, qualified anthropologist, or~~  
43.10 ~~other appropriate expert. Authentication is at the discretion of the state archaeologist based~~  
43.11 ~~on the needs identified in this section or upon request by an agency, a landowner, or other~~  
43.12 ~~appropriate authority. (a) Cemeteries shall be assessed according to this subdivision.~~

43.13 (b) The state archaeologist shall implement and maintain a system of records identifying  
43.14 the location of known, recorded, or suspected cemeteries. The state archaeologist shall  
43.15 provide access to the records as provided in subdivision 11.

43.16 (c) The cemetery condition assessment of non-American Indian cemeteries is at the  
43.17 discretion of the state archaeologist based on the needs identified in this section or upon  
43.18 request by an agency, a landowner, or other appropriate authority.

43.19 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion  
43.20 of the Indian Affairs Council based on the needs identified in this section or upon request  
43.21 by an agency, a landowner, or other appropriate authority.

43.22 (e) The cemetery condition assessment of cemeteries that include American Indian and  
43.23 non-American Indian remains or include remains whose ancestry cannot be determined  
43.24 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian  
43.25 Affairs Council based on the needs identified in this section or upon request by an agency,  
43.26 a landowner, or other appropriate authority.

43.27 (f) The state archaeologist and the Indian Affairs Council shall have 90 days from the  
43.28 date a request is received to conduct a cemetery condition assessment or provide notice to  
43.29 the requester whether or not a condition assessment of a cemetery is needed.

43.30 (g) The state archaeologist and the Indian Affairs Council may retain the services of a  
43.31 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate  
43.32 experts for the purpose of gathering information that the state archaeologist or the Indian  
43.33 Affairs Council can use to assess or identify cemeteries.

44.1 Subd. 5. **Cost; use of data.** The cost of ~~authentication~~ condition assessment, recording,  
44.2 surveying, and marking ~~burial grounds~~ cemeteries and the cost of identification, analysis,  
44.3 rescue, and reburial of human remains on public lands or waters shall be the responsibility  
44.4 of the state or political subdivision controlling the lands or waters. On private lands or waters  
44.5 these costs shall be borne by the state, but may be borne by the landowner upon mutual  
44.6 agreement with the state. ~~The state archaeologist must make the data collected for this~~  
44.7 ~~activity available using standards adopted by the Office of MN.IT Services and geospatial~~  
44.8 ~~technology standards and guidelines published by the Minnesota Geospatial Information~~  
44.9 ~~Office. Costs associated with this data delivery must be borne by the state.~~

44.10 Subd. 7. **Remains found outside of recorded cemeteries.** (a) All unidentified human  
44.11 remains or burials found outside of ~~recorded~~ cemeteries or unplatted graves or burials found  
44.12 within recorded cemeteries and in contexts which indicate antiquity greater than 50 years  
44.13 shall be treated with utmost respect for all human dignity and dealt with according to the  
44.14 provisions of this section.

44.15 (b) If deemed necessary for identification purposes by the Indian Affairs Council,  
44.16 removed remains shall be studied in a timely and respectful manner by appropriate experts  
44.17 designated by the Indian Affairs Council.

44.18 (c) If ~~such~~ the burials are not American Indian or their ethnic identity cannot be  
44.19 ascertained, as determined by the state archaeologist, they shall be dealt with in accordance  
44.20 with provisions established by the state archaeologist and other appropriate authority, as  
44.21 specified in subdivision 3a, paragraph (e).

44.22 (d) If ~~such~~ the burials ~~are~~ include American Indian remains, as determined by the state  
44.23 archaeologist, ~~efforts shall be made by~~ they must be dealt with as provided by the provisions  
44.24 of subdivision 3a, paragraph (d). The state archaeologist and the Indian Affairs Council ~~to~~  
44.25 shall ascertain their tribal identity. ~~If their probable tribal identity can be determined and~~  
44.26 ~~the remains have been removed from their original context, such remains shall be turned~~  
44.27 ~~over to contemporary tribal leaders for disposition.~~ of the remains in consultation with  
44.28 appropriate experts designated by the Indian Affairs Council.

44.29 (e) If tribal identity of the remains cannot be determined, the American Indian remains  
44.30 must be dealt with in accordance with provisions established by ~~the state archaeologist and~~  
44.31 the Indian Affairs Council ~~if they are from public land. ~~If removed Indian remains are from~~~~  
44.32 ~~private land they shall be dealt with in accordance with provisions established by the Indian~~  
44.33 ~~Affairs Council.~~

45.1 ~~If it is deemed desirable by the state archaeologist or the Indian Affairs Council, removed~~  
45.2 ~~remains shall be studied in a timely and respectful manner by a qualified professional~~  
45.3 ~~archaeologist or a qualified physical anthropologist before being delivered to tribal leaders~~  
45.4 ~~or before being reburied.~~

45.5 Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission  
45.6 to develop or disturb nonburial areas within ~~authenticated~~ an assessed or recorded ~~burial~~  
45.7 ~~grounds~~ cemetery shall be made to the:

45.8 (1) ~~to the~~ state archaeologist and other appropriate authority in the case of ~~non-Indian~~  
45.9 ~~non-American Indian~~ burials; and

45.10 (2) ~~to the~~ Indian Affairs Council and other appropriate authority in the case of American  
45.11 Indian burials.

45.12 (b) Landowners with ~~authenticated~~ known or suspected human ~~burial grounds~~ cemeteries  
45.13 on their property are obligated to inform prospective buyers of the ~~burial ground~~ cemetery.

45.14 Subd. 8. **Burial ground Cemetery relocation.** No ~~non-Indian burial ground~~  
45.15 ~~non-American Indian cemetery~~ may be relocated without the consent of the appropriate  
45.16 authority. No American Indian ~~burial ground~~ cemetery may be relocated unless the request  
45.17 to relocate is approved by the Indian Affairs Council. When a ~~burial ground~~ cemetery is  
45.18 located on public lands or waters, any burial relocations must be duly licensed under section  
45.19 138.36 and the cost of removal is the responsibility of and shall be paid by the state or  
45.20 political subdivision controlling the lands or waters. If ~~burial grounds~~ cemeteries are  
45.21 ~~authenticated~~ assessed on private lands, efforts may be made by the state to purchase and  
45.22 protect them instead of removing them to another location.

45.23 Subd. 9. **Interagency cooperation.** (a) The state archaeologist and the Indian Affairs  
45.24 Council shall enter into a memorandum of understanding to coordinate their responsibilities  
45.25 under this section.

45.26 (b) The Department of Natural Resources, the Department of Transportation, and all  
45.27 other state agencies and local governmental units whose activities may be affected, shall  
45.28 cooperate with the state archaeologist and the Indian Affairs Council to carry out the  
45.29 provisions of this section.

45.30 Subd. 10. **Construction and development plan review.** When ~~human burials are known~~  
45.31 ~~or suspected to~~ cemeteries exist, on public lands or waters, the state or political subdivision  
45.32 controlling the lands or waters or, in the case of private lands, the landowner or developer,  
45.33 shall submit construction and development plans to the state archaeologist for review prior

46.1 to the time bids are advertised and prior to any disturbance within the ~~burial area~~ cemetery.  
 46.2 ~~If the known or suspected burials are~~ the cemetery is thought to be Indian American Indian,  
 46.3 or the project is within 300 feet of American Indian cemeteries, American Indian burial  
 46.4 features, historic American Indian villages, or historic American Indian cultural features,  
 46.5 plans shall also be submitted to the Indian Affairs Council. The state archaeologist and the  
 46.6 Indian Affairs Council shall review the plans within ~~30~~ 45 days of receipt and make  
 46.7 recommendations for the preservation in place or removal of the ~~human burials~~ cemetery  
 46.8 or remains, which may be endangered by construction or development activities.

46.9 Subd. 11. **Burial sites data.** ~~(a) Burial sites locational and related data maintained by~~  
 46.10 data under the authority of the Office of the State Archaeologist and accessible through the  
 46.11 office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs  
 46.12 Council are security information for purposes of section 13.37. Persons who gain access to  
 46.13 ~~the data maintained on the site~~ this data are subject to liability under section 13.08 and the  
 46.14 penalty established by section 13.09 if they improperly use or further disseminate the data.

46.15 (b) The Indian Affairs Council or state archaeologist may bring legal action to prosecute  
 46.16 any violation of this subdivision. A violation may be prosecuted by the city or county  
 46.17 attorney or by the attorney general.

46.18 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for  
 46.19 the purpose of ~~authenticating burial sites.~~ identifying or assessing cemetery sites. A  
 46.20 designated representative of the Indian Affairs Council may enter on property, in  
 46.21 collaboration with the state archaeologist, for the purpose of identifying or assessing  
 46.22 American Indian cemeteries. Only after obtaining permission from the property owner or  
 46.23 lessee, descendants of persons buried in ~~burial grounds~~ cemeteries covered by this section  
 46.24 may enter the ~~burial grounds~~ cemetery for the purpose of conducting religious or  
 46.25 commemorative ceremonies. This right of entry must not unreasonably burden property  
 46.26 owners or unnecessarily restrict their use of the property. The right of entry cannot be denied  
 46.27 unless an unreasonable burden can be shown by the property owners.

46.28 Subd. 13. **Definitions.** As used in this section, the following terms have the meanings  
 46.29 given.

46.30 (a) "Abandoned cemetery" means a cemetery where the cemetery association has  
 46.31 disbanded or the cemetery is neglected and contains marked graves older than 50 years.

46.32 (b) "Appropriate authority" means:

46.33 (1) the trustees when the trustees have been legally defined to administer ~~burial grounds~~  
 46.34 cemetery sites;

47.1 (2) the Indian Affairs Council in the case of American Indian burial grounds cemetery  
47.2 sites lacking trustees;

47.3 (3) the county board in the case of abandoned cemeteries under section 306.243; and

47.4 (4) the state archaeologist in the case of ~~non-Indian burial grounds~~ non-American Indian  
47.5 cemetery sites lacking trustees or not officially defined as abandoned.

47.6 (c) "Artifacts" means natural or artificial articles, objects, implements, or other items of  
47.7 archaeological interest.

47.8 (d) ~~"Authenticate"~~ "Assess" means to establish the presence of or high potential of ~~human~~  
47.9 ~~burials~~ for a cemetery or human ~~skeletal~~ remains ~~being~~ located in a discrete area, delimit  
47.10 the boundaries of ~~human burial grounds~~ the cemetery or graves, and attempt to determine  
47.11 the ethnic, cultural, or religious affiliation of individuals interred.

47.12 (e) "Burial" means the organic remnants of the human body that were intentionally  
47.13 interred as part of a mortuary process.

47.14 ~~(f) "Burial ground" means a discrete location that is known to contain or has high potential~~  
47.15 ~~to contain human remains based on physical evidence, historical records, or reliable informant~~  
47.16 ~~accounts.~~

47.17 ~~(g)~~ (f) "Cemetery" means a discrete location that is known to contain or intended to be  
47.18 used for the interment of human remains, or has high potential to contain human remains  
47.19 based on physical evidence, historical records, or reliable informant accounts.

47.20 ~~(h)~~ (g) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or  
47.21 setting of a ~~human burial or human burial ground~~ cemetery.

47.22 ~~(i)~~ (h) "Grave goods" means objects or artifacts directly associated with human burials  
47.23 or ~~human burial grounds~~ cemeteries that were placed as part of a mortuary ritual at the time  
47.24 of interment.

47.25 ~~(j)~~ (i) "Human remains" means ~~the calcified portion of the human body~~ the body of a  
47.26 deceased person in whole or in parts, regardless of the state of decomposition, not including  
47.27 ~~isolated teeth, or cremated remains deposited in a container or discrete feature.~~

47.28 ~~(k)~~ (j) "Identification" means to analyze organic materials to attempt to determine if they  
47.29 represent human remains and to attempt to establish the ethnic, cultural, or religious  
47.30 affiliations of such remains.

48.1 (k) "American Indian cemetery" means a discrete location that is known to contain or  
48.2 has a high potential to contain American Indian human remains based on physical evidence,  
48.3 historical records, or reliable informant accounts.

48.4 (l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker  
48.5 in place or a legible sign identifying an area as a ~~burial ground or~~ cemetery.

48.6 (m) "Qualified ~~physical~~ forensic anthropologist" means a specialist in identifying human  
48.7 remains who holds an advanced degree in forensic anthropology or a closely related field.

48.8 (n) "Qualified professional archaeologist" means an archaeologist who meets the United  
48.9 States Secretary of the Interior's professional qualification standards in Code of Federal  
48.10 Regulations, title 36, part 61, appendix A, or subsequent revisions.

48.11 (o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county  
48.12 recorder's office.

48.13 (p) "State" or "the state" means the state of Minnesota or an agency or official of the  
48.14 state acting in an official capacity.

48.15 (q) "Trustees" means the recognized representatives of the original incorporators, board  
48.16 of directors, or cemetery association.

48.17 Sec. 37. Minnesota Statutes 2018, section 326A.01, subdivision 2, is amended to read:

48.18 Subd. 2. **Attest.** "Attest" means providing any of the following services:

48.19 (1) an audit or other engagement performed in accordance with the Statements on  
48.20 Auditing Standards (SAS);

48.21 (2) an audit or other engagement performed in accordance with the Generally Accepted  
48.22 Government Auditing Standards (GAGAS);

48.23 (3) a review of a financial statement performed in accordance with the Statements on  
48.24 Standards for Accounting and Review Services (SSARS);

48.25 ~~(3)~~ (4) an examination of prospective financial information performed in accordance  
48.26 with the Statements on Standards for Attestation Engagements (SSAE);

48.27 ~~(4)~~ (5) an engagement performed in accordance with the standards of the Public Company  
48.28 Accounting Oversight Board (PCAOB); and

48.29 ~~(5)~~ (6) an examination, review, or agreed-upon procedures engagement performed in  
48.30 accordance with SSAE, other than an examination described in clause (3).

49.1 Sec. 38. Minnesota Statutes 2018, section 326A.04, subdivision 4, is amended to read:

49.2 Subd. 4. **Program of learning.** Each licensee shall participate in a program of learning  
49.3 designed to maintain professional competency. The program of learning must comply with  
49.4 rules adopted by the board. The board may by rule create an exception to this requirement  
49.5 for licensees who do not perform or offer to perform for the public one or more kinds of  
49.6 services involving the use of ~~accounting or~~ auditing skills, including issuance of reports on  
49.7 ~~financial statements or of one or more kinds of:~~ attest or compilation engagements,  
49.8 management advisory services, financial advisory services, or consulting services, ~~or the~~  
49.9 ~~preparation of tax returns or the furnishing of advice on tax matters.~~ A licensee granted such  
49.10 an exception by the board must place the word "inactive" or "retired," if applicable, adjacent  
49.11 to the CPA title on any business card, letterhead, or any other document or device, with the  
49.12 exception of the licensee's certificate on which the CPA title appears.

49.13 Sec. 39. Minnesota Statutes 2018, section 326A.04, subdivision 5, is amended to read:

49.14 Subd. 5. **Fee.** (a) The board shall charge a fee for each application for initial issuance  
49.15 or renewal of a certificate or temporary military certificate under this section as provided  
49.16 in paragraph (b). ~~The fee for the temporary military certificate is \$100.~~

49.17 (b) The board shall charge the following fees:

49.18 (1) initial issuance of certificate, \$150;

49.19 (2) renewal of certificate with an active status, \$100 per year;

49.20 (3) initial CPA firm permits, except for sole practitioners, \$100;

49.21 (4) renewal of CPA firm permits, except for sole practitioners and those firms specified  
49.22 in clause ~~(17)~~ (16), \$35 per year;

49.23 (5) initial issuance and renewal of CPA firm permits for sole practitioners, except for  
49.24 those firms specified in clause ~~(17)~~ (16), \$35 per year;

49.25 (6) annual late processing delinquency fee for permit, certificate, or registration renewal  
49.26 applications not received prior to expiration date, \$50;

49.27 (7) copies of records, per page, 25 cents;

49.28 (8) registration of noncertificate holders, nonlicensees, and nonregistrants in connection  
49.29 with renewal of firm permits, \$45 per year;

49.30 (9) applications for reinstatement, \$20;

49.31 (10) initial registration of a registered accounting practitioner, \$50;

- 50.1 (11) initial registered accounting practitioner firm permits, \$100;
- 50.2 (12) renewal of registered accounting practitioner firm permits, except for sole  
50.3 practitioners, \$100 per year;
- 50.4 (13) renewal of registered accounting practitioner firm permits for sole practitioners,  
50.5 \$35 per year;
- 50.6 ~~(14) CPA examination application, \$40;~~
- 50.7 ~~(15)~~ (14) CPA examination, fee determined by third-party examination administrator;
- 50.8 ~~(16)~~ (15) renewal of certificates with an inactive status, \$25 per year; ~~and~~
- 50.9 ~~(17)~~ (16) renewal of CPA firm permits for firms that have one or more offices located  
50.10 in another state, \$68 per year; and
- 50.11 (17) temporary military certificate, \$100.

50.12 Sec. 40. **[326A.045] RETIRED STATUS.**

50.13 Subdivision 1. Retired status requirements. The board shall grant retired status to a  
50.14 person who meets the following criteria:

- 50.15 (1) is age 55 or older;
- 50.16 (2) holds a current active license to practice public accounting under this chapter with  
50.17 a license status of active, inactive, or exempt under Minnesota Rules, part 1105.3700;
- 50.18 (3) declares that he or she is not practicing public accounting in any jurisdiction;
- 50.19 (4) was in good standing with the board at the time the person last held a license under  
50.20 this chapter; and
- 50.21 (5) submits an application for retired status on a form provided by the board.

50.22 Subd. 2. Retired status effect. Retired status is an honorific status. Retired status is not  
50.23 a license to engage in the practice of public accounting. A person granted retired status shall  
50.24 not perform or offer to perform services for which a license under this chapter is required.

50.25 Subd. 3. Documentation of status. The board shall provide to a person granted retired  
50.26 status a document stating that retired status has been granted.

50.27 Subd. 4. Representation to the public. A person granted retired status may represent  
50.28 themselves as "Certified Public Accountant - Retired," "CPA - Retired," "Retired Certified  
50.29 Public Accountant," or "Retired CPA," but shall not represent themselves or allow themselves  
50.30 to be represented to the public as a current licensee of the board.

51.1 Subd. 5. Continuing education not required. A person is not required to comply with  
 51.2 the continuing education requirements in section 326A.04, subdivision 4, to acquire or  
 51.3 maintain retired status.

51.4 Subd. 6. Renewal not required. A person granted retired status is not required to renew  
 51.5 the person's registration or pay renewal fees to maintain retired status.

51.6 Subd. 7. Change to active or inactive status. The board shall change a license status  
 51.7 from retired to active or inactive if a person with retired status requests a status change and  
 51.8 meets requirements for reactivation prescribed by rule.

51.9 Sec. 41. Minnesota Statutes 2018, section 326A.08, subdivision 4, is amended to read:

51.10 Subd. 4. **Cease and desist orders.** (a) The board, or the complaint committee if  
 51.11 authorized by the board, may issue and have served upon a certificate holder, a permit  
 51.12 holder, a registration holder, a person with practice privileges granted under section 326A.14,  
 51.13 a person who has previously been subject to a disciplinary order by the board, or an  
 51.14 unlicensed firm or person an order requiring the person or firm to cease and desist from the  
 51.15 act or practice constituting a violation of the statute, rule, or order. The order must be  
 51.16 calculated to give reasonable notice of the rights of the person or firm to request a hearing  
 51.17 and must state the reasons for the entry of the order. No order may be issued until an  
 51.18 investigation of the facts has been conducted pursuant to section 214.10.

51.19 (b) Service of the order ~~is effective when the order is served on the person, firm, or~~  
 51.20 ~~counsel of record personally, or by certified mail to the most recent address provided to the~~  
 51.21 ~~board for the person, firm, or counsel of record.~~ may be by first class United States mail,  
 51.22 including certified United States mail, or overnight express mail service, postage prepaid  
 51.23 and addressed to the party at the party's last known address. Service by United States mail,  
 51.24 including certified mail, is complete upon placing the order in the mail or otherwise delivering  
 51.25 the order to the United States mail service. Service by overnight express mail service is  
 51.26 complete upon delivering the order to an authorized agent of the express mail service.

51.27 (c) Unless otherwise agreed by the board, or the complaint committee if authorized by  
 51.28 the board, and the person or firm requesting the hearing, the hearing must be held no later  
 51.29 than 30 days after the request for the hearing is received by the board.

51.30 (d) The administrative law judge shall issue a report within 30 days of the close of the  
 51.31 contested case hearing record, notwithstanding Minnesota Rules, part 1400.8100, subpart  
 51.32 3. Within 30 days after receiving the report and any exceptions to it, the board shall issue

52.1 a further order vacating, modifying, or making permanent the cease and desist orders as the  
52.2 facts require.

52.3 (e) If no hearing is requested within 30 days of service of the order, the order becomes  
52.4 final and remains in effect until it is modified or vacated by the board.

52.5 (f) If the person or firm to whom a cease and desist order is issued fails to appear at the  
52.6 hearing after being duly notified, the person or firm is in default and the proceeding may  
52.7 be determined against that person or firm upon consideration of the cease and desist order,  
52.8 the allegations of which may be considered to be true.

52.9 (g) In lieu of or in addition to the order provided in paragraph (a), the board may require  
52.10 the person or firm to provide to the board a true and complete list of the person's or firm's  
52.11 clientele so that they can, if deemed necessary, be notified of the board's action. Failure to  
52.12 do so, or to provide an incomplete or inaccurate list, is an act discreditable.

52.13 Sec. 42. Minnesota Statutes 2018, section 326A.08, subdivision 5, is amended to read:

52.14 Subd. 5. **Actions against persons or firms.** (a) The board may, by order, deny, refuse  
52.15 to renew, suspend, temporarily suspend, or revoke the application, or practice privileges,  
52.16 registration or certificate of a person or firm; censure or reprimand the person or firm;  
52.17 prohibit the person or firm from preparing tax returns or reporting on financial statements;  
52.18 limit the scope of practice of any licensee; limit privileges under section 326A.14; refuse  
52.19 to permit a person to sit for examination; or refuse to release the person's examination grades  
52.20 if the board finds that the order is in the public interest and that, based on a preponderance  
52.21 of the evidence presented, the person or firm:

52.22 (1) has violated a statute, rule, or order that the board has issued or is empowered to  
52.23 enforce;

52.24 (2) has engaged in conduct or acts that are fraudulent, deceptive, or dishonest whether  
52.25 or not the conduct or acts relate to performing or offering to perform professional services,  
52.26 providing that the fraudulent, deceptive, or dishonest conduct or acts reflect adversely on  
52.27 the person's or firm's ability or fitness to provide professional services;

52.28 (3) has engaged in conduct or acts that are negligent or otherwise in violation of the  
52.29 standards established by board rule, where the conduct or acts relate to providing professional  
52.30 services, including in the filing or failure to file the licensee's income tax returns;

52.31 (4) has been convicted of, has pled guilty or nolo contendere to, or has been sentenced  
52.32 as a result of the commission of a felony or crime, an element of which is dishonesty or  
52.33 fraud; has been shown to have or admitted to having engaged in acts or practices tending

53.1 to show that the person or firm is incompetent; or has engaged in conduct reflecting adversely  
53.2 on the person's or firm's ability or fitness to provide professional services, whether or not  
53.3 a conviction was obtained or a plea was entered or withheld and whether or not dishonesty  
53.4 or fraud was an element of the conduct;

53.5 (5) employed fraud or deception in obtaining a certificate, permit, registration, practice  
53.6 privileges, renewal, or reinstatement or in passing all or a portion of the examination;

53.7 (6) has had the person's or firm's permit, registration, practice privileges, certificate,  
53.8 right to examine, or other similar authority revoked, suspended, canceled, limited, or not  
53.9 renewed for cause, or has committed unprofessional acts for which the person or firm was  
53.10 otherwise disciplined or sanctioned, including, but not limited to, being ordered to or agreeing  
53.11 to cease and desist from prescribed conduct, in any state or any foreign country;

53.12 (7) has had the person's or firm's right to practice before any federal, state, other  
53.13 government agency, or Public Company Accounting Oversight Board revoked, suspended,  
53.14 canceled, limited, or not renewed for cause, or has committed unprofessional acts for which  
53.15 the person or firm was otherwise disciplined or sanctioned, including, but not limited to,  
53.16 being ordered to or agreeing to cease and desist from prescribed conduct;

53.17 (8) failed to meet any requirement for the issuance or renewal of the person's or firm's  
53.18 certificate, registration or permit, or for practice privileges;

53.19 (9) with respect to temporary suspension orders, has committed an act, engaged in  
53.20 conduct, or committed practices that may result or may have resulted, in the opinion of the  
53.21 board or the complaint committee if authorized by the board, in an immediate threat to the  
53.22 public;

53.23 (10) has engaged in any conduct reflecting adversely upon the person's or firm's fitness  
53.24 to perform services while a licensee, individual granted privileges under section 326A.14,  
53.25 or a person registered under section 326A.06, paragraph (b); or

53.26 (11) has, prior to a voluntary surrender of a certificate or permit to the board, engaged  
53.27 in conduct which at any time resulted in the discipline or sanction described in clause (6)  
53.28 or (7).

53.29 (b) In lieu of or in addition to any remedy provided in paragraph (a), the board, or the  
53.30 complaint committee if authorized by the board, may require, as a condition of continued  
53.31 possession of a certificate, a registration, or practice privileges, termination of suspension,  
53.32 reinstatement of permit, registration of a person or firm or of practice privileges under

54.1 section 326A.14, a certificate, an examination, or release of examination grades, that the  
54.2 person or firm:

54.3 (1) submit to a peer review of the person's or firm's ability, skills, or quality of work,  
54.4 conducted in a fashion and by persons, entity, or entities as required by the board; and

54.5 (2) complete to the satisfaction of the board continuing professional education courses  
54.6 specified by the board.

54.7 (c) ~~Service of the order is effective if the order is served on the person, firm, or counsel~~  
54.8 ~~of record personally or by certified mail to the most recent address provided to the board~~  
54.9 ~~for the person, firm, or counsel of record.~~ may be by first class United States mail, including  
54.10 certified United States mail, or overnight express mail service, postage prepaid and addressed  
54.11 to the party at the party's last known address. Service by United States mail, including  
54.12 certified mail, is complete upon placing the order in the mail or otherwise delivering the  
54.13 order to the United States mail service. Service by overnight express mail service is complete  
54.14 upon delivering the order to an authorized agent of the express mail service. The order shall  
54.15 state the reasons for the entry of the order.

54.16 (d) All hearings required by this subdivision must be conducted in accordance with  
54.17 chapter 14 except with respect to temporary suspension orders as provided for in subdivision  
54.18 6.

54.19 (e) In addition to the remedies authorized by this subdivision, the board, or the complaint  
54.20 committee if authorized by the board, may enter into an agreement with the person or firm  
54.21 for corrective action and may unilaterally issue a warning to a person or firm.

54.22 (f) The board shall not use agreements for corrective action or warnings in any situation  
54.23 where the person or firm has been convicted of or pled guilty or nolo contendere to a felony  
54.24 or crime and the felony or crime is the basis of the board's action against the person or firm,  
54.25 where the conduct of the person or firm indicates a pattern of related violations of paragraph  
54.26 (a) or the rules of the board, or where the board concludes that the conduct of the person or  
54.27 firm will not be deterred other than by disciplinary action under this subdivision or  
54.28 subdivision 4 or 6.

54.29 (g) Agreements for corrective action may be used by the board, or the complaint  
54.30 committee if authorized by the board, where the violation committed by the person or firm  
54.31 does not warrant disciplinary action pursuant to this subdivision or subdivision 4 or 6, but  
54.32 where the board, or the complaint committee if authorized by the board, determines that  
54.33 corrective action is required to prevent further such violations and to otherwise protect the  
54.34 public. Warnings may be used by the board, or the complaint committee if authorized by

55.1 the board, where the violation of the person or firm is de minimus, does not warrant  
55.2 disciplinary action under this subdivision or subdivision 4 or 6, and does not require  
55.3 corrective action to protect the public.

55.4 (h) Agreements for corrective action must not be considered disciplinary action against  
55.5 the person's or firm's application, permit, registration or certificate, or practice privileges  
55.6 under section 326A.14. However, agreements for corrective action are public data. Warnings  
55.7 must not be considered disciplinary action against the person's or firm's application, permit,  
55.8 registration, or certificate or person's practice privileges and are private data.

55.9 Sec. 43. Minnesota Statutes 2018, section 326A.08, is amended by adding a subdivision  
55.10 to read:

55.11 Subd. 10. **Actions against lapsed license, certificate, or permit.** If a person's or firm's  
55.12 permit, registration, practice privileges, license, certificate, or other similar authority lapses,  
55.13 expires, is surrendered, withdrawn, terminated, canceled, limited, not renewed, or otherwise  
55.14 becomes invalid, the board may institute a proceeding under this subdivision within two  
55.15 years after the date the license, certificate, or permit was last effective and enter a revocation  
55.16 or suspension order as of the last date on which the license, certificate, or permit was in  
55.17 effect, or impose a civil penalty as provided for in subdivision 7.

55.18 Sec. 44. Minnesota Statutes 2018, section 326A.10, is amended to read:

55.19 **326A.10 UNLAWFUL ACTS.**

55.20 (a) Only a licensee and individuals who have been granted practice privileges under  
55.21 section 326A.14 may issue a report on financial statements of any person, firm, organization,  
55.22 or governmental unit that results from providing attest services, or offer to render or render  
55.23 any attest service. Only a certified public accountant, an individual who has been granted  
55.24 practice privileges under section 326A.14, a CPA firm, or, to the extent permitted by board  
55.25 rule, a person registered under section 326A.06, paragraph (b), may issue a report on financial  
55.26 statements of any person, firm, organization, or governmental unit that results from providing  
55.27 compilation services or offer to render or render any compilation service. These restrictions  
55.28 do not prohibit any act of a public official or public employee in the performance of that  
55.29 person's duties or prohibit the performance by any nonlicensee of other services involving  
55.30 the use of accounting skills, including the preparation of tax returns, management advisory  
55.31 services, and the preparation of financial statements without the issuance of reports on them.  
55.32 Nonlicensees may prepare financial statements and issue nonattest transmittals or information  
55.33 on them which do not purport to be in compliance with the Statements on Standards for

56.1 Accounting and Review Services (SSARS). Nonlicensees registered under section 326A.06,  
56.2 paragraph (b), may, to the extent permitted by board rule, prepare financial statements and  
56.3 issue nonattest transmittals or information on them.

56.4 (b) Licensees and individuals who have been granted practice privileges under section  
56.5 326A.14 performing attest or compilation services must provide those services in accordance  
56.6 with professional standards. To the extent permitted by board rule, registered accounting  
56.7 practitioners performing compilation services must provide those services in accordance  
56.8 with standards specified in board rule.

56.9 (c) A person who does not hold a valid certificate issued under section 326A.04 or a  
56.10 practice privilege granted under section 326A.14 shall not use or assume the title "certified  
56.11 public accountant," the abbreviation "CPA," or any other title, designation, words, letters,  
56.12 abbreviation, sign, card, or device tending to indicate that the person is a certified public  
56.13 accountant.

56.14 (d) A firm shall not provide attest services or assume or use the title "certified public  
56.15 accountants," the abbreviation "CPA's," or any other title, designation, words, letters,  
56.16 abbreviation, sign, card, or device tending to indicate that the firm is a CPA firm unless (1)  
56.17 the firm has complied with section 326A.05, and (2) ownership of the firm is in accordance  
56.18 with this chapter and rules adopted by the board.

56.19 (e) A person or firm that does not hold a valid certificate or permit issued under section  
56.20 326A.04 or 326A.05 or has not otherwise complied with section 326A.04 or 326A.05 as  
56.21 required in this chapter shall not assume or use the title "certified accountant," "chartered  
56.22 accountant," "enrolled accountant," "licensed accountant," "registered accountant,"  
56.23 "accredited accountant," "accounting practitioner," "public accountant," "licensed public  
56.24 accountant," or any other title or designation likely to be confused with the title "certified  
56.25 public accountant," or use any of the abbreviations "CA," "LA," "RA," "AA," "PA," "AP,"  
56.26 "LPA," or similar abbreviation likely to be confused with the abbreviation "CPA." The title  
56.27 "enrolled agent" or "EA" may only be used by individuals so designated by the Internal  
56.28 Revenue Service.

56.29 (f) Persons registered under section 326A.06, paragraph (b), may use the title "registered  
56.30 accounting practitioner" or the abbreviation "RAP." A person who does not hold a valid  
56.31 registration under section 326A.06, paragraph (b), shall not assume or use such title or  
56.32 abbreviation.

56.33 (g) Except to the extent permitted in paragraph (a), nonlicensees may not use language  
56.34 in any statement relating to the financial affairs of a person or entity that is conventionally

57.1 used by licensees in reports on financial statements or on an attest service. In this regard,  
57.2 the board shall issue by rule safe harbor language that nonlicensees may use in connection  
57.3 with such financial information. A person or firm that does not hold a valid certificate or  
57.4 permit, or a registration issued under section 326A.04, 326A.05, or 326A.06, paragraph (b),  
57.5 or has not otherwise complied with section 326A.04 or 326A.05 as required in this chapter  
57.6 shall not assume or use any title or designation that includes the word "accountant" or  
57.7 "accounting" in connection with any other language, including the language of a report, that  
57.8 implies that the person or firm holds such a certificate, permit, or registration or has special  
57.9 competence as an accountant. A person or firm that does not hold a valid certificate or  
57.10 permit issued under section 326A.04 or 326A.05 or has not otherwise complied with section  
57.11 326A.04 or 326A.05 as required in this chapter shall not assume or use any title or designation  
57.12 that includes the word "auditor" in connection with any other language, including the  
57.13 language of a report, that implies that the person or firm holds such a certificate or permit  
57.14 or has special competence as an auditor. However, this paragraph does not prohibit any  
57.15 officer, partner, member, manager, or employee of any firm or organization from affixing  
57.16 that person's own signature to any statement in reference to the financial affairs of such firm  
57.17 or organization with any wording designating the position, title, or office that the person  
57.18 holds, nor prohibit any act of a public official or employee in the performance of the person's  
57.19 duties as such.

57.20 (h)(1) No person holding a certificate or registration or firm holding a permit under this  
57.21 chapter shall use a professional or firm name or designation that is misleading about the  
57.22 legal form of the firm, or about the persons who are partners, officers, members, managers,  
57.23 or shareholders of the firm, or about any other matter. However, names of one or more  
57.24 former partners, members, managers, or shareholders may be included in the name of a firm  
57.25 or its successor.

57.26 (2) A common brand name or network name part, including common initials, used by  
57.27 a CPA firm in its name, is not misleading if the firm is a network firm as defined in the  
57.28 American Institute of Certified Public Accountants (AICPA) Code of Professional Conduct  
57.29 ~~in effect July 1, 2011~~ incorporated by reference in Minnesota Rules, part 1105.0250, and  
57.30 when offering or rendering services that require independence under AICPA standards, the  
57.31 firm must comply with the AICPA code's applicable standards on independence.

57.32 (i) Paragraphs (a) to (h) do not apply to a person or firm holding a certification,  
57.33 designation, degree, or license granted in a foreign country entitling the holder to engage  
57.34 in the practice of public accountancy or its equivalent in that country, if:

58.1 (1) the activities of the person or firm in this state are limited to the provision of  
58.2 professional services to persons or firms who are residents of, governments of, or business  
58.3 entities of the country in which the person holds the entitlement;

58.4 (2) the person or firm performs no attest or compilation services and issues no reports  
58.5 with respect to the information of any other persons, firms, or governmental units in this  
58.6 state; and

58.7 (3) the person or firm does not use in this state any title or designation other than the  
58.8 one under which the person practices in the foreign country, followed by a translation of  
58.9 the title or designation into English, if it is in a different language, and by the name of the  
58.10 country.

58.11 (j) No holder of a certificate issued under section 326A.04 may perform attest services  
58.12 through any business form that does not hold a valid permit issued under section 326A.05.

58.13 (k) No individual licensee may issue a report ~~in standard form~~ upon a compilation of  
58.14 financial information through any form of business that does not hold a valid permit issued  
58.15 under section 326A.05, unless the report discloses the name of the business through which  
58.16 the individual is issuing the report, and the individual:

58.17 (1) signs the compilation report identifying the individual as a certified public accountant;

58.18 (2) meets the competency requirement provided in applicable standards; and

58.19 (3) undergoes no less frequently than once every three years, a peer review conducted  
58.20 in a manner specified by the board in rule, and the review includes verification that the  
58.21 individual has met the competency requirements set out in professional standards for such  
58.22 services.

58.23 (l) No person registered under section 326A.06, paragraph (b), may issue a report ~~in~~  
58.24 ~~standard form~~ upon a compilation of financial information unless the board by rule permits  
58.25 the report and the person:

58.26 (1) signs the compilation report identifying the individual as a registered accounting  
58.27 practitioner;

58.28 (2) meets the competency requirements in board rule; and

58.29 (3) undergoes no less frequently than once every three years a peer review conducted  
58.30 in a manner specified by the board in rule, and the review includes verification that the  
58.31 individual has met the competency requirements in board rule.

59.1 (m) Nothing in this section prohibits a practicing attorney or firm of attorneys from  
59.2 preparing or presenting records or documents customarily prepared by an attorney or firm  
59.3 of attorneys in connection with the attorney's professional work in the practice of law.

59.4 (n) The board shall adopt rules that place limitations on receipt by a licensee or a person  
59.5 who holds a registration under section 326A.06, paragraph (b), of:

59.6 (1) contingent fees for professional services performed; and

59.7 (2) commissions or referral fees for recommending or referring to a client any product  
59.8 or service.

59.9 (o) Anything in this section to the contrary notwithstanding, it shall not be a violation  
59.10 of this section for a firm not holding a valid permit under section 326A.05 and not having  
59.11 an office in this state to provide its professional services in this state so long as it complies  
59.12 with the applicable requirements of section 326A.05, subdivision 1.

59.13 Sec. 45. Minnesota Statutes 2018, section 353.27, subdivision 3c, is amended to read:

59.14 Subd. 3c. **Former MERF members; member and employer contributions.** (a) For  
59.15 the period July 1, ~~2015~~ 2019, through December 31, 2031, the member contributions for  
59.16 former members of the Minneapolis Employees Retirement Fund and by the former  
59.17 Minneapolis Employees Retirement Fund-covered employing units are governed by this  
59.18 subdivision.

59.19 (b) The member contribution for a public employee who was a member of the former  
59.20 Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of  
59.21 the employee.

59.22 (c) The employer regular contribution with respect to a public employee who was a  
59.23 member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75  
59.24 percent of the salary of the employee.

59.25 (d) The annual employer supplemental contribution is the employing unit's share of  
59.26 ~~\$31,000,000. For calendar years 2017 and 2018, the employer supplemental contribution~~  
59.27 ~~is the employing unit's share of \$21,000,000.~~

59.28 (e) Each employing unit's share under paragraph (d) is the amount determined from an  
59.29 allocation between each employing unit in the portion equal to the unit's employer  
59.30 supplemental contribution paid or payable under Minnesota Statutes 2012, section 353.50,  
59.31 during calendar year 2014.

60.1 (f) The employer supplemental contribution amount under paragraph (d) for calendar  
 60.2 year ~~2015~~ 2019 must be invoiced by the executive director of the Public Employees  
 60.3 Retirement Association by July 1, ~~2015~~. ~~The calendar year 2015 payment is payable in a~~  
 60.4 ~~single amount on or before September 30, 2015~~ 2019. For subsequent calendar years, the  
 60.5 employer supplemental contribution under paragraph (d) must be invoiced on January 31  
 60.6 of each year ~~and~~. The employer supplemental contribution is payable in two parts, with the  
 60.7 first half payable on or before July 31 and with the second half payable on or before  
 60.8 December 15. Late payments are payable with interest, compounded annually, at the  
 60.9 applicable rate or rates specified in section 356.59, subdivision 3, per month for each month  
 60.10 or portion of a month that has elapsed after the due date.

60.11 (g) The employer supplemental contribution under paragraph (d) terminates on December  
 60.12 31, 2031.

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

60.14 Sec. 46. Minnesota Statutes 2018, section 353.505, is amended to read:

60.15 **353.505 STATE CONTRIBUTIONS; FORMER MERF DIVISION.**

60.16 (a) On September 15, 2019, and annually thereafter, the state shall pay to the general  
 60.17 employees retirement plan of the Public Employees Retirement Association, with respect  
 60.18 to the former MERF division, ~~\$6,000,000~~ \$16,000,000.

60.19 ~~(b) On September 15, 2017, and September 15, 2018, the state shall pay to the general~~  
 60.20 ~~employees retirement plan of the Public Employees Retirement Association, with respect~~  
 60.21 ~~to the former MERF division, \$16,000,000.~~

60.22 ~~(e)~~ (b) State contributions under this section end on September 15, 2031.

60.23 (c) The commissioner of management and budget shall pay the contribution specified  
 60.24 in this section. The amount required is appropriated annually from the general fund to the  
 60.25 commissioner of management and budget.

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

60.27 Sec. 47. **[504B.279] ACCESS TO MULTIUNIT FACILITIES BY UNITED STATES**  
 60.28 **CENSUS EMPLOYEES.**

60.29 Subdivision 1. Access required. It is unlawful for a person, either directly or indirectly,  
 60.30 to deny access to an apartment house, dormitory, nursing home, manufactured home park,  
 60.31 other multiple unit facility used as a residence, or an area in which two or more single-family

61.1  dwellings are located on private roadways, to an employee of the United States Census who  
61.2  displays a current, valid census credential and who is engaged in official census business.  
61.3  An employee granted access under this section must be permitted to leave census materials  
61.4  for residents at their doors, except that the manager of a nursing home may direct that the  
61.5  materials be left at a central location within the facility. The materials must be left in an  
61.6  orderly manner.

61.7  Subd. 2. **Limitations.** This section does not prohibit:

61.8  (1) denial of admittance into a particular apartment, room, manufactured home, or  
61.9  personal residential unit;

61.10  (2) in the case of a nursing home or a registered housing with services establishment  
61.11  providing assisted living services meeting the requirements of Minnesota Statutes, section  
61.12  144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

61.13  (3) limiting visits to a reasonable number of census employees or reasonable hours;

61.14  (4) requiring a prior appointment to gain access to the facility; or

61.15  (5) denial of admittance to or expulsion of an individual employee from a multiple unit  
61.16  dwelling for good cause.

61.17  Subd. 3. **Compliance with federal law.** A person in compliance with United States  
61.18  Code, title 13, section 223, and any guidance or rules adopted by the United States  
61.19  Department of Commerce, Bureau of the Census, governing access to a facility described  
61.20  in subdivision 1 is considered to be in compliance with the requirements of this section.

61.21  Subd. 4. **Applicability.** This section is effective from January 1 to December 31 in any  
61.22  year during which a decennial census is conducted under the authority of the United States  
61.23  Constitution, article 1, section 2.

61.24  Sec. 48. **MINNESOTA CENSUS 2020 MOBILIZATION.**

61.25  Subdivision 1. **Duty of commissioner of administration; grants and contracts.** (a)  
61.26  The commissioner of administration must, in collaboration with the Minnesota Census 2020  
61.27  Mobilization Partnership, facilitate the administration of a census mobilization program.  
61.28  The purpose of the program must be to increase the participation of Minnesotans in the  
61.29  2020 United States Census by implementing the outreach and mobilization activities  
61.30  described in subdivisions 2 to 5.

61.31  (b) At least 45 percent of any appropriation provided to the commissioner for the program  
61.32  required by this section must be allocated for a grant to the Minnesota Council on

62.1 Foundations. The Minnesota Council on Foundations must use the grant to issue subgrants  
62.2 of up to \$5,000 to the identified fiscal hosts of any Minnesota-based complete count  
62.3 committees. To be eligible for a subgrant, a complete count committee must be registered  
62.4 with the United States Census Bureau and be a tribal nation, political subdivision, nonpartisan  
62.5 nonprofit community organization, or public or private college or university engaged in  
62.6 census mobilization work in Minnesota. The commissioner must advance up to 50 percent  
62.7 of the grant and the Minnesota Council on Foundations may advance all or a portion of a  
62.8 subgrant awarded under this section. Any appropriations not allocated for grants may be  
62.9 used by the commissioner to further implement the outreach and mobilization activities  
62.10 described in subdivisions 2 to 5 by contract or by directing the work of the office of the  
62.11 state demographer.

62.12 (c) The commissioner of administration may waive application of all or any portion of  
62.13 Minnesota Statutes, sections 16B.978 to 16B.991, in awarding grants, Minnesota Statutes,  
62.14 chapter 16C, in entering contracts, and Minnesota Statutes, chapter 16E, in purchasing  
62.15 technology systems and software under this section to facilitate the timely distribution of  
62.16 funds and to maximize the impact of the outreach and mobilization activities.  
62.17 Notwithstanding the waivers authorized by this paragraph, the commissioner may not waive  
62.18 application of policies or procedures designed to ensure diversity and the inclusion of  
62.19 traditionally underrepresented groups among grant recipients and contract vendors.

62.20 (d) The commissioner must contract with Community Connection Labs to purchase  
62.21 communication and technical tools designed to support census outreach efforts. If the  
62.22 commissioner is unable to enter this contract, the commissioner may contract with another  
62.23 vendor or vendors offering comparable products and tools, or may award grants to support  
62.24 the purchase of comparable communication and technology tools.

62.25 Subd. 2. **Engaging hard to reach households.** The census mobilization partnership  
62.26 program must support:

62.27 (1) initiatives to increase census response rates among households outside of the  
62.28 11-county metropolitan area who receive mail through a post office box; and

62.29 (2) initiatives to increase awareness among census employees, multiunit apartment  
62.30 managers and owners, and renters on the laws governing access to multiunit apartment  
62.31 buildings by census employees.

62.32 Subd. 3. **Adapting to the electronic census.** The census mobilization partnership program  
62.33 must support:

63.1 (1) opportunities for Minnesotans to submit their census response electronically through  
63.2 online portals provided in common gathering spaces within a community; and

63.3 (2) commit-to-the-census initiatives that organize Minnesotans to commit to participate  
63.4 in the census and include electronic reminders to facilitate their participation.

63.5 Subd. 4. **Reaching historically undercounted communities.** The census mobilization  
63.6 partnership program must support:

63.7 (1) job sourcing initiatives that encourage a sufficient pool of qualified candidates to  
63.8 apply for positions with the Census Bureau, and efforts to ensure that the pool of candidates  
63.9 reflects the diversity of Minnesota's communities, including those communities historically  
63.10 undercounted in census reports; and

63.11 (2) initiatives that engage historically undercounted communities, and reduce census  
63.12 participation gaps in these communities compared to Minnesota's historically high overall  
63.13 census response rate.

63.14 Subd. 5. **Shared services.** The census mobilization partnership program must support  
63.15 efficiency in census mobilization efforts by providing shared services to support local and  
63.16 community census outreach, including development of multilingual educational and  
63.17 promotional materials and tools to reach respondents through a variety of communication  
63.18 platforms and services.

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

63.20 Sec. 49. **LEGISLATIVE EMPLOYEE WORKING GROUP ON THE**  
63.21 **LEGISLATURE'S ACCESSIBILITY MEASURES.**

63.22 Subdivision 1. **Membership.** The legislative employee working group on the legislature's  
63.23 accessibility measures consists of 12 members. The senate majority leader and the speaker  
63.24 of the house must each appoint four employees from among the following offices that serve  
63.25 the respective bodies: media offices, information technology offices, legal and fiscal analysis  
63.26 offices, the secretary of the senate, the chief clerk of the house of representatives, and other  
63.27 offices considered appropriate. The chair of the Legislative Coordinating Commission must  
63.28 appoint four members from among the employees who serve in the Office of the Revisor  
63.29 of Statutes, the Legislative Reference Library, the Legislative Coordinating Commission,  
63.30 and the Office of the Legislative Auditor. In conducting its work, the working group may  
63.31 consult with the MN.IT Office of Accessibility; the Commission of Deaf, Deafblind and  
63.32 Hard of Hearing; the Minnesota Council on Disability; State Services for the Blind; and

64.1 other groups that may be of assistance. Appointments to the working group must be made  
64.2 by June 1, 2019.

64.3 Subd. 2. **Duties; report.** (a) The employee working group must submit a report to the  
64.4 chairs and ranking minority members of the legislative committees with jurisdiction over  
64.5 rules and to the chair and vice-chair of the Legislative Coordinating Commission by January  
64.6 15, 2020. The report must:

64.7 (1) identify ways the legislature's accessibility measures do not meet accessibility  
64.8 standards applicable to state agencies under Minnesota Statutes, section 16E.03, subdivision  
64.9 9;

64.10 (2) identify issues and technologies that may present barriers to compliance;

64.11 (3) suggest a compliance exception process;

64.12 (4) describe a plan to update the legislature's accessibility measures to be comparable  
64.13 to those required of state agencies under Minnesota Statutes, section 16E.03, subdivision  
64.14 9; and

64.15 (5) estimate the costs for updates to the legislature's accessibility measures.

64.16 (b) For purposes of this report, the employee working group does not need to consider  
64.17 making archived documents, recordings, or publications accessible.

64.18 Subd. 3. **First meeting; chair.** The executive director of the Legislative Coordinating  
64.19 Commission must convene the first meeting of the working group by July 15, 2019. At the  
64.20 first meeting, the members must elect a chair.

64.21 Subd. 4. **Compensation; reimbursement.** Members serve without compensation but  
64.22 may be reimbursed for expenses.

64.23 Subd. 5. **Administrative support.** The Legislative Coordinating Commission must  
64.24 provide administrative support to the working group.

64.25 Subd. 6. **Expiration.** The working group expires January 15, 2020, or a later date selected  
64.26 by agreement of the appointing authorities in subdivision 1, but not later than January 15,  
64.27 2025.

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

64.29 Sec. 50. **LEGISLATIVE BUDGET OFFICE ELIMINATED.**

64.30 All operations of the Legislative Budget Office established in Minnesota Statutes, section  
64.31 3.8853, and the Legislative Budget Office Oversight Commission established in Minnesota

65.1 Statutes, section 3.8854, must be ended no later than July 1, 2019. Notwithstanding any  
65.2 laws in effect at the time of their appointment, the term of employment of all Legislative  
65.3 Budget Office employees is terminated effective July 1, 2019. The house of representatives,  
65.4 senate, and Legislative Coordinating Commission must offer reasonable opportunities for  
65.5 comparable employment in other offices of the legislature to employees whose positions  
65.6 are terminated by this section, to the extent practical.

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

65.8 Sec. 51. **WORLD WAR I PLAQUE.**

65.9 Subdivision 1. **Purpose.** The state wishes to honor all Minnesota veterans who have  
65.10 honorably and bravely served in the United States armed forces, both at home and abroad,  
65.11 during World War I.

65.12 Subd. 2. **Replacement plaque authorized.** The commissioner of administration shall  
65.13 place a memorial plaque in the court of honor on the Capitol grounds to recognize the valiant  
65.14 service of Minnesota veterans who have honorably and bravely served in the United States  
65.15 armed forces, both at home and abroad, during World War I. This plaque will replace the  
65.16 current plaque honoring veterans who served abroad during World War I. The Capitol Area  
65.17 Architectural and Planning Board shall solicit design submissions from the public. Each  
65.18 design submission must include a commitment to furnish the plaque. The Capitol Area  
65.19 Architectural and Planning Board shall select a design from those submitted to use as a  
65.20 basis for final production. The selected design must be approved by the commissioner of  
65.21 veterans affairs and must be furnished by the person or group who submitted the design.

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

65.23 Sec. 52. **CAPITOL FLAG PROGRAM STUDY.**

65.24 (a) The commissioner of administration, in consultation with the legislative coordinating  
65.25 commission and the commissioners of veterans affairs, military affairs, and public safety,  
65.26 must study and develop recommendations to implement a capitol flag program consistent  
65.27 with the program enacted in Minnesota Statutes, section 16B.246. The study must include  
65.28 recommendations to address any expected challenges in implementing the program, including  
65.29 the uncertainty of sufficient funding to serve all families that may be eligible for a flag, and  
65.30 challenges in verifying a family member's eligibility.

65.31 (b) The commissioner must report the results of the study, including any  
65.32 recommendations, to the chairs and ranking minority members of the legislative committees

66.1 with jurisdiction over state government finance and veterans affairs no later than January  
 66.2 15, 2020.

66.3 Sec. 53. **REPEALERS.**

66.4 Subdivision 1. **Hair braiding.** Minnesota Statutes 2018, section 155A.28, subdivisions  
 66.5 1, 3, and 4, are repealed.

66.6 Subd. 2. **Legislative Budget Office.** Minnesota Statutes 2018, sections 3.8853; and  
 66.7 3.8854, and Laws 2017, First Special Session chapter 4, article 2, sections 1, as amended  
 66.8 by Laws 2018, chapter 214, article 5, section 10; 3, as amended by Laws 2018, chapter 214,  
 66.9 article 5, section 11; 7; 8; 9, as amended by Laws 2018, chapter 214, article 5, section 12;  
 66.10 and 58, as amended by Laws 2018, chapter 214, article 5, section 13; and Laws 2018, chapter  
 66.11 214, article 5, sections 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; and 15, are repealed.

### 66.12 **ARTICLE 3**

#### 66.13 **STATE PAYMENTS TERMINOLOGY**

66.14 Section 1. Minnesota Statutes 2018, section 15.191, subdivision 1, is amended to read:

66.15 Subdivision 1. **Emergency disbursements.** Imprest cash funds for the purpose of making  
 66.16 minor disbursements, providing for change, and providing employees with travel advances  
 66.17 or a portion or all of their payroll ~~warrant~~ where the warrant payment has not been received  
 66.18 through the payroll system, may be established by state departments or agencies from  
 66.19 existing appropriations in the manner prescribed by this section.

66.20 Sec. 2. Minnesota Statutes 2018, section 15.191, subdivision 3, is amended to read:

66.21 Subd. 3. **Warrant Payment against designated appropriation.** Imprest cash funds  
 66.22 established under this section shall be created by ~~warrant drawn~~ payment issued against the  
 66.23 appropriation designated by the commissioner of management and budget.

66.24 Sec. 3. Minnesota Statutes 2018, section 16A.065, is amended to read:

66.25 **16A.065 PREPAY SOFTWARE, SUBSCRIPTIONS, UNITED STATES**  
 66.26 **DOCUMENTS.**

66.27 Notwithstanding section 16A.41, subdivision 1, the commissioner may allow an agency  
 66.28 to make advance deposits or payments for software or software maintenance services for  
 66.29 state-owned or leased electronic data processing equipment, for information technology  
 66.30 hosting services, for sole source maintenance agreements where it is not cost-effective to

67.1 pay in arrears, for exhibit booth space or boat slip rental when required by the renter to  
67.2 guarantee the availability of space, for registration fees where advance payment is required  
67.3 or advance payment discount is provided, ~~and~~ for newspaper, magazine, and other  
67.4 subscription fees, and other costs where advance payment discount is provided or are  
67.5 customarily paid for in advance. The commissioner may also allow advance deposits by  
67.6 any department with the Library of Congress and federal Supervisor of Documents for items  
67.7 to be purchased from those federal agencies.

67.8 Sec. 4. Minnesota Statutes 2018, section 16A.13, subdivision 2a, is amended to read:

67.9 Subd. 2a. **Procedure.** The commissioner shall see that the deduction for the withheld  
67.10 tax is made from an employee's pay on the payroll abstract. The commissioner shall approve  
67.11 one ~~warrant payable~~ payment to the commissioner for the total amount deducted on the  
67.12 abstract. Deductions from the pay of an employee paid direct by an agency shall be made  
67.13 by the employee's payroll authority. A later deduction must correct an error made on an  
67.14 earlier deduction. The paying authority shall see that a ~~warrant or check~~ payment for the  
67.15 deductions is promptly sent to the commissioner. The commissioner shall deposit the amount  
67.16 of the ~~warrant or check~~ payment to the credit of the proper federal authority or other person  
67.17 authorized by federal law to receive it.

67.18 Sec. 5. Minnesota Statutes 2018, section 16A.15, subdivision 3, is amended to read:

67.19 Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior  
67.20 obligation. An obligation may not be incurred against any fund, allotment, or appropriation  
67.21 unless the commissioner has certified a sufficient unencumbered balance or the accounting  
67.22 system shows sufficient allotment or encumbrance balance in the fund, allotment, or  
67.23 appropriation to meet it. The commissioner shall determine when the accounting system  
67.24 may be used to incur obligations without the commissioner's certification of a sufficient  
67.25 unencumbered balance. An expenditure or obligation authorized or incurred in violation of  
67.26 this chapter is invalid and ineligible for payment until made valid. A payment made in  
67.27 violation of this chapter is illegal. An employee authorizing or making the payment, or  
67.28 taking part in it, and a person receiving any part of the payment, are jointly and severally  
67.29 liable to the state for the amount paid or received. If an employee knowingly incurs an  
67.30 obligation or authorizes or makes an expenditure in violation of this chapter or takes part  
67.31 in the violation, the violation is just cause for the employee's removal by the appointing  
67.32 authority or by the governor if an appointing authority other than the governor fails to do  
67.33 so. In the latter case, the governor shall give notice of the violation and an opportunity to  
67.34 be heard on it to the employee and to the appointing authority. A claim presented against

68.1 an appropriation without prior allotment or encumbrance may be made valid on investigation,  
68.2 review, and approval by the agency head in accordance with the commissioner's policy, if  
68.3 the services, materials, or supplies to be paid for were actually furnished in good faith  
68.4 without collusion and without intent to defraud. The commissioner may then ~~draw a warrant~~  
68.5 ~~to~~ pay the claim just as properly allotted and encumbered claims are paid.

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

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

68.14 Sec. 6. Minnesota Statutes 2018, section 16A.272, subdivision 3, is amended to read:

68.15 Subd. 3. **Section 7-19 16A.271 to apply.** The provisions of Minnesota Statutes ~~1944~~,  
68.16 section ~~7-19~~ 16A.271, shall apply to deposits of securities made pursuant to this section.

68.17 Sec. 7. Minnesota Statutes 2018, section 16A.40, is amended to read:

68.18 **16A.40 WARRANTS AND ELECTRONIC FUND TRANSFERS.**

68.19 Money must not be paid out of the state treasury except upon the warrant of the  
68.20 commissioner or an electronic fund transfer approved by the commissioner. Warrants must  
68.21 be drawn on printed blanks that are in numerical order. The commissioner shall enter, in  
68.22 numerical order in a ~~warrant~~ warrant payment register, the number, amount, date, and payee for  
68.23 every ~~warrant~~ warrant payment issued.

68.24 The commissioner may require payees to supply their bank routing information to enable  
68.25 the payments to be made through an electronic fund transfer.

68.26 Sec. 8. Minnesota Statutes 2018, section 16A.42, subdivision 2, is amended to read:

68.27 Subd. 2. **Approval.** If the claim is approved, the commissioner shall ~~complete and sign~~  
68.28 ~~a warrant~~ issue a payment in the amount of the claim.

69.1 Sec. 9. Minnesota Statutes 2018, section 16A.42, is amended by adding a subdivision to  
69.2 read:

69.3 Subd. 5. **Invalid claims.** If the commissioner determines that a claim is invalid after  
69.4 issuing a warrant, the commissioner may void an unpaid warrant. The commissioner is not  
69.5 liable to any holder who took the void warrant for value.

69.6 Sec. 10. Minnesota Statutes 2018, section 16A.671, subdivision 1, is amended to read:

69.7 Subdivision 1. **Authority; advisory recommendation.** To ensure that cash is available  
69.8 when needed to ~~pay warrants~~ make payments drawn on the general fund under appropriations  
69.9 and allotments, the commissioner may (1) issue certificates of indebtedness in anticipation  
69.10 of the collection of taxes levied for and other revenues appropriated to the general fund for  
69.11 expenditure during each biennium; and (2) issue additional certificates to refund outstanding  
69.12 certificates and interest on them, under the constitution, article XI, section 6.

69.13 Sec. 11. Minnesota Statutes 2018, section 16B.37, subdivision 4, is amended to read:

69.14 Subd. 4. **Work of department for another.** To avoid duplication and improve efficiency,  
69.15 the commissioner may direct an agency to do work for another agency or may direct a  
69.16 division or section of an agency to do work for another division or section within the same  
69.17 agency and shall require reimbursement for the work. Reimbursements received by an  
69.18 agency are reappropriated to the account making the original expenditure in accordance  
69.19 with the transfer ~~warrant~~ procedure established by the commissioner of management and  
69.20 budget.

69.21 Sec. 12. Minnesota Statutes 2018, section 16D.03, subdivision 2, is amended to read:

69.22 Subd. 2. **State agency reports.** State agencies shall report quarterly to the commissioner  
69.23 of management and budget the debts owed to them. The commissioner of management and  
69.24 budget, ~~in consultation with the commissioners of revenue and human services, and the~~  
69.25 ~~attorney general,~~ shall establish internal guidelines for the recognition, tracking, and  
69.26 ~~reporting, and collection~~ of debts owed the state. The internal guidelines must include  
69.27 accounting standards, performance measurements, and uniform reporting requirements  
69.28 applicable to all state agencies. The commissioner of management and budget shall require  
69.29 a state agency to recognize, track, report, and attempt to collect debts according to the  
69.30 internal guidelines. The commissioner, in consultation with the commissioner of management  
69.31 and budget and the attorney general, shall establish internal guidelines for the collection of  
69.32 debt owed to the state.

70.1 Sec. 13. Minnesota Statutes 2018, section 16D.09, subdivision 1, is amended to read:

70.2 Subdivision 1. **Generally.** (a) When a debt is determined by a state agency to be  
70.3 uncollectible, the debt may be written off by the state agency from the state agency's financial  
70.4 accounting records and no longer recognized as an account receivable for financial reporting  
70.5 purposes. A debt is considered to be uncollectible when (1) all reasonable collection efforts  
70.6 have been exhausted, (2) the cost of further collection action will exceed the amount  
70.7 recoverable, (3) the debt is legally without merit or cannot be substantiated by evidence,  
70.8 (4) the debtor cannot be located, (5) the available assets or income, current or anticipated,  
70.9 that may be available for payment of the debt are insufficient, (6) the debt has been  
70.10 discharged in bankruptcy, (7) the applicable statute of limitations for collection of the debt  
70.11 has expired, or (8) it is not in the public interest to pursue collection of the debt. ~~The~~  
70.12 ~~determination of the uncollectibility of a~~

70.13 (b) Uncollectible debt must be reported by the state agency along with the basis for that  
70.14 ~~decision~~ as part of its quarterly reports to the commissioner of management and budget.  
70.15 The basis for the determination of the uncollectibility of the debt must be maintained by  
70.16 the state agency. If an uncollectible debt equals or exceeds \$100,000, the agency shall notify  
70.17 the chairs and ranking minority members of the legislative committees with jurisdiction  
70.18 over the state agency's budget at the time the debt is determined to be uncollectible. The  
70.19 information reported shall contain the entity associated with the uncollected debt, the amount  
70.20 of the debt, the revenue type, the reason the debt is considered uncollectible, and the duration  
70.21 the debt has been outstanding. The commissioner of management and budget shall report  
70.22 to the chairs and ranking minority members of the legislative committees with jurisdiction  
70.23 over Minnesota Management and Budget an annual summary of the number and dollar  
70.24 amount of debts determined to be uncollectible during the previous fiscal year by October  
70.25 31 of each year. Determining that the debt is uncollectible does not cancel the legal obligation  
70.26 of the debtor to pay the debt.

70.27 Sec. 14. Minnesota Statutes 2018, section 21.116, is amended to read:

70.28 **21.116 EXPENSES.**

70.29 All necessary expenses incurred in carrying out the provisions of sections 21.111 to  
70.30 21.122 and the compensation of officers, inspectors, and employees appointed, designated,  
70.31 or employed by the commissioner, as provided in such sections, together with their necessary  
70.32 traveling expenses, together with the traveling expenses of the members of the advisory  
70.33 seed potato certification committee, and other expenses necessary in attending committee

71.1 meetings, shall be paid from, and only from, the seed potato inspection account, on order  
71.2 of the commissioner and commissioner of management and ~~budget's voucher warrant~~ budget.

71.3 Sec. 15. Minnesota Statutes 2018, section 80A.65, subdivision 9, is amended to read:

71.4 Subd. 9. **Generally.** No filing for which a fee is required shall be deemed to be filed or  
71.5 given any effect until the proper fee is paid. All fees and charges collected by the  
71.6 administrator shall be covered into the state treasury. When any person is entitled to a refund  
71.7 under this section, the administrator shall certify to the commissioner of management and  
71.8 budget the amount of the fee to be refunded to the applicant, and the commissioner of  
71.9 management and budget shall issue a ~~warrant~~ in payment thereof out of the fund to which  
71.10 such fee was credited in the manner provided by law. There is hereby appropriated to the  
71.11 person entitled to such refunds from the fund in the state treasury to which such fees were  
71.12 credited an amount to make such refunds and payments.

71.13 Sec. 16. Minnesota Statutes 2018, section 84A.23, subdivision 4, is amended to read:

71.14 Subd. 4. **Drainage ditch bonds; reports.** (a) Immediately after a project is approved  
71.15 and accepted and then after each distribution of the tax collections on the June and November  
71.16 tax settlements, the county auditor shall certify to the commissioner of management and  
71.17 budget the following information relating to bonds issued to finance or refinance public  
71.18 drainage ditches wholly or partly within the projects, and the collection of assessments  
71.19 levied on account of the ditches:

71.20 (1) the amount of principal and interest to become due on the bonds before the next tax  
71.21 settlement and distribution;

71.22 (2) the amount of money collected from the drainage assessments and credited to the  
71.23 funds of the ditches; and

71.24 (3) the amount of the deficit in the ditch fund of the county chargeable to the ditches.

71.25 (b) On approving the certificate, the commissioner of management and budget shall  
71.26 ~~draw a warrant~~ issue a payment, payable out of the fund pertaining to the project, for the  
71.27 amount of the deficit in favor of the county.

71.28 (c) As to public drainage ditches wholly within a project, the amount of money paid to  
71.29 or for the benefit of the county under paragraph (b) must never exceed the principal and  
71.30 interest of the bonds issued to finance or refinance the ditches outstanding at the time of  
71.31 the passage and approval of sections 84A.20 to 84A.30, less money on hand in the county  
71.32 ditch fund to the credit of the ditches. The liabilities must be reduced from time to time by

72.1 the amount of all payments of assessments after April 25, 1931, made by the owners of  
72.2 lands assessed before that date for benefits on account of the ditches.

72.3 (d) As to public drainage ditches partly within and partly outside a project, the amount  
72.4 paid from the fund pertaining to the project to or for the benefit of the county must never  
72.5 exceed a certain percentage of bonds issued to finance and refinance the ditches so  
72.6 outstanding, less money on hand in the county ditch fund to the credit of the ditches on  
72.7 April 25, 1931. The percentage must bear the same proportion to the whole amount of these  
72.8 bonds as the original benefits assessed against lands within the project bear to the original  
72.9 total benefits assessed to the entire system of the ditches. This liability shall be reduced  
72.10 from time to time by the payments of all assessments extended after April 25, 1931, made  
72.11 by the owners of lands within the project of assessments for benefits assessed before that  
72.12 date on account of a ditch.

72.13 (e) The commissioner of management and budget may provide and prescribe forms for  
72.14 reports required by sections 84A.20 to 84A.30 and require any additional information from  
72.15 county officials that the commissioner of management and budget considers necessary for  
72.16 the proper administration of sections 84A.20 to 84A.30.

72.17 Sec. 17. Minnesota Statutes 2018, section 84A.33, subdivision 4, is amended to read:

72.18 Subd. 4. **Ditch bonds; funds; payments to counties.** (a) Upon the approval and  
72.19 acceptance of a project and after each distribution of the tax collections for the June and  
72.20 November tax settlements, the county auditor shall certify to the commissioner of  
72.21 management and budget the following information about bonds issued to finance or refinance  
72.22 public drainage ditches wholly or partly within the projects, and the collection of assessments  
72.23 levied for the ditches:

72.24 (1) the amount of principal and interest to become due on the bonds before the next tax  
72.25 settlement and distribution;

72.26 (2) the amount of money collected from the drainage assessments and credited to the  
72.27 funds of the ditches, not already sent to the commissioner of management and budget as  
72.28 provided in sections 84A.31 to 84A.42; and

72.29 (3) the amount of the deficit in the ditch fund of the county chargeable to the ditches.

72.30 (b) On approving this certificate of the county auditor, the commissioner of management  
72.31 and budget shall ~~draw a warrant~~ issue a payment, payable out of the fund provided for in  
72.32 sections 84A.31 to 84A.42, and send it to the county treasurer of the county. These funds  
72.33 must be credited to the proper ditch of the county and placed in the ditch bond fund of the

73.1 county, which is created, and used only to pay the ditch bonded indebtedness of the county  
73.2 assumed by the state under sections 84A.31 to 84A.42. The total amount of ~~warrants drawn~~  
73.3 payments issued must not exceed in any one year the total amount of the deficit provided  
73.4 for under this section.

73.5 (c) The state is subrogated to all title, right, interest, or lien of the county in or on the  
73.6 lands so certified within these projects.

73.7 (d) As to public drainage ditches wholly within a project, the amount paid to, or for the  
73.8 benefit of, the county under this subdivision must never exceed the principal and interest  
73.9 of the bonds issued to finance or refinance a ditch outstanding on April 22, 1933, less money  
73.10 on hand in the county ditch fund to the credit of a ditch. These liabilities must be reduced  
73.11 from time to time by the amount of any payments of assessments extended after April 22,  
73.12 1933, made by the owners of lands assessed before that date for benefits on account of the  
73.13 ditches.

73.14 As to public drainage ditches partly within and partly outside a project the amount paid  
73.15 from the fund pertaining to the project to or for the benefit of the county must never exceed  
73.16 a certain percentage of bonds issued to finance and refinance a ditch so outstanding, less  
73.17 money on hand in the county ditch fund to the credit of a ditch on April 22, 1932. The  
73.18 percentage must bear the same proportion to the whole amount of the bonds as the original  
73.19 benefits assessed against these lands within the project bear to the original total benefits  
73.20 assessed to the entire system for a ditch. This liability must be reduced from time to time  
73.21 by the payments of all assessments extended after April 22, 1933, made by the owners of  
73.22 lands within the project of assessments for benefits assessed before that date on account of  
73.23 a ditch.

73.24 Sec. 18. Minnesota Statutes 2018, section 84A.52, is amended to read:

73.25 **84A.52 ACCOUNTS; EXAMINATION, APPROPRIATION, PAYMENT.**

73.26 (a) As a part of the examination provided for by section 6.481, of the accounts of the  
73.27 several counties within a game preserve, area, or project established under section 84A.01,  
73.28 84A.20, or 84A.31, the state auditor shall segregate the audit of the accounts reflecting the  
73.29 receipt and disbursement of money collected or disbursed under this chapter or from the  
73.30 sale of tax-forfeited lands held by the state under section 84A.07, 84A.26, or 84A.36. The  
73.31 auditor shall also include in the reports required by section 6.481 summary statements as  
73.32 of December 31 before the examination that set forth the proportionate amount of principal  
73.33 and interest due from the state to the individual county and any money due the state from  
73.34 the county remaining unpaid under this chapter, or from the sale of any tax-forfeited lands

74.1 referred to in this section, and other information required by the commissioner of management  
 74.2 and budget. On receiving a report, the commissioner of management and budget shall  
 74.3 determine the net amount due to the county for the period covered by the report and shall  
 74.4 ~~draw a warrant~~ issue a payment upon the state treasury payable out of the consolidated fund  
 74.5 for that amount. It must be paid to and received by the county as payment in full of all  
 74.6 amounts due for the period stated on the ~~warrants~~ payments from the state under any  
 74.7 provision of this chapter.

74.8 (b) Money to ~~pay the warrants~~ make the payments is appropriated to the counties entitled  
 74.9 to payment from the consolidated fund in the state treasury.

74.10 Sec. 19. Minnesota Statutes 2018, section 88.12, subdivision 1, is amended to read:

74.11 Subdivision 1. **Limitation.** The compensation and expenses of persons temporarily  
 74.12 employed in emergencies in suppression or control of wildfires shall be fixed by the  
 74.13 commissioner of natural resources or an authorized agent and paid as provided by law. Such  
 74.14 compensation shall not exceed the maximum rate for comparable labor established as  
 74.15 provided by law or rules, but shall not be subject to any minimum rate so established. The  
 74.16 commissioner is authorized to draw and expend from money appropriated for the purposes  
 74.17 of sections 88.03 to 88.22 a reasonable sum and through forest officers or other authorized  
 74.18 agent be used in paying emergency expenses, including just compensation for services  
 74.19 rendered by persons summoned and for private property used, damaged, or appropriated  
 74.20 under sections 88.03 to 88.22. The commissioner of management and budget is authorized  
 74.21 to ~~draw a warrant~~ issue a payment for this sum when duly approved by the commissioner.  
 74.22 The commissioner or agent in charge shall take proper subvouchers or receipts from all  
 74.23 persons to whom these moneys are paid, and after these subvouchers have been approved  
 74.24 they shall be filed with the commissioner of management and budget. Authorized funds as  
 74.25 herein provided at any time shall be deposited, subject to withdrawal or disbursement by  
 74.26 check or otherwise for the purposes herein prescribed, in a bank authorized and bonded to  
 74.27 receive state deposits; and the bond of this bank to the state shall cover and include this  
 74.28 deposit.

74.29 Sec. 20. Minnesota Statutes 2018, section 94.522, is amended to read:

74.30 **94.522 ~~WARRANTS~~ PAYMENTS TO COUNTY TREASURERS; USE OF**  
 74.31 **PROCEEDS.**

74.32 It shall be the duty of the commissioner of management and budget to transmit ~~warrants~~  
 74.33 ~~on~~ payments from the state treasury to the county treasurer of the respective counties for

75.1 the sums that may be due in accordance with section 94.521, which sums are hereby  
 75.2 appropriated out of the state treasury from the amounts received from the United States  
 75.3 government pursuant to the aforesaid acts of Congress, and such money shall be used by  
 75.4 the counties receiving the same for the purposes and in the proportions herein provided.

75.5 Sec. 21. Minnesota Statutes 2018, section 94.53, is amended to read:

75.6 **94.53 ~~WARRANTS~~ PAYMENTS TO COUNTY TREASURERS; FEDERAL**  
 75.7 **LOANS TO COUNTIES.**

75.8 It shall be the duty of the commissioner of management and budget to transmit ~~warrants~~  
 75.9 ~~on~~ payments from the state treasury to the county treasurers of the respective counties for  
 75.10 the sum that may be due in accordance with sections 94.52 to 94.54, which sum or sums  
 75.11 are hereby appropriated out of the state treasury from the amounts received from the United  
 75.12 States government pursuant to the aforesaid act of Congress. The commissioner of  
 75.13 management and budget, upon being notified by the federal government or any agencies  
 75.14 thereof that a loan has been made to any such county the repayment of which is to be made  
 75.15 from such fund, is authorized to transmit a ~~warrant or warrants~~ payment to the federal  
 75.16 government or any agency thereof sufficient to repay such loan out of any money apportioned  
 75.17 or due to such county under the provisions of such act of Congress, approved May 23, 1908  
 75.18 (Statutes at Large, volume 35, page 260).

75.19 Sec. 22. Minnesota Statutes 2018, section 116J.64, subdivision 7, is amended to read:

75.20 Subd. 7. **Processing.** (a) An Indian desiring a loan for the purpose of starting a business  
 75.21 enterprise or expanding an existing business shall make application to the appropriate tribal  
 75.22 government. The application shall be forwarded to the appropriate eligible organization, if  
 75.23 it is participating in the program, for consideration in conformity with the plans submitted  
 75.24 by said tribal governments. The tribal government may approve the application if it  
 75.25 determines that the loan would advance the goals of the Indian business loan program. If  
 75.26 the tribal government is not participating in the program, the agency may directly approve  
 75.27 or deny the loan application.

75.28 (b) If the application is approved, the tribal government shall forward the application,  
 75.29 together with all relevant documents pertinent thereto, to the commissioner of the agency,  
 75.30 who shall ~~cause a warrant~~ request a payment to be drawn in favor of issued to the applicant  
 75.31 or the applicable tribal government, or the agency, if it is administering the loan, with  
 75.32 appropriate notations identifying the borrower.

76.1 (c) The tribal government, eligible organization, or the agency, if it is administering the  
 76.2 loan, shall maintain records of transactions for each borrower in a manner consistent with  
 76.3 good accounting practice. The interest rate on a loan shall be established by the tribal  
 76.4 government or the agency, but may be no less than two percent per annum nor more than  
 76.5 ten percent per annum. When any portion of a debt is repaid, the tribal government, eligible  
 76.6 organization, or the agency, if it is administering the loan, shall remit the amount so received  
 76.7 plus interest paid thereon to the commissioner of management and budget through the  
 76.8 agency. The amount so received shall be credited to the Indian business loan account.

76.9 (d) On the placing of a loan, additional money equal to ten percent of the total amount  
 76.10 made available to any tribal government, eligible organization, or the agency, if it is  
 76.11 administering the loan, for loans during the fiscal year shall be paid to the tribal government,  
 76.12 eligible organization, or the agency, prior to December 31 for the purpose of financing  
 76.13 administrative costs.

76.14 Sec. 23. Minnesota Statutes 2018, section 127A.34, subdivision 1, is amended to read:

76.15 Subdivision 1. **Copy to commissioner of management and budget; appropriation.** The  
 76.16 commissioner shall furnish a copy of the apportionment of the school endowment fund to  
 76.17 the commissioner of management and budget, who thereupon shall ~~draw warrants on~~ issue  
 76.18 payments from the state treasury, payable to the several districts, for the amount due each  
 76.19 district. There is hereby annually appropriated from the school endowment fund the amount  
 76.20 of such apportionments.

76.21 Sec. 24. Minnesota Statutes 2018, section 127A.40, is amended to read:

76.22 **127A.40 MANNER OF PAYMENT OF STATE AIDS.**

76.23 It shall be the duty of the commissioner to deliver to the commissioner of management  
 76.24 and budget a certificate for each district entitled to receive state aid under the provisions of  
 76.25 this chapter. Upon the receipt of such certificate, it shall be the duty of the commissioner  
 76.26 of management and budget to ~~draw a warrant in favor of~~ issue a payment to the district for  
 76.27 the amount shown by each certificate to be due to the district. The commissioner of  
 76.28 management and budget shall transmit such ~~warrants~~ payments to the district together with  
 76.29 a copy of the certificate prepared by the commissioner.

76.30 Sec. 25. Minnesota Statutes 2018, section 136F.70, subdivision 3, is amended to read:

76.31 Subd. 3. **Refunds.** The board may make refunds to students for tuition, activity fees,  
 76.32 union fees, and any other fees from imprest cash funds. The imprest cash fund shall be

77.1 reimbursed periodically by ~~checks or warrants drawn on~~ payments issued from the funds  
77.2 and accounts to which the refund should ultimately be charged. The amounts necessary to  
77.3 pay the refunds are appropriated from the funds and accounts to which they are charged.

77.4 Sec. 26. Minnesota Statutes 2018, section 176.181, subdivision 2, is amended to read:

77.5 Subd. 2. **Compulsory insurance; self-insurers.** (a) Every employer, except the state  
77.6 and its municipal subdivisions, liable under this chapter to pay compensation shall insure  
77.7 payment of compensation with some insurance carrier authorized to insure workers'  
77.8 compensation liability in this state, or obtain a written order from the commissioner of  
77.9 commerce exempting the employer from insuring liability for compensation and permitting  
77.10 self-insurance of the liability. The terms, conditions and requirements governing  
77.11 self-insurance shall be established by the commissioner pursuant to chapter 14. The  
77.12 commissioner of commerce shall also adopt, pursuant to paragraph (d), rules permitting  
77.13 two or more employers, whether or not they are in the same industry, to enter into agreements  
77.14 to pool their liabilities under this chapter for the purpose of qualifying as group self-insurers.  
77.15 With the approval of the commissioner of commerce, any employer may exclude medical,  
77.16 chiropractic and hospital benefits as required by this chapter. An employer conducting  
77.17 distinct operations at different locations may either insure or self-insure the other portion  
77.18 of operations as a distinct and separate risk. An employer desiring to be exempted from  
77.19 insuring liability for compensation shall make application to the commissioner of commerce,  
77.20 showing financial ability to pay the compensation, whereupon by written order the  
77.21 commissioner of commerce, on deeming it proper, may make an exemption. An employer  
77.22 may establish financial ability to pay compensation by providing financial statements of  
77.23 the employer to the commissioner of commerce. Upon ten days' written notice the  
77.24 commissioner of commerce may revoke the order granting an exemption, in which event  
77.25 the employer shall immediately insure the liability. As a condition for the granting of an  
77.26 exemption the commissioner of commerce may require the employer to furnish security the  
77.27 commissioner of commerce considers sufficient to insure payment of all claims under this  
77.28 chapter, consistent with subdivision 2b. If the required security is in the form of currency  
77.29 or negotiable bonds, the commissioner of commerce shall deposit it with the commissioner  
77.30 of management and budget. In the event of any default upon the part of a self-insurer to  
77.31 abide by any final order or decision of the commissioner of labor and industry directing and  
77.32 awarding payment of compensation and benefits to any employee or the dependents of any  
77.33 deceased employee, then upon at least ten days' notice to the self-insurer, the commissioner  
77.34 of commerce may by written order to the commissioner of management and budget require  
77.35 the commissioner of management and budget to sell the pledged and assigned securities or

78.1 a part thereof necessary to pay the full amount of any such claim or award with interest  
78.2 thereon. This authority to sell may be exercised from time to time to satisfy any order or  
78.3 award of the commissioner of labor and industry or any judgment obtained thereon. When  
78.4 securities are sold the money obtained shall be deposited in the state treasury to the credit  
78.5 of the commissioner of commerce and awards made against any such self-insurer by the  
78.6 commissioner of commerce shall be paid to the persons entitled thereto by the commissioner  
78.7 of management and budget upon ~~warrants prepared~~ payments requested by the commissioner  
78.8 of commerce out of the proceeds of the sale of securities. Where the security is in the form  
78.9 of a surety bond or personal guaranty the commissioner of commerce, at any time, upon at  
78.10 least ten days' notice and opportunity to be heard, may require the surety to pay the amount  
78.11 of the award, the payments to be enforced in like manner as the award may be enforced.

78.12 (b) No association, corporation, partnership, sole proprietorship, trust or other business  
78.13 entity shall provide services in the design, establishment or administration of a group  
78.14 self-insurance plan under rules adopted pursuant to this subdivision unless it is licensed, or  
78.15 exempt from licensure, pursuant to section 60A.23, subdivision 8, to do so by the  
78.16 commissioner of commerce. An applicant for a license shall state in writing the type of  
78.17 activities it seeks authorization to engage in and the type of services it seeks authorization  
78.18 to provide. The license shall be granted only when the commissioner of commerce is satisfied  
78.19 that the entity possesses the necessary organization, background, expertise, and financial  
78.20 integrity to supply the services sought to be offered. The commissioner of commerce may  
78.21 issue a license subject to restrictions or limitations, including restrictions or limitations on  
78.22 the type of services which may be supplied or the activities which may be engaged in. The  
78.23 license is for a two-year period.

78.24 (c) To assure that group self-insurance plans are financially solvent, administered in a  
78.25 fair and capable fashion, and able to process claims and pay benefits in a prompt, fair and  
78.26 equitable manner, entities licensed to engage in such business are subject to supervision  
78.27 and examination by the commissioner of commerce.

78.28 (d) To carry out the purposes of this subdivision, the commissioner of commerce may  
78.29 promulgate administrative rules pursuant to sections 14.001 to 14.69. These rules may:

78.30 (1) establish reporting requirements for administrators of group self-insurance plans;

78.31 (2) establish standards and guidelines consistent with subdivision 2b to assure the  
78.32 adequacy of the financing and administration of group self-insurance plans;

78.33 (3) establish bonding requirements or other provisions assuring the financial integrity  
78.34 of entities administering group self-insurance plans;

79.1 (4) establish standards, including but not limited to minimum terms of membership in  
79.2 self-insurance plans, as necessary to provide stability for those plans;

79.3 (5) establish standards or guidelines governing the formation, operation, administration,  
79.4 and dissolution of self-insurance plans; and

79.5 (6) establish other reasonable requirements to further the purposes of this subdivision.

79.6 Sec. 27. Minnesota Statutes 2018, section 176.581, is amended to read:

79.7 **176.581 PAYMENT TO STATE EMPLOYEES.**

79.8 Upon a ~~warrant~~ request prepared by the commissioner of administration, and in  
79.9 accordance with the terms of the order awarding compensation, the commissioner of  
79.10 management and budget shall pay compensation to the employee or the employee's  
79.11 dependent. These payments shall be made from money appropriated for this purpose.

79.12 Sec. 28. Minnesota Statutes 2018, section 176.591, subdivision 3, is amended to read:

79.13 Subd. 3. **Compensation payments upon ~~warrants~~ request.** The commissioner of  
79.14 management and budget shall make compensation payments from the fund only as authorized  
79.15 by this chapter upon ~~warrants~~ request of the commissioner of administration.

79.16 Sec. 29. Minnesota Statutes 2018, section 192.55, is amended to read:

79.17 **192.55 PAYMENTS TO BE MADE THROUGH ADJUTANT GENERAL.**

79.18 All pay and allowances and necessary expenses for any of the military forces shall, when  
79.19 approved by the adjutant general, be paid by commissioner of management and ~~budget's~~  
79.20 ~~warrants issued~~ budget to the several officers and enlisted members entitled thereto; provided,  
79.21 that upon the request of the adjutant general, approved by the governor, the sum required  
79.22 for any such pay or allowances and necessary expenses shall be paid by commissioner of  
79.23 management and ~~budget's warrant~~ budget to the adjutant general, who shall immediately  
79.24 pay and distribute the same to the several officers or enlisted members entitled thereto or  
79.25 to their commanding officers or to a finance officer designated by the adjutant general. The  
79.26 receipt of any such commanding officer or finance officer for any such payment shall  
79.27 discharge the adjutant general from liability therefor. Every commanding officer or finance  
79.28 officer receiving any such payment shall, as soon as practicable, pay and distribute the same  
79.29 to the several officers or enlisted members entitled thereto. The officer making final payment  
79.30 shall, as evidence thereof, secure the signature of the person receiving the same upon a  
79.31 payroll or other proper voucher.

80.1 Sec. 30. Minnesota Statutes 2018, section 237.30, is amended to read:

80.2 **237.30 TELEPHONE INVESTIGATION FUND; APPROPRIATION.**

80.3 A Minnesota Telephone Investigation Fund shall exist for the use of the Department of  
80.4 Commerce and of the attorney general in investigations, valuations, and revaluations under  
80.5 section 237.295. All sums paid by the telephone companies to reimburse the department  
80.6 for its expenses pursuant to section 237.295 shall be credited to the revolving fund and shall  
80.7 be deposited in a separate bank account and not commingled with any other state funds or  
80.8 moneys, but any balance in excess of \$25,000 in the revolving fund at the end of each fiscal  
80.9 year shall be paid into the state treasury and credited to the general fund. All subsequent  
80.10 credits to said revolving fund shall be paid ~~upon the warrant of~~ by the commissioner of  
80.11 management and budget upon application of the department or of the attorney general to  
80.12 an aggregate amount of not more than one-half of such sums to each of them, which  
80.13 proportion shall be constantly maintained in all credits and withdrawals from the revolving  
80.14 fund.

80.15 Sec. 31. Minnesota Statutes 2018, section 244.19, subdivision 7, is amended to read:

80.16 Subd. 7. **Certificate of counties entitled to state aid.** On or before January 1 of each  
80.17 year, until 1970 and on or before April 1 thereafter, the commissioner of corrections shall  
80.18 deliver to the commissioner of management and budget a certificate in duplicate for each  
80.19 county of the state entitled to receive state aid under the provisions of this section. Upon  
80.20 the receipt of such certificate, the commissioner of management and budget shall ~~draw a~~  
80.21 ~~warrant in favor of~~ issue a payment to the county treasurer for the amount shown by each  
80.22 certificate to be due to the county specified. The commissioner of management and budget  
80.23 shall transmit such ~~warrant~~ payment to the county treasurer together with a copy of the  
80.24 certificate prepared by the commissioner of corrections.

80.25 Sec. 32. Minnesota Statutes 2018, section 256B.20, is amended to read:

80.26 **256B.20 COUNTY APPROPRIATIONS.**

80.27 The providing of funds necessary to carry out the provisions hereof on the part of the  
80.28 counties and the manner of administering the funds of the counties and the state shall be as  
80.29 follows:

80.30 (1) The board of county commissioners of each county shall annually set up in its budget  
80.31 an item designated as the county medical assistance fund and levy taxes and fix a rate  
80.32 therefor sufficient to produce the full amount of such item, in addition to all other tax levies  
80.33 and tax rate, however fixed or determined, sufficient to carry out the provisions hereof and

81.1 sufficient to pay in full the county share of assistance and administrative expense for the  
81.2 ensuing year; and annually on or before October 10 shall certify the same to the county  
81.3 auditor to be entered by the auditor on the tax rolls. Such tax levy and tax rate shall make  
81.4 proper allowance and provision for shortage in tax collections.

81.5 (2) Any county may transfer surplus funds from any county fund, except the sinking or  
81.6 ditch fund, to the general fund or to the county medical assistance fund in order to provide  
81.7 money necessary to pay medical assistance awarded hereunder. The money so transferred  
81.8 shall be used for no other purpose, but any portion thereof no longer needed for such purpose  
81.9 shall be transferred back to the fund from which taken.

81.10 (3) Upon the order of the county agency the county auditor shall draw a warrant on the  
81.11 proper fund in accordance with the order, and the county treasurer shall pay out the amounts  
81.12 ordered to be paid out as medical assistance hereunder. When necessary by reason of failure  
81.13 to levy sufficient taxes for the payment of the medical assistance in the county, the county  
81.14 auditor shall carry any such payments as an overdraft on the medical assistance funds of  
81.15 the county until sufficient tax funds shall be provided for such assistance payments. The  
81.16 board of county commissioners shall include in the tax levy and tax rate in the year following  
81.17 the year in which such overdraft occurred, an amount sufficient to liquidate such overdraft  
81.18 in full.

81.19 (4) Claims for reimbursement and reports shall be presented to the state agency by the  
81.20 respective counties as required under section 256.01, subdivision 2, paragraph (p). The state  
81.21 agency shall audit such claims and certify to the commissioner of management and budget  
81.22 the amounts due the respective counties without delay. The amounts so certified shall be  
81.23 paid within ten days after such certification, from the state treasury upon ~~warrant~~ payment  
81.24 of the commissioner of management and budget from any money available therefor. The  
81.25 money available to the state agency to carry out the provisions hereof, including all federal  
81.26 funds available to the state, shall be kept and deposited by the commissioner of management  
81.27 and budget in the revenue fund and disbursed ~~upon warrants~~ in the same manner as other  
81.28 state funds.

81.29 Sec. 33. Minnesota Statutes 2018, section 299C.21, is amended to read:

81.30 **299C.21 PENALTY ON LOCAL OFFICER REFUSING INFORMATION.**

81.31 If any public official charged with the duty of furnishing to the bureau fingerprint records,  
81.32 biological specimens, reports, or other information required by sections 299C.06, 299C.10,  
81.33 299C.105, 299C.11, 299C.17, shall neglect or refuse to comply with such requirement, the  
81.34 bureau, in writing, shall notify the state, county, or city officer charged with the issuance

82.1 of ~~a warrant~~ for the payment of the salary of such official. Upon the receipt of the notice  
 82.2 the state, county, or city official shall withhold the issuance of ~~a warrant~~ for the payment  
 82.3 of the salary or other compensation accruing to such officer for the period of 30 days  
 82.4 thereafter until notified by the bureau that such suspension has been released by the  
 82.5 performance of the required duty.

82.6 Sec. 34. Minnesota Statutes 2018, section 352.04, subdivision 9, is amended to read:

82.7 Subd. 9. **Erroneous deductions, canceled ~~warrants~~ payments.** (a) Deductions taken  
 82.8 from the salary of an employee for the retirement fund in excess of required amounts must,  
 82.9 upon discovery and verification by the department making the deduction, be refunded to  
 82.10 the employee.

82.11 (b) If a deduction for the retirement fund is taken from a salary ~~warrant or check~~ payment,  
 82.12 and the ~~check~~ payment is canceled or the amount of the ~~warrant or check~~ payment returned  
 82.13 to the funds of the department making the payment, the sum deducted, or the part of it  
 82.14 required to adjust the deductions, must be refunded to the department or institution if the  
 82.15 department applies for the refund on a form furnished by the director. The department's  
 82.16 payments must likewise be refunded to the department.

82.17 (c) If erroneous employee deductions and employer contributions are caused by an error  
 82.18 in plan coverage involving the plan and any other plans specified in section 356.99, that  
 82.19 section applies. If the employee should have been covered by the plan governed by chapter  
 82.20 352D, 353D, 354B, or 354D, the employee deductions and employer contributions taken  
 82.21 in error must be directly transferred to the applicable employee's account in the correct  
 82.22 retirement plan, with interest at the applicable monthly rate or rates specified in section  
 82.23 356.59, subdivision 2, compounded annually, from the first day of the month following the  
 82.24 month in which coverage should have commenced in the correct defined contribution plan  
 82.25 until the end of the month in which the transfer occurs.

82.26 Sec. 35. Minnesota Statutes 2018, section 353.05, is amended to read:

82.27 **353.05 CUSTODIAN OF FUNDS.**

82.28 The commissioner of management and budget shall be ex officio treasurer of the  
 82.29 retirement funds of the association and the general bond of the commissioner of management  
 82.30 and budget to the state must be so conditioned as to cover all liability for acts as treasurer  
 82.31 of these funds. All money of the association received by the commissioner of management  
 82.32 and budget must be set aside in the state treasury to the credit of the proper fund or account.  
 82.33 The commissioner of management and budget shall transmit monthly to the executive

83.1 director a detailed statement of all amounts so received and credited to the funds. Payments  
83.2 out of the funds may only be made ~~on warrants~~ as payments issued by the commissioner of  
83.3 management and budget, upon abstracts signed by the executive director; provided that  
83.4 abstracts for investment may be signed by the executive director of the State Board of  
83.5 Investment.

83.6 Sec. 36. Minnesota Statutes 2018, section 354.42, subdivision 7, is amended to read:

83.7 Subd. 7. **Erroneous salary deductions or direct payments.** (a) Any deductions taken  
83.8 from the salary of an employee for the retirement fund in excess of amounts required must  
83.9 be refunded to the employee upon the discovery of the error and after the verification of  
83.10 the error by the employing unit making the deduction. The corresponding excess employer  
83.11 contribution and excess additional employer contribution amounts attributable to the  
83.12 erroneous salary deduction must be refunded to the employing unit.

83.13 (b) If salary deductions and employer contributions were erroneously transmitted to the  
83.14 retirement fund and should have been transmitted to the plan covered by chapter 352D,  
83.15 353D, 354B, or 354D, the executive director must transfer these salary deductions and  
83.16 employer contributions to the account of the appropriate person under the applicable plan.  
83.17 The transfer to the applicable defined contribution plan account must include interest at the  
83.18 rate of 0.71 percent per month, compounded annually, from the first day of the month  
83.19 following the month in which coverage should have commenced in the defined contribution  
83.20 plan until the end of the month in which the transfer occurs.

83.21 (c) A potential transfer under paragraph (b) that would cause the plan to fail to be a  
83.22 qualified plan under section 401(a) of the Internal Revenue Code, as amended, must not be  
83.23 made by the executive director. Within 30 days after being notified by the Teachers  
83.24 Retirement Association of an unmade potential transfer under this paragraph, the employer  
83.25 of the affected person must transmit an amount representing the applicable salary deductions  
83.26 and employer contributions, without interest, to the account of the applicable person under  
83.27 the appropriate plan. The retirement association must provide a credit for the amount of the  
83.28 erroneous salary deductions and employer contributions against future contributions from  
83.29 the employer.

83.30 (d) If a salary ~~warrant or check~~ payment from which a deduction for the retirement fund  
83.31 was taken has been canceled or the amount of the ~~warrant or if a check~~ payment has been  
83.32 returned to the funds of the employing unit making the payment, a refund of the amount  
83.33 deducted, or any portion of it that is required to adjust the salary deductions, must be made  
83.34 to the employing unit.

84.1 (e) Erroneous direct payments of member-paid contributions or erroneous salary  
84.2 deductions that were not refunded during the regular payroll cycle processing must be  
84.3 refunded to the member, plus interest computed using the rate and method specified in  
84.4 section 354.49, subdivision 2.

84.5 (f) Any refund under this subdivision that would cause the plan to fail to be a qualified  
84.6 plan under section 401(a) of the Internal Revenue Code, as amended, may not be refunded  
84.7 and instead must be credited against future contributions payable by the employer. The  
84.8 employer is responsible for refunding to the applicable employee any amount that was  
84.9 erroneously deducted from the salary of the employee, with interest as specified in paragraph  
84.10 (e).

84.11 (g) If erroneous employee deductions and employer contributions are caused by an error  
84.12 in plan coverage involving the plan and any other plan specified in section 356.99, that  
84.13 section applies.

84.14 Sec. 37. Minnesota Statutes 2018, section 401.15, subdivision 1, is amended to read:

84.15 Subdivision 1. **Certified statements; determinations; adjustments.** Within 60 days  
84.16 of the end of each calendar quarter, participating counties which have received the payments  
84.17 authorized by section 401.14 shall submit to the commissioner certified statements detailing  
84.18 the amounts expended and costs incurred in furnishing the correctional services provided  
84.19 in sections 401.01 to 401.16. Upon receipt of certified statements, the commissioner shall,  
84.20 in the manner provided in sections 401.10 and 401.12, determine the amount each  
84.21 participating county is entitled to receive, making any adjustments necessary to rectify any  
84.22 disparity between the amounts received pursuant to the estimate provided in section 401.14  
84.23 and the amounts actually expended. If the amount received pursuant to the estimate is greater  
84.24 than the amount actually expended during the quarter, the commissioner may withhold the  
84.25 difference from any subsequent monthly payments made pursuant to section 401.14. Upon  
84.26 certification by the commissioner of the amount a participating county is entitled to receive  
84.27 under the provisions of section 401.14 or of this subdivision the commissioner of  
84.28 management and budget shall thereupon issue a ~~state warrant~~ payment to the chief fiscal  
84.29 officer of each participating county for the amount due together with a copy of the certificate  
84.30 prepared by the commissioner.

84.31 Sec. 38. Minnesota Statutes 2018, section 446A.16, subdivision 1, is amended to read:

84.32 Subdivision 1. **Functions of commissioner of management and budget.** Except as  
84.33 otherwise provided in this section, money of the authority must be paid to the commissioner

85.1 of management and budget as agent of the authority and the commissioner shall not  
85.2 commingle the money with other money. The money in the accounts of the authority must  
85.3 be paid out only ~~on warrants drawn~~ by the commissioner of management and budget on  
85.4 requisition of the chair of the authority or of another officer or employee as the authority  
85.5 authorizes. Deposits of the authority's money must, if required by the commissioner or the  
85.6 authority, be secured by obligations of the United States or of the state of a market value  
85.7 equal at all times to the amount of the deposit and all banks and trust companies are  
85.8 authorized to give security for the deposits.

85.9 Sec. 39. Minnesota Statutes 2018, section 462A.18, subdivision 1, is amended to read:

85.10 Subdivision 1. **Functions of commissioner of management and budget.** All moneys  
85.11 of the agency, except as otherwise authorized or provided in this section, shall be paid to  
85.12 the commissioner of management and budget as agent of the agency, who shall not  
85.13 commingle such moneys with any other moneys. The moneys in such accounts shall be  
85.14 paid out ~~on warrants drawn~~ by the commissioner on requisition of the chair of the agency  
85.15 or of such other officer or employee as the agency shall authorize to make such requisition.  
85.16 All deposits of such moneys shall, if required by the commissioner or the agency, be secured  
85.17 by obligations of the United States or of the state of a market value equal at all times to the  
85.18 amount of the deposit and all banks and trust companies are authorized to give such security  
85.19 for such deposits.

85.20 Sec. 40. Minnesota Statutes 2018, section 525.841, is amended to read:

85.21 **525.841 ESCHEAT RETURNED.**

85.22 In all such cases the commissioner of management and budget shall be furnished with  
85.23 a certified copy of the court's order assigning the escheated property to the persons entitled  
85.24 thereto, and upon notification of payment of the estate tax, the commissioner of management  
85.25 and budget shall ~~draw a warrant~~ issue a payment or execute a proper conveyance to the  
85.26 persons designated in such order. In the event any escheated property has been sold pursuant  
85.27 to sections 11A.04, clause (9), and 11A.10, subdivision 2, or 16B.281 to 16B.287, then the  
85.28 ~~warrant~~ payment shall be for the appraised value as established during the administration  
85.29 of the decedent's estate. There is hereby annually appropriated from any moneys in the state  
85.30 treasury not otherwise appropriated an amount sufficient to make payment to all such  
85.31 designated persons. No interest shall be allowed on any amount paid to such persons.



87.1 ~~special election is required. If the vacancy is filled by a special election, the person elected~~  
87.2 ~~at that election for the ensuing term shall take office immediately after receiving the~~  
87.3 ~~certificate of election, filing the bond, and taking the oath of office~~ the appointee shall serve  
87.4 for the remainder of the unexpired term.

87.5 (b) An appointment made under paragraph (a) shall not be effective if a petition to reject  
87.6 the appointee is filed with the school district clerk. To be valid, a petition to reject an  
87.7 appointee must be signed by a number of eligible voters residing in the district equal to at  
87.8 least five percent of the total number of voters voting in the district at the most recent state  
87.9 general election, and must be filed within 30 days of the board's adoption of the resolution  
87.10 making the appointment. If a valid petition is filed according to the requirements of this  
87.11 paragraph, the appointment by the school board is ineffective and the board must name a  
87.12 new appointee as provided in paragraph (a).

87.13 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
87.14 created on or after that date.

87.15 Sec. 3. Minnesota Statutes 2018, section 174.24, is amended by adding a subdivision to  
87.16 read:

87.17 Subd. 7a. **Transit service on election day.** An eligible recipient of operating assistance  
87.18 under this section who contracts or has contracted to provide fixed route public transit shall  
87.19 provide fixed route public transit service free of charge on a day a state general election is  
87.20 held.

87.21 **EFFECTIVE DATE.** This section is effective July 1, 2020.

87.22 Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to  
87.23 read:

87.24 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted  
87.25 of a felony has the civil right to vote restored when the individual completes any incarceration  
87.26 imposed and executed by the court for the offense or upon sentencing if no incarceration is  
87.27 imposed. If the individual is later incarcerated for the same offense, the individual's civil  
87.28 right to vote is lost only during the period of incarceration.

87.29 Sec. 5. Minnesota Statutes 2018, section 201.022, subdivision 1, is amended to read:

87.30 Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter  
87.31 registration system to facilitate voter registration and to provide a central database containing

- 88.1 voter registration information from around the state. The system must be accessible to the  
88.2 county auditor of each county in the state. The system must also:
- 88.3 (1) provide for voters to submit their voter registration applications to any county auditor,  
88.4 the secretary of state, or the Department of Public Safety;
- 88.5 (2) provide for the definition, establishment, and maintenance of a central database for  
88.6 all voter registration information;
- 88.7 (3) provide for entering data into the statewide registration system;
- 88.8 (4) provide for electronic transfer of completed voter registration applications from the  
88.9 Department of Public Safety to the secretary of state or the county auditor;
- 88.10 (5) assign a unique identifier to each legally registered voter in the state;
- 88.11 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state  
88.12 identification number, and last four digits of the Social Security number for each voter  
88.13 record;
- 88.14 (7) coordinate with other agency databases within the state;
- 88.15 (8) allow county auditors and the secretary of state to add or modify information in the  
88.16 system to provide for accurate and up-to-date records;
- 88.17 (9) allow county auditors, municipal and school district clerks, and the secretary of state  
88.18 to have electronic access to the statewide registration system for review and search  
88.19 capabilities;
- 88.20 (10) provide security and protection of all information in the statewide registration  
88.21 system and ensure that unauthorized access is not allowed;
- 88.22 (11) provide access to municipal clerks to use the system;
- 88.23 (12) provide a system for each county to identify the precinct to which a voter should  
88.24 be assigned for voting purposes;
- 88.25 (13) provide daily reports accessible by county auditors on the driver's license numbers,  
88.26 state identification numbers, or last four digits of the Social Security numbers submitted on  
88.27 voter registration applications that have been verified as accurate by the secretary of state;  
88.28 **and**
- 88.29 (14) provide reports on the number of absentee ballots transmitted to and returned and  
88.30 cast by voters under section 203B.16; and
- 88.31 (15) provide reports necessary for early voting.

89.1 The appropriate state or local official shall provide security measures to prevent  
89.2 unauthorized access to the computerized list established under section 201.021.

89.3 Sec. 6. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

89.4 Subdivision 1. **Form.** Both paper and electronic voter registration applications must  
89.5 contain the same information unless otherwise provided by law. A voter registration  
89.6 application must contain spaces for the following required information: voter's first name,  
89.7 middle name, and last name; voter's previous name, if any; voter's current address; voter's  
89.8 previous address, if any; voter's date of birth; voter's municipality and county of residence;  
89.9 voter's telephone number, if provided by the voter; date of registration; current and valid  
89.10 Minnesota driver's license number or Minnesota state identification number, or if the voter  
89.11 has no current and valid Minnesota driver's license or Minnesota state identification, the  
89.12 last four digits of the voter's Social Security number; and voter's signature. The paper  
89.13 registration application may include the voter's e-mail address, if provided by the voter. The  
89.14 electronic voter registration application must include the voter's e-mail address. The  
89.15 registration application may include the voter's interest in serving as an election judge, if  
89.16 indicated by the voter. The application must also contain the following certification of voter  
89.17 eligibility:

89.18 "I certify that I:

89.19 (1) will be at least 18 years old on election day;

89.20 (2) am a citizen of the United States;

89.21 (3) will have resided in Minnesota for 20 days immediately preceding election day;

89.22 (4) maintain residence at the address given on the registration form;

89.23 (5) am not under court-ordered guardianship in which the court order revokes my right  
89.24 to vote;

89.25 (6) have not been found by a court to be legally incompetent to vote;

89.26 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~  
89.27 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently  
89.28 incarcerated for a felony offense; and

89.29 (8) have read and understand the following statement: that giving false information is a  
89.30 felony punishable by not more than five years imprisonment or a fine of not more than  
89.31 \$10,000, or both."

89.32 The certification must include boxes for the voter to respond to the following questions:

90.1 "(1) Are you a citizen of the United States?" and

90.2 "(2) Will you be 18 years old on or before election day?"

90.3 And the instruction:

90.4 "If you checked 'no' to either of these questions, do not complete this form."

90.5 The form of the voter registration application and the certification of voter eligibility  
90.6 must be as provided in this subdivision and approved by the secretary of state. Voter  
90.7 registration forms authorized by the National Voter Registration Act must also be accepted  
90.8 as valid. The federal postcard application form must also be accepted as valid if it is not  
90.9 deficient and the voter is eligible to register in Minnesota.

90.10 An individual may use a voter registration application to apply to register to vote in  
90.11 Minnesota or to change information on an existing registration.

90.12 Sec. 7. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:

90.13 Subd. 4. **Public information lists.** The county auditor shall make available for inspection  
90.14 a public information list which must contain the name, address, year of birth, and voting  
90.15 history of each registered voter in the county. The list must not include the party choice of  
90.16 any voter who voted in ~~the most recent~~ a presidential nomination primary. The telephone  
90.17 number must be included on the list if provided by the voter. The public information list  
90.18 may also include information on voting districts. The county auditor may adopt reasonable  
90.19 rules governing access to the list. No individual inspecting the public information list shall  
90.20 tamper with or alter it in any manner. No individual who inspects the public information  
90.21 list or who acquires a list of registered voters prepared from the public information list may  
90.22 use any information contained in the list for purposes unrelated to elections, political  
90.23 activities, or law enforcement. The secretary of state may provide copies of the public  
90.24 information lists and other information from the statewide registration system for uses  
90.25 related to elections, political activities, or in response to a law enforcement inquiry from a  
90.26 public official concerning a failure to comply with any criminal statute or any state or local  
90.27 tax statute.

90.28 Before inspecting the public information list or obtaining a list of voters or other  
90.29 information from the list, the individual shall provide identification to the public official  
90.30 having custody of the public information list and shall state in writing that any information  
90.31 obtained from the list will not be used for purposes unrelated to elections, political activities,  
90.32 or law enforcement. Requests to examine or obtain information from the public information

91.1 lists or the statewide registration system must be made and processed in the manner provided  
91.2 in the rules of the secretary of state.

91.3 Upon receipt of a statement signed by the voter that withholding the voter's name from  
91.4 the public information list is required for the safety of the voter or the voter's family, the  
91.5 secretary of state and county auditor must withhold from the public information list the  
91.6 name of a registered voter.

91.7 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
91.8 nomination primaries conducted on or after that date.

91.9 Sec. 8. Minnesota Statutes 2018, section 201.091, is amended by adding a subdivision to  
91.10 read:

91.11 Subd. 4a. **Presidential primary political party list.** For each major political party that  
91.12 participated in the presidential nomination primary, the secretary of the state must maintain  
91.13 a list of the voters who voted in the presidential nomination primary and selected that  
91.14 political party. Information maintained on the lists is private data on individuals as defined  
91.15 under section 13.02, subdivision 12, except that the secretary of state must provide to the  
91.16 chair of each major political party a list of voters who selected the chair's party for the most  
91.17 recent presidential nomination primary.

91.18 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
91.19 nomination primaries conducted on or after that date.

91.20 Sec. 9. Minnesota Statutes 2018, section 201.161, is amended to read:

91.21 **201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE,**  
91.22 **INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS**  
91.23 **APPLICANTS.**

91.24 Subdivision 1. **Automatic registration.** An individual who properly completes an  
91.25 application for a new or renewed Minnesota driver's license, instruction permit, or  
91.26 identification card, and who is eligible to vote under section 201.014, must be registered to  
91.27 vote as provided in this section, unless the applicant declines to be registered.

91.28 Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation  
91.29 with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or  
91.30 change of address driver's license, instruction permit, or identification card so that the forms  
91.31 may also serve as voter registration applications. The forms must contain spaces for all  
91.32 information collected by voter registration applications prescribed by the secretary of state-

92.1 ~~Applicants for driver's licenses or identification cards must be asked if they want to register~~  
 92.2 ~~to vote at the same time and that~~ and a box for the applicant to decline to be registered to  
 92.3 vote. The form must clearly state that it is a felony for a person who is not eligible to vote  
 92.4 to register to vote or cast a ballot. Unless the applicant has declined to be registered to vote  
 92.5 or has provided an address other than the applicant's address of residence under section  
 92.6 171.12, subdivision 7, paragraph (d), the commissioner shall transmit the information ~~must~~  
 92.7 ~~be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant  
 92.8 to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's  
 92.9 license record containing the voter's name, address, date of birth, citizenship, driver's license  
 92.10 number or state identification number, county, ~~town~~, and city or town must be made available  
 92.11 for access by the secretary of state and interaction with the statewide voter registration  
 92.12 system.

92.13 Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant  
 92.14 is currently registered in the statewide voter registration system. For each currently registered  
 92.15 voter whose registration is not changed, the secretary of state shall update the voter's  
 92.16 registration date in the statewide voter registration system. For each currently registered  
 92.17 voter whose registration is changed, the secretary of state shall transmit the registration  
 92.18 daily by electronic means to the county auditor of the county where the voter resides.

92.19 (b) If the applicant is not currently registered in the statewide voter registration system,  
 92.20 the secretary of state shall determine whether the applicant is 18 years of age or older and  
 92.21 a citizen of the United States and compare the voter registration information received under  
 92.22 section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less  
 92.23 than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years  
 92.24 of age to determine whether the applicant is eligible to vote. For each applicant the secretary  
 92.25 of state determines is an eligible voter, the secretary of state shall transmit the registration  
 92.26 daily by electronic means to the county auditor of the county where the voter resides.

92.27 (c) Any data on applicants who the secretary determines are not eligible to vote are  
 92.28 private data on individuals, as defined in section 13.02, subdivision 12.

92.29 Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the  
 92.30 voter the notice of registration required by section 201.121, subdivision 2.

92.31 Subd. 5. **Registering 20 days before election.** An application for registration that is  
 92.32 dated during the 20 days before an election in any jurisdiction within which the voter resides  
 92.33 is not effective until the day after the election.

93.1 Subd. 6. **System certification.** An applicant for a Minnesota driver's license, instruction  
93.2 permit, or identification card must not be registered to vote until the commissioner of public  
93.3 safety has certified that the department's systems have been tested and can accurately provide  
93.4 the necessary data, and the secretary of state has certified that the system for automatic  
93.5 registration of those applicants has been tested and is capable of properly determining  
93.6 whether an applicant is eligible to vote.

93.7 Subd. 7. **Implementation costs.** The secretary of state and commissioner of public safety  
93.8 must absorb any costs associated with implementation of this section using existing  
93.9 appropriations provided to the secretary or commissioner by law.

93.10 Sec. 10. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**  
93.11 **VOTING RIGHTS.**

93.12 The secretary of state shall develop accurate and complete information in a single  
93.13 publication about the voting rights of people who have been charged with or convicted of  
93.14 a crime. This publication must be made available electronically to the state court administrator  
93.15 for distribution to judges, court personnel, probation officers, and the commissioner of  
93.16 corrections for distribution to corrections officials, parole and supervised release agents,  
93.17 and the public.

93.18 Sec. 11. Minnesota Statutes 2018, section 203B.001, is amended to read:

93.19 **203B.001 ELECTION LAW APPLICABILITY.**

93.20 The Minnesota Election Law is applicable to voting by absentee ballot and early voting  
93.21 unless otherwise provided in this chapter.

93.22 Sec. 12. Minnesota Statutes 2018, section 203B.01, is amended by adding a subdivision  
93.23 to read:

93.24 Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the  
93.25 office of the county auditor or designated municipal clerk within the time period provided  
93.26 in section 203B.31.

93.27 Sec. 13. Minnesota Statutes 2018, section 203B.03, subdivision 1, is amended to read:

93.28 Subdivision 1. **Violation.** (a) No individual shall intentionally:

93.29 (1) make or sign any false certificate required by this chapter;

93.30 (2) make any false or untrue statement in any application for absentee ballots;

94.1 (3) apply for absentee ballots more than once in any election with the intent to cast an  
94.2 illegal ballot;

94.3 (4) exhibit a ballot marked by that individual to any other individual;

94.4 (5) do any act in violation of the provisions of this chapter for the purpose of casting an  
94.5 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

94.6 (6) use information from absentee ballot or early voting materials or records for purposes  
94.7 unrelated to elections, political activities, or law enforcement;

94.8 (7) provide assistance to an absentee or early voter except in the manner provided by  
94.9 section 204C.15, subdivision 1;

94.10 (8) solicit the vote of an absentee or early voter while in the immediate presence of the  
94.11 voter during the time the individual knows the absentee or early voter is voting; or

94.12 (9) alter an absentee ballot application after it has been signed by the voter, except by  
94.13 an election official for administrative purposes.

94.14 (b) Before inspecting information from absentee ballot or early voting materials or  
94.15 records, an individual shall provide identification to the public official having custody of  
94.16 the material or information.

94.17 Sec. 14. Minnesota Statutes 2018, section 203B.04, subdivision 5, is amended to read:

94.18 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county  
94.19 auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before  
94.20 each election, other than an election by mail conducted under section 204B.45, and to have  
94.21 the status as a permanent absentee voter indicated on the voter's registration record. The  
94.22 secretary of state must prescribe a form for this purpose. An eligible voter listed as an  
94.23 ongoing absentee voter as of July 31, 2013, pursuant to laws in effect on that date, shall be  
94.24 treated as if the voter applied for status as a permanent absentee voter pursuant to this  
94.25 subdivision.

94.26 (b) A voter who applies under paragraph (a) must automatically be provided an absentee  
94.27 ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and  
94.28 automatic ballot ~~application~~ delivery must be terminated on:

94.29 (1) the voter's written request;

94.30 (2) the voter's death;

94.31 (3) return of an absentee ballot as undeliverable; or

95.1 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter  
95.2 registration system.

95.3 (c) The secretary of state shall adopt rules governing procedures under this subdivision.

95.4 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
95.5 conducted on or after that date.

95.6 Sec. 15. **[203B.045] VOTERS WITH A DISABILITY.**

95.7 Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** (a) A voter with  
95.8 a temporary or permanent disability may include in an application for absentee ballots a  
95.9 request that the ballots, instructions, and a certificate of voter eligibility meeting the  
95.10 requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically  
95.11 in an accessible format, including ballots with the ability to be marked by accessible software  
95.12 or devices. Upon receipt of a properly completed application requesting accessible electronic  
95.13 transmission, the county auditor shall electronically transmit the requested materials to the  
95.14 voter.

95.15 (b) Electronic materials provided by a county auditor to a voter under this subdivision  
95.16 must comply with the accessibility standards developed under section 16E.03, subdivision  
95.17 9.

95.18 (c) The county auditor or municipal clerk must provide a return envelope containing  
95.19 first class postage to a voter requesting a ballot and ballot materials under this subdivision.

95.20 Subd. 2. **Marking ballots.** The voter may electronically mark the ballot using accessible  
95.21 software or devices.

95.22 Subd. 3. **Returning voted ballots.** The voter must return the voted ballots and the  
95.23 certificate of voter eligibility to the county auditor in a sealed envelope.

95.24 Sec. 16. Minnesota Statutes 2018, section 203B.05, subdivision 1, is amended to read:

95.25 Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the  
95.26 provisions of sections 203B.04 to 203B.15 if:

95.27 (1) the county auditor of that county has designated the clerk to administer them; or

95.28 (2) the clerk has given the county auditor of that county notice of intention to administer  
95.29 them.

95.30 The designation or notice must specify whether the clerk will be responsible for the  
95.31 administration of a ballot board as provided in section 203B.121.

96.1 A clerk of a city that is located in more than one county may only administer the  
 96.2 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been  
 96.3 designated by each of the county auditors or has provided notice to each of the county  
 96.4 auditors that the city will administer absentee voting. A clerk may only administer the  
 96.5 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the  
 96.6 statewide voter registration system in the secure manner prescribed by the secretary of state.  
 96.7 The secretary of state must identify hardware, software, security, or other technical  
 96.8 prerequisites necessary to ensure the security, access controls, and performance of the  
 96.9 statewide voter registration system. A clerk must receive training approved by the secretary  
 96.10 of state on the use of the statewide voter registration system before administering this section.  
 96.11 A clerk may not use the statewide voter registration system until the clerk has received the  
 96.12 required training. The county auditor must notify the secretary of state of any municipal  
 96.13 clerk who will be administering the provisions of this section and the duties that the clerk  
 96.14 will administer.

96.15 Sec. 17. Minnesota Statutes 2018, section 203B.06, subdivision 1, is amended to read:

96.16 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal  
 96.17 clerk shall prepare and print a sufficient number of blank application forms for absentee  
 96.18 ballots. The county auditor or municipal clerk shall deliver a blank application form to any  
 96.19 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~  
 96.20 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~  
 96.21 ~~5, at least 60 days before:~~

96.22 ~~(1) each regularly scheduled primary for federal, state, county, city, or school board~~  
 96.23 ~~office;~~

96.24 ~~(2) each regularly scheduled general election for city or school board office for which~~  
 96.25 ~~a primary is not held; and~~

96.26 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~  
 96.27 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~  
 96.28 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

96.29 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~  
 96.30 ~~or at least 45 days before any other primary or other election for which a primary is not~~  
 96.31 ~~held.~~

96.32 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
 96.33 conducted on or after that date.

97.1 Sec. 18. Minnesota Statutes 2018, section 203B.06, subdivision 3, is amended to read:

97.2 Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time  
97.3 clerk of any city or town administering an election pursuant to section 203B.05, shall mail  
97.4 absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04,  
97.5 subdivision 5, at least 45 days before:

97.6 (1) each regularly scheduled primary or general election for federal, state, county, city,  
97.7 or school board office;

97.8 (2) each special primary or special election to fill a federal, state, county, city, or school  
97.9 board vacancy; except

97.10 (3) town clerks administering absentee ballots for a town general election held in March  
97.11 shall deliver absentee ballots at least 30 days before the election.

97.12 (b) The commissioner of corrections must provide the secretary of state with a list of  
97.13 the names and mailing addresses of state adult correctional facilities. An application for an  
97.14 absentee ballot that provides an address included on the list provided by the commissioner  
97.15 of corrections must not be accepted and an absentee ballot must not be provided to the  
97.16 applicant. The county auditor or municipal clerk must promptly transmit a copy of the  
97.17 application to the county attorney. The Department of Corrections must implement procedures  
97.18 to ensure that absentee ballots issued under this chapter are not received or mailed by  
97.19 offenders incarcerated at state adult correctional facilities.

97.20 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots  
97.21 are not yet available for distribution, the county auditor, or municipal clerk accepting the  
97.22 application shall file it and as soon as absentee ballots are available for distribution shall  
97.23 mail them to the address specified in the application. If an application for absentee ballots  
97.24 is accepted when absentee ballots are available for distribution, the county auditor or  
97.25 municipal clerk accepting the application shall promptly:

97.26 (1) mail the ballots to the voter whose signature appears on the application if the  
97.27 application is submitted by mail and does not request commercial shipping under clause  
97.28 (2);

97.29 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the  
97.30 voter's expense;

97.31 (3) deliver the absentee ballots directly to the voter if the application is submitted in  
97.32 person; or

98.1 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been  
98.2 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter  
98.3 who would have difficulty getting to the polls because of incapacitating health reasons, or  
98.4 who is disabled, or who is a patient in a health care facility, a resident of a facility providing  
98.5 assisted living services governed by chapter 144G, a participant in a residential program  
98.6 for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for  
98.7 battered women as defined in section 611A.37, subdivision 4.

98.8 ~~(e)~~ (d) If an application does not indicate the election for which absentee ballots are  
98.9 sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the  
98.10 next election occurring after receipt of the application. Only one set of ballots may be mailed,  
98.11 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,  
98.12 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that  
98.13 has been spoiled or lost in transit.

98.14 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
98.15 conducted on or after that date.

98.16 Sec. 19. Minnesota Statutes 2018, section 203B.081, subdivision 1, is amended to read:

98.17 Subdivision 1. **Location; timing.** (a) An eligible voter may vote by absentee ballot in  
98.18 the office of the county auditor and at any other polling place designated by the county  
98.19 auditor or by a municipal clerk authorized to conduct absentee balloting under section  
98.20 203B.05 during the 46 days before the election, except as provided in this section.

98.21 (b) A polling place location, other than the office of the county auditor, may be opened  
98.22 for fewer than 46 days. If a polling place is open fewer than 46 days before the election,  
98.23 the county auditor or municipal clerk must post the polling place location and hours of  
98.24 operation on the jurisdiction's website and must inform the secretary of state of the polling  
98.25 place's location and hours.

98.26 Sec. 20. Minnesota Statutes 2018, section 203B.085, is amended to read:

98.27 **203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO**  
98.28 **REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

98.29 The county auditor's office in each county and the clerk's office in each city or town  
98.30 authorized under section 203B.05 to administer absentee balloting must be open for  
98.31 acceptance of absentee ballot applications and casting of absentee ballots from 8:00 a.m.  
98.32 to 12:00 noon on the day immediately preceding an election subject to early voting under

99.1 section 203B.30 unless that day falls on a Sunday. When performing the duties of the county  
99.2 auditor in an election not subject to early voting under section 203B.30, the clerk's office  
99.3 must be open from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day  
99.4 immediately preceding a primary, special, or general election unless that day falls on a  
99.5 Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m.  
99.6 to 12:00 noon on the Saturday before a town general election held in March. The school  
99.7 district clerk, when performing the county auditor's election duties, need not comply with  
99.8 this section.

99.9 Sec. 21. Minnesota Statutes 2018, section 203B.121, subdivision 1, is amended to read:

99.10 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,  
99.11 municipality, and school district with responsibility to accept and reject absentee ballots or  
99.12 to administer early voting must, by ordinance or resolution, establish a ballot board. The  
99.13 board must consist of a sufficient number of election judges trained in the handling of  
99.14 absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may  
99.15 include deputy county auditors or deputy city clerks who have received training in the  
99.16 processing and counting of absentee ballots.

99.17 (b) Each jurisdiction must pay a reasonable compensation to each member of that  
99.18 jurisdiction's ballot board for services rendered during an election.

99.19 (c) Except as otherwise provided by this section, all provisions of the Minnesota Election  
99.20 Law apply to a ballot board.

99.21 Sec. 22. Minnesota Statutes 2018, section 203B.121, subdivision 2, is amended to read:

99.22 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board  
99.23 shall take possession of all return envelopes delivered to them in accordance with section  
99.24 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,  
99.25 two or more members of the ballot board shall examine each return envelope and shall mark  
99.26 it accepted or rejected in the manner provided in this subdivision. Election judges performing  
99.27 the duties in this section must be of different major political parties, unless they are exempt  
99.28 from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision  
99.29 2.

99.30 (b) The members of the ballot board shall mark the return envelope "Accepted" and  
99.31 initial or sign the return envelope below the word "Accepted" if a majority of the members  
99.32 of the ballot board examining the envelope are satisfied that:

100.1 (1) the voter's name and address on the return envelope are the same as the information  
100.2 provided on the absentee ballot application or voter record;

100.3 (2) the voter signed the certification on the envelope;

100.4 (3) the voter's Minnesota driver's license, state identification number, or the last four  
100.5 digits of the voter's Social Security number are the same as a number on the voter's absentee  
100.6 ballot application or voter record. If the number does not match, the election judges must  
100.7 compare the signature provided by the applicant to determine whether the ballots were  
100.8 returned by the same person to whom they were transmitted;

100.9 (4) the voter is registered and eligible to vote in the precinct or has included a properly  
100.10 completed voter registration application in the return envelope;

100.11 (5) the certificate has been completed as prescribed in the directions for casting an  
100.12 absentee ballot; and

100.13 (6) the voter has not already voted at that election, either in person or, if it is after the  
100.14 close of business on the seventh day before the election, by absentee ballot.

100.15 The return envelope from accepted ballots must be preserved and returned to the county  
100.16 auditor.

100.17 (c)(1) If a majority of the members of the ballot board examining a return envelope find  
100.18 that an absentee voter has failed to meet one of the requirements provided in paragraph (b),  
100.19 they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected,"  
100.20 list the reason for the rejection on the envelope, and return it to the county auditor. There  
100.21 is no other reason for rejecting an absentee ballot beyond those permitted by this section.  
100.22 Failure to place the ballot within the security envelope before placing it in the outer white  
100.23 envelope is not a reason to reject an absentee ballot.

100.24 (2) If an envelope has been rejected at least five days before the election, the envelope  
100.25 must remain sealed and the official in charge of the ballot board shall provide the voter with  
100.26 a replacement absentee ballot and return envelope in place of the rejected ballot.

100.27 (3) If an envelope is rejected within five days of the election, the envelope must remain  
100.28 sealed and the official in charge of the ballot board must attempt to contact the voter by  
100.29 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official  
100.30 must document the attempts made to contact the voter.

100.31 (d) The official in charge of the absentee ballot board must mail the voter a written notice  
100.32 of absentee ballot rejection between six and ten weeks following the election. If the official  
100.33 determines that the voter has otherwise cast a ballot in the election, no notice is required.

101.1 If an absentee ballot arrives after the deadline for submission provided by this chapter, the  
101.2 notice must be provided between six to ten weeks after receipt of the ballot. A notice of  
101.3 absentee ballot rejection must contain the following information:

101.4 (1) the date on which the absentee ballot was rejected or, if the ballot was received after  
101.5 the required deadline for submission, the date on which the ballot was received;

101.6 (2) the reason for rejection; and

101.7 (3) the name of the appropriate election official to whom the voter may direct further  
101.8 questions, along with appropriate contact information.

101.9 (e) An absentee ballot return envelope marked "Rejected" may not be opened or subject  
101.10 to further review except in an election contest filed pursuant to chapter 209.

101.11 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
101.12 conducted on or after that date.

101.13 Sec. 23. Minnesota Statutes 2018, section 203B.121, is amended by adding a subdivision  
101.14 to read:

101.15 **Subd. 2a. Duties of ballot board; early voting.** The members of the ballot board shall  
101.16 administer the process of early voting as prescribed in section 203B.35, and shall make a  
101.17 record of voters who cast ballots early and count those ballots as provided in subdivisions  
101.18 4 and 5.

101.19 Sec. 24. Minnesota Statutes 2018, section 203B.121, subdivision 3, is amended to read:

101.20 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
101.21 must immediately record that a voter's absentee ballot has been accepted or that the voter  
101.22 has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter  
101.23 whose record indicates that the voter has cast an early ballot must not be permitted to cast  
101.24 another ballot in that election. After the close of business on the ~~seventh day before the~~  
101.25 ~~election~~ day prior to the beginning of the early voting period as provided in section 203B.31,  
101.26 a voter whose record indicates that an absentee ballot has been accepted must not be permitted  
101.27 to cast another ballot at that election. In a state primary, general, or state special election  
101.28 for federal ~~or~~ state, or county office, the auditor or clerk must also record this information  
101.29 in the statewide voter registration system.

101.30 (b) The roster must be marked, and a supplemental report of absentee and early voters  
101.31 who submitted a voter registration application with their ballot must be created, no later

102.1 than the start of voting on election day to indicate the voters that have already cast a ballot  
102.2 at the election. The roster may be marked either:

102.3 (1) by the county auditor or municipal clerk before election day;

102.4 (2) by the ballot board before election day; or

102.5 (3) by the election judges at the polling place on election day.

102.6 The record of a voter whose absentee ballot was received after the close of business on  
102.7 the seventh day before the election is not required to be marked on the roster or contained  
102.8 in a supplemental report as required by this paragraph.

102.9 Sec. 25. Minnesota Statutes 2018, section 203B.121, subdivision 4, is amended to read:

102.10 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before  
102.11 the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated  
102.12 as needed in the manner provided in section 206.86, subdivision 5, initialed by the members  
102.13 of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot  
102.14 is enclosed in the ballot envelope, the ballots must be returned in the manner provided by  
102.15 section 204C.25 for return of spoiled ballots, and may not be counted.

102.16 Sec. 26. Minnesota Statutes 2018, section 203B.121, subdivision 5, is amended to read:

102.17 Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on  
102.18 which absentee or early voting ballots are inserted into a ballot box, two members of the  
102.19 ballot board must:

102.20 (1) remove the ballots from the ballot box at the end of the day;

102.21 (2) without inspecting the ballots, ensure that the number of ballots removed from the  
102.22 ballot box is equal to the number of voters who cast early votes and whose absentee ballots  
102.23 were accepted that day; and

102.24 (3) seal and secure all voted and unvoted ballots present in that location at the end of  
102.25 the day.

102.26 (b) After the polls have closed on election day, two members of the ballot board must  
102.27 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and  
102.28 the total votes cast for each candidate or question. In state primary and state general elections,  
102.29 the results must indicate the total votes cast for each candidate or question in each precinct  
102.30 and report the vote totals tabulated for each precinct. The count must be recorded on a  
102.31 summary statement in substantially the same format as provided in section 204C.26. The

103.1 ballot board shall submit at least one completed summary statement to the county auditor  
103.2 or municipal clerk. The county auditor or municipal clerk may require the ballot board to  
103.3 submit a sufficient number of completed summary statements to comply with the provisions  
103.4 of section 204C.27, or the county auditor or municipal clerk may certify reports containing  
103.5 the details of the ballot board summary statement to the recipients of the summary statements  
103.6 designated in section 204C.27.

103.7 In state primary and state general elections, these vote totals shall be added to the vote  
103.8 totals on the summary statements of the returns for the appropriate precinct. In other elections,  
103.9 these vote totals may be added to the vote totals on the summary statement of returns for  
103.10 the appropriate precinct or may be reported as a separate total.

103.11 The count shall be public. No vote totals from ballots may be made public before the  
103.12 close of voting on election day.

103.13 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been  
103.14 completed previously, the members of the ballot board must verify as soon as possible, but  
103.15 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots  
103.16 arrived after the rosters were marked or supplemental reports were generated and whose  
103.17 ballots were accepted did not vote in person on election day. An absentee ballot submitted  
103.18 by a voter who has voted in person on election day must be rejected. All other accepted  
103.19 absentee ballots must be opened, duplicated if necessary, and counted by members of the  
103.20 ballot board. The vote totals from these ballots must be incorporated into the totals with the  
103.21 other absentee ballots and handled according to paragraph (b).

103.22 Sec. 27. **[203B.30] EARLY VOTING; APPLICABILITY.**

103.23 (a) Any eligible voter may vote in person in a federal, state, or county election prior to  
103.24 the date of the election, in the manner provided in sections 203B.31 to 203B.35.

103.25 (b)(1) Subject to clause (2), for city elections not held in conjunction with a federal,  
103.26 state, or county election, the city may authorize eligible voters to vote in the manner provided  
103.27 in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted  
103.28 prior to the first day for filing affidavits of candidacy for the election. In the case of a home  
103.29 rule charter city, authorization may alternatively be made by amendment to the city's charter  
103.30 for this purpose.

103.31 (2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal  
103.32 clerk has the technical capacity to access the statewide voter registration system in the secure  
103.33 manner prescribed by the secretary of state. The secretary of state must identify hardware,

104.1 software, security, or other technical prerequisites necessary to ensure the security, access  
104.2 controls, and performance of the statewide voter registration system. The clerk must receive  
104.3 training approved by the secretary of state on the use of the statewide voter registration  
104.4 system before administering voting authorized under this paragraph. The clerk may not use  
104.5 the statewide voter registration system until the clerk has received the required training.

104.6 Sec. 28. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

104.7 Early voting must be available to any eligible voter as provided in section 203B.32 for  
104.8 every primary, general, and special election subject to early voting under section 203B.30  
104.9 from 30 days before the election through 5:00 p.m. on the third day before the election. All  
104.10 voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in  
104.11 the same manner as provided in section 204C.05, subdivision 2.

104.12 Sec. 29. **[203B.32] HOURS FOR EARLY VOTING.**

104.13 Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each  
104.14 weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m.  
104.15 on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the  
104.16 election.

104.17 Sec. 30. **[203B.33] LOCATIONS FOR EARLY VOTING.**

104.18 (a) Early voting must be made available at polling places designated in the county  
104.19 auditor's offices in county-owned or operated buildings, at the municipal clerk's office in  
104.20 every municipality that has been delegated the responsibility to administer absentee voting  
104.21 as provided in section 203B.05 or which is conducting an election that includes early voting,  
104.22 as authorized in section 203B.30, and at any other county or city-owned or operated buildings  
104.23 designated by the county auditor or municipal clerk. At least one voting station and one  
104.24 ballot marking device for disabled voters must be made available in each polling place.

104.25 (b) The county auditor or municipal clerk must make an electronic ballot counter available  
104.26 in each polling place.

104.27 Sec. 31. **[203B.34] NOTICE TO VOTERS.**

104.28 The county auditor or municipal clerk must prepare a notice to the voters of the days,  
104.29 times, and locations for early voting. This notice must be posted on the county's website,  
104.30 if applicable, and the website for each municipality in the county where an early voting  
104.31 location is designated for the election at least 14 days before the first day for early voting.

105.1 If a county or municipality does not have a website, the county auditor or municipal clerk  
105.2 must publish the notice at least once in the jurisdiction's official newspaper at least seven  
105.3 days and not more than 14 days before the first day for early voting.

105.4 Sec. 32. **[203B.35] PROCEDURES FOR EARLY VOTING.**

105.5 Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in  
105.6 section 204C.10. An individual who is not registered to vote must register in the manner  
105.7 provided in section 201.061, subdivision 3.

105.8 After the voter has signed the certification, a member of the ballot board must provide  
105.9 a ballot to the voter. Ballots must be prepared and distributed by members of the ballot  
105.10 board in the manner provided in section 204C.09. The voter must mark the ballot and deposit  
105.11 it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling  
105.12 place with the ballot.

105.13 Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35  
105.14 must be processed and counted by a ballot board.

105.15 Sec. 33. Minnesota Statutes 2018, section 204B.28, subdivision 2, is amended to read:

105.16 Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as  
105.17 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision  
105.18 4, the county auditor shall complete the preparation of the election materials for which the  
105.19 auditor is responsible at least four days before every state primary and state general election.  
105.20 At any time after all election materials are available from the county auditor but not later  
105.21 than four days before the election each municipal clerk shall secure from the county auditor:

105.22 ~~(a)~~ (1) the forms that are required for the conduct of the election;

105.23 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

105.24 ~~(c)~~ (3) any other instructions for election officers; and

105.25 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot  
105.26 returns, and other supplies and materials required for each precinct in order to comply with  
105.27 the provisions of the Minnesota Election Law. The county auditor may furnish the election  
105.28 supplies to the municipal clerks in the same manner as the supplies are furnished to precincts  
105.29 in unorganized territory pursuant to section 204B.29, subdivision 1.

106.1 (b) The county auditor must prepare and make available election materials for early  
106.2 voting to city clerks designated to administer early voting under section 203B.05 at least  
106.3 one day prior to the beginning of the early voting period as provided in section 203B.31.

106.4 Sec. 34. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision  
106.5 to read:

106.6 Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and  
106.7 chapter 204D, a jurisdiction may employ an electronic voting system provided by section  
106.8 206.80, paragraph (b), clause (3), displaying the required ballot information on an electronic  
106.9 device in a format that substantially meets the requirements of law.

106.10 Sec. 35. Minnesota Statutes 2018, section 204B.45, subdivision 1, is amended to read:

106.11 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~  
106.12 ~~as defined by section 473.121~~, or a city having fewer than 400 registered voters on June 1  
106.13 of an election year ~~and not located in a metropolitan county as defined by section 473.121~~,  
106.14 may provide balloting by mail at any municipal, county, or state election with no polling  
106.15 place other than the office of the auditor or clerk or other locations designated by the auditor  
106.16 or clerk. The governing body may apply to the county auditor for permission to conduct  
106.17 balloting by mail. The county board may provide for balloting by mail in unorganized  
106.18 territory. The governing body of any municipality may designate for mail balloting any  
106.19 precinct having fewer than 100 registered voters, subject to the approval of the county  
106.20 auditor.

106.21 Voted ballots may be returned in person to any location designated by the county auditor  
106.22 or municipal clerk.

106.23 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
106.24 conducted on or after that date.

106.25 Sec. 36. Minnesota Statutes 2018, section 204B.45, subdivision 2, is amended to read:

106.26 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given  
106.27 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before  
106.28 a regularly scheduled election and not more than 30 days nor later than 14 days before any  
106.29 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered  
106.30 in the city, town, or unorganized territory. No later than 14 days before the election, the  
106.31 auditor must make a subsequent mailing of ballots to those voters who register to vote after  
106.32 the initial mailing but before the 20th day before the election. Eligible voters not registered

107.1 at the time the ballots are mailed and eligible voters with a temporary or permanent disability  
107.2 may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return  
107.3 postage provided, must be preaddressed to the auditor or clerk and the voter may return the  
107.4 ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must  
107.5 appoint a ballot board to examine the mail and absentee ballot return envelopes and mark  
107.6 them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days  
107.7 before election day, or within five days of receipt if there are more than 14 days before  
107.8 election day. The board may consist of deputy county auditors or deputy municipal clerks  
107.9 who have received training in the processing and counting of mail ballots, who need not be  
107.10 affiliated with a major political party. Election judges performing the duties in this section  
107.11 must be of different major political parties, unless they are exempt from that requirement  
107.12 under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected  
107.13 at least five days before the election, the ballots in the envelope must remain sealed and the  
107.14 auditor or clerk shall provide the voter with a replacement ballot and return envelope in  
107.15 place of the spoiled ballot. If the ballot is rejected within five days of the election, the  
107.16 envelope must remain sealed and the official in charge of the ballot board must attempt to  
107.17 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been  
107.18 rejected. The official must document the attempts made to contact the voter.

107.19 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
107.20 indicate that the voter has already cast a ballot in that election. After the close of business  
107.21 on the seventh day before the election, the ballots from return envelopes marked "Accepted"  
107.22 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision  
107.23 5, initialed by the members of the ballot board, and deposited in the ballot box.

107.24 In all other respects, the provisions of the Minnesota Election Law governing deposit  
107.25 and counting of ballots apply.

107.26 The mail and absentee ballots for a precinct must be counted together and reported as  
107.27 one vote total. No vote totals from mail or absentee ballots may be made public before the  
107.28 close of voting on election day.

107.29 The costs of the mailing shall be paid by the election jurisdiction in which the voter  
107.30 resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

108.1 Sec. 37. Minnesota Statutes 2018, section 204C.03, is amended by adding a subdivision  
108.2 to read:

108.3 Subd. 5. Transit service. Certain requirements for transit service on the date of a state  
108.4 general election are as provided in sections 174.24, subdivision 7a, and 473.408, subdivision  
108.5 11.

108.6 **EFFECTIVE DATE.** This section is effective July 1, 2020.

108.7 Sec. 38. Minnesota Statutes 2018, section 204C.10, is amended to read:

108.8 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**  
108.9 **VOTER RECEIPT.**

108.10 (a) An individual seeking to vote shall sign a polling place roster or voter signature  
108.11 certificate which states that the individual:

108.12 (1) is at least 18 years of age;

108.13 (2) a citizen of the United States;

108.14 (3) has resided in Minnesota for 20 days immediately preceding the election;

108.15 (4) maintains residence at the address shown;

108.16 (5) is not under a guardianship in which the court order revokes the individual's right to  
108.17 vote;

108.18 (6) has not been found by a court of law to be legally incompetent to vote;

108.19 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~  
108.20 ~~sentence has expired or been completed~~ or the individual has ~~been discharged from the~~  
108.21 ~~sentence,~~ completed the term of incarceration, if any, for the felony offense;

108.22 (8) is registered; and

108.23 (9) has not already voted in the election.

108.24 The roster must also state: "I understand that deliberately providing false information  
108.25 is a felony punishable by not more than five years imprisonment and a fine of not more than  
108.26 \$10,000, or both."

108.27 (b) At the presidential nomination primary, the polling place roster must also state: "I  
108.28 am in general agreement with the principles of the party for whose candidate I intend to  
108.29 vote, ~~and I understand that my choice of a party's ballot will be public information.~~" This

109.1 statement must appear separately from the statements required in paragraph (a). The felony  
109.2 penalty provided for in paragraph (a) does not apply to this paragraph.

109.3 ~~(e)~~ (b) A judge may, before the applicant signs the roster or voter signature certificate,  
109.4 confirm the applicant's name, address, and date of birth.

109.5 ~~(d)~~ (c) After the applicant signs the roster or voter signature certificate, the judge shall  
109.6 give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge  
109.7 in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand  
109.8 to the voter the ballot. The voters' receipts must be maintained during the time for notice  
109.9 of filing an election contest.

109.10 ~~(e)~~ (d) Whenever a challenged status appears on the polling place roster, an election  
109.11 judge must ensure that the challenge is concealed or hidden from the view of any voter other  
109.12 than the voter whose status is challenged.

109.13 Sec. 39. Minnesota Statutes 2018, section 204C.15, subdivision 1, is amended to read:

109.14 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for  
109.15 assistance because of inability to read English or physical inability to mark a ballot may  
109.16 obtain the aid of two election judges who are members of different major political parties.  
109.17 The election judges shall mark the ballots as directed by the voter and in as secret a manner  
109.18 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance  
109.19 of any individual the voter chooses. Only the following persons may not provide assistance  
109.20 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the  
109.21 voter's union, or a candidate for election. The person who assists the voter shall,  
109.22 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot  
109.23 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~  
109.24 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots  
109.25 are deposited, the voter may show them privately to an election judge to ascertain that they  
109.26 are marked as the voter directed. An election judge or other individual assisting a voter shall  
109.27 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to  
109.28 vote for any particular political party or candidate. The election judges or other individuals  
109.29 who assist the voter shall not reveal to anyone the name of any candidate for whom the  
109.30 voter has voted or anything that took place while assisting the voter.

109.31 Sec. 40. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

109.32 Subdivision 1. **Information requirements.** Precinct summary statements shall be  
109.33 submitted by the election judges in every precinct. For all elections, the election judges

110.1 shall complete three or more copies of the summary statements, and each copy shall contain  
110.2 the following information for each kind of ballot:

110.3 (1) the number of ballots delivered to the precinct as adjusted by the actual count made  
110.4 by the election judges, the number of unofficial ballots made, and the number of absentee  
110.5 ballots delivered to the precinct;

110.6 (2) the number of votes each candidate received or the number of yes and no votes on  
110.7 each question, the number of undervotes, the number of overvotes, and the number of  
110.8 defective ballots with respect to each office or question;

110.9 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of  
110.10 absentee ballots rejected, and the number of unused ballots, presuming that the total count  
110.11 provided on each package of unopened prepackaged ballots is correct;

110.12 (4) the number of voted ballots indicating only a voter's choices as provided by section  
110.13 206.80, paragraph (b), clause (3);

110.14 ~~(4)~~ (5) the number of individuals who voted at the election in the precinct which must  
110.15 equal the total number of ballots cast in the precinct, as required by sections 204C.20 and  
110.16 206.86, subdivision 1;

110.17 ~~(5)~~ (6) the number of voters registering on election day in that precinct; and

110.18 ~~(6)~~ (7) the signatures of the election judges who counted the ballots certifying that all  
110.19 of the ballots cast were properly piled, checked, and counted; and that the numbers entered  
110.20 by the election judges on the summary statements correctly show the number of votes cast  
110.21 for each candidate and for and against each question.

110.22 At least two copies of the summary statement must be prepared for elections not held  
110.23 on the same day as the state elections.

110.24 Sec. 41. Minnesota Statutes 2018, section 204D.19, subdivision 2, is amended to read:

110.25 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in  
110.26 the legislature which occur at any time between the last day of session in an odd-numbered  
110.27 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding  
110.28 even-numbered year, when a vacancy occurs and the legislature will be in session so that  
110.29 the individual elected as provided by this section could take office and exercise the duties  
110.30 of the office immediately upon election, the governor shall issue within five days after the  
110.31 vacancy occurs a writ calling for a special election. The special election shall be held as  
110.32 soon as possible, consistent with the notice requirements of section 204D.22, subdivision

111.1 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~  
111.2 ~~must not be held during the four days before or the four days after a holiday as defined in~~  
111.3 ~~section 645.44, subdivision 5.~~

111.4 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
111.5 occurring on or after that date.

111.6 Sec. 42. Minnesota Statutes 2018, section 204D.195, is amended to read:

111.7 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

111.8 Notwithstanding any other provision of law, a special primary and special general election  
111.9 may not be held:

111.10 (1) for a period beginning the day following the date of the state primary election and  
111.11 ending the day prior to the date of the state general election; or

111.12 (2) on a holiday, or during the four days before or the four days after a holiday, as defined  
111.13 in section 645.44, subdivision 5.

111.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
111.15 applies to special elections for vacancies in office occurring on or after that date.

111.16 Sec. 43. Minnesota Statutes 2018, section 204D.22, subdivision 3, is amended to read:

111.17 Subd. 3. **Notice of special election.** The county auditor of a county in which a special  
111.18 election is to be held shall direct the clerk of each municipality in which the election is to  
111.19 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days  
111.20 before the special primary and at least ~~14~~ 21 days before the special election in the manner  
111.21 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days  
111.22 before the special election, a single notice of both elections may be posted seven days before  
111.23 the primary.

111.24 When the special primary or special election is to be held on the same day as any other  
111.25 election, notice of the special primary or special election may be included in the notice of  
111.26 the other election, if practicable.

111.27 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
111.28 occurring on or after that date.

112.1 Sec. 44. Minnesota Statutes 2018, section 204D.23, subdivision 2, is amended to read:

112.2 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions  
112.3 shall be filed no later than ~~14~~ 21 days before the special primary.

112.4 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
112.5 occurring on or after that date.

112.6 Sec. 45. **[204D.275] LOCAL REIMBURSEMENT FOR SPECIAL ELECTIONS.**

112.7 **Subdivision 1. Reimbursement authorized.** Each county and municipality shall be  
112.8 reimbursed for the cost of conducting a special election as defined in section 200.02,  
112.9 subdivision 4, for a federal or state office.

112.10 **Subd. 2. Expenses eligible for reimbursement.** The secretary of state shall reimburse  
112.11 each county and municipality for the cost of:

112.12 (1) preparation and printing of ballots and other election materials for the special election;

112.13 (2) postage for absentee ballots;

112.14 (3) publication of the sample ballot;

112.15 (4) preparation of polling places;

112.16 (5) preparation of electronic voting systems;

112.17 (6) compensation paid to the county canvassing board members;

112.18 (7) election judge salaries; and

112.19 (8) other reasonable costs of administering the election, as approved by the secretary of  
112.20 state.

112.21 Reimbursable costs do not include salaries of permanent local officials or the cost of reusable  
112.22 supplies and equipment.

112.23 **Subd. 3. Reimbursement requests.** (a) Not more than 90 days after the special election,  
112.24 the county auditor must submit a request for reimbursement of the costs incurred by the  
112.25 county for conducting the special election and the municipal clerk must submit a request  
112.26 for reimbursement of the costs incurred by the municipality for conducting the special  
112.27 election. The request for reimbursement must be submitted to the secretary of state and  
112.28 must be accompanied by an itemized description of actual county or municipal expenditures  
112.29 including copies of invoices. In addition, the county auditor or municipal clerk must certify  
112.30 that the request for reimbursement is based on actual costs incurred by the county or  
112.31 municipality in the special election. The secretary of state shall provide each county and

113.1 municipality with the appropriate forms for requesting payment and certifying expenses  
113.2 under this subdivision.

113.3 (b) The secretary of state must not reimburse expenses unless the request for payment  
113.4 and certification of costs has been submitted as provided in this subdivision. The secretary  
113.5 of state must complete the issuance of reimbursements to the counties and municipalities  
113.6 for qualifying claims no later than 120 days after the special election. Amounts necessary  
113.7 to pay qualifying claims are appropriated from the general fund to the secretary of state for  
113.8 that purpose.

113.9 Sec. 46. [204E.01] APPLICABILITY.

113.10 This chapter applies to all elections expressly authorized by law to use ranked-choice  
113.11 voting. All other provisions of the Minnesota Election Law also apply, to the extent they  
113.12 are not inconsistent with this chapter.

113.13 Sec. 47. [204E.02] DEFINITIONS.

113.14 Subdivision 1. **Scope.** The definitions in this section apply to this chapter.

113.15 Subd. 2. **Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple  
113.16 continuing candidates that have no mathematical chance of being elected.

113.17 Subd. 3. **Chief election official.** "Chief election official" means the principal officer in  
113.18 the jurisdiction charged with duties relating to elections.

113.19 Subd. 4. **Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same  
113.20 candidate at multiple rankings for the office being counted.

113.21 Subd. 5. **Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be  
113.22 advanced under the procedures in section 204E.06.

113.23 Subd. 6. **Highest continuing ranking.** "Highest continuing ranking" means the ranking  
113.24 on a voter's ballot with the lowest numerical value for a continuing candidate.

113.25 Subd. 7. **Mathematically impossible to be elected.** "Mathematically impossible to be  
113.26 elected" means either:

113.27 (1) the candidate cannot be elected because the candidate's current vote total plus all  
113.28 votes that could possibly be transferred to the candidate in future rounds from candidates  
113.29 with fewer votes or an equal number of votes and surplus votes would not be enough to  
113.30 surpass the candidate with the next higher current vote total; or

114.1 (2) the candidate has a lower current vote total than a candidate who is described by  
114.2 clause (1).

114.3 Subd. 8. **Overvote.** "Overvote" means a voter has ranked more than one candidate at  
114.4 the same ranking.

114.5 Subd. 9. **Partially defective ballot.** "Partially defective ballot" means a ballot that is  
114.6 defective to the extent that the election judges are unable to determine the voter's intent with  
114.7 respect to the office being counted.

114.8 Subd. 10. **Ranked-choice voting.** "Ranked-choice voting" means an election method  
114.9 in which voters rank candidates for an office in order of their preference, with each vote  
114.10 counting for the highest-ranked continuing candidate on each ballot until that candidate has  
114.11 been elected or defeated by the method established in this chapter.

114.12 Subd. 11. **Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation  
114.13 center" means the place selected for the automatic or manual processing and tabulation of  
114.14 ballots.

114.15 Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to  
114.16 express the voter's preference for that candidate. Ranking number one is the highest ranking.  
114.17 A ranking of lower numerical value indicates a greater preference for a candidate than a  
114.18 ranking of higher numerical value.

114.19 Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps  
114.20 established in section 204E.06.

114.21 Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank  
114.22 and ranks a candidate at a subsequent ranking.

114.23 Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected  
114.24 candidate in excess of the threshold.

114.25 Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion  
114.26 of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated  
114.27 by dividing the surplus by the total votes cast for the elected candidate, calculated to four  
114.28 decimal places, ignoring any remainder.

114.29 Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate  
114.30 to be elected. In any given election, the threshold equals the total votes counted in the first  
114.31 round after removing defective ballots, divided by the sum of one plus the number of offices  
114.32 to be filled and adding one to the quotient, disregarding any fractions.

115.1 Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred  
115.2 ballot will contribute to the next ranked continuing candidate on that ballot. The transfer  
115.3 value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction  
115.4 of each vote by its current value, calculated to four decimal places, ignoring any remainder.  
115.5 The transfer value of a vote cast for a defeated candidate is the same as its current value.

115.6 Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote  
115.7 for a candidate who has been either elected or defeated.

115.8 Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is  
115.9 defective to the extent that election judges are unable to determine the voter's intent for any  
115.10 office on the ballot.

115.11 Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an  
115.12 office.

115.13 Sec. 48. **[204E.03] AUTHORIZATION TO ADOPT RANKED-CHOICE VOTING;**  
115.14 **IMPLEMENTATION.**

115.15 (a) The following political subdivisions may adopt, in the manner provided in this section,  
115.16 ranked-choice voting as a method of voting for local offices within the political subdivision:

115.17 (1) home rule charter or statutory cities;

115.18 (2) counties;

115.19 (3) townships; and

115.20 (4) school districts.

115.21 (b) A jurisdiction that adopts ranked-choice voting may do so by adopting an ordinance  
115.22 or resolution or by a ballot question presented to the voters. The ranked-choice voting  
115.23 method may be repealed by one of the same methods provided for adoption.

115.24 (c) A home rule charter jurisdiction that adopts a ranked-choice voting system in its  
115.25 charter may adopt this chapter by reference in an ordinance, but is not required to do so.  
115.26 Nothing in this chapter prevents a home rule charter jurisdiction from adopting another  
115.27 voting method in its charter.

115.28 (d) Ranked-choice voting shall only be used to elect local offices at a general or special  
115.29 election, or at a primary election which serves as a party-nominating election for a partisan  
115.30 office. A primary election must not be held for any nonpartisan offices that are elected using  
115.31 ranked-choice voting.

116.1 (e) A jurisdiction that adopts the use of ranked-choice voting in local elections must do  
116.2 so no later than 30 days before the first day for filing affidavits of candidacy for the office  
116.3 for which ranked-choice voting is to be used as the method of election.

116.4 (f) Repeal of ranked-choice voting must be no later than 30 days before the first day for  
116.5 filing affidavits of candidacy for offices for which ranked-choice voting is used as the  
116.6 method of election.

116.7 (g) The chief election official shall notify the secretary of state and, if applicable, the  
116.8 county auditor within 30 days following adoption or repeal of ranked-choice voting.

116.9 **Sec. 49. [204E.04] BALLOTS.**

116.10 Subdivision 1. **Ballot format.** (a) If there are three or more qualified candidates, a ballot  
116.11 must allow a voter to rank at least three candidates for each office in order of preference  
116.12 and must also allow the voter to add write-in candidates.

116.13 (b) A ballot must:

116.14 (1) include instructions to voters that clearly indicate how to mark the ballot;

116.15 (2) include instructions to voters that clearly indicate how to rank candidates in order  
116.16 of the voter's preference; and

116.17 (3) indicate the number of seats to be elected for each office.

116.18 (c) A jurisdiction may use ballots compatible with alphanumeric character recognition  
116.19 voting equipment.

116.20 Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice  
116.21 voting is used in addition to other methods of voting, the ranked-choice voting and  
116.22 non-ranked-choice voting elections must be on the same ballot card if possible, with  
116.23 ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot  
116.24 card. A separate ballot card may be used if necessary. A jurisdiction may deviate from the  
116.25 standard ballot order of offices to allow separation of ranked-choice voting and  
116.26 non-ranked-choice voting elections.

116.27 Subd. 3. **Ballot format rules.** The chief election official shall establish administrative  
116.28 rules for ballot format after a voting mechanism has been selected, consistent with this  
116.29 section.

117.1 **Sec. 50. [204E.05] RANKED-CHOICE VOTING TABULATION CENTER.**

117.2 Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate  
117.3 one location to serve as the ranked-choice voting tabulation center. The center must be  
117.4 accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes  
117.5 must be conducted as described in section 204E.06.

117.6 Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has  
117.7 concluded, the election judges in each precinct shall record and publicly declare the number  
117.8 of first choices cast for each candidate in that precinct. The election judges must then securely  
117.9 transfer all electronic voting data and ballots from the precinct to the ranked-choice voting  
117.10 tabulation center designated under this section. Upon receipt at the ranked-choice voting  
117.11 tabulation center, all electronic voting data and ballots shall be secured.

117.12 Subd. 3. **Notice of recess in count.** At any time following receipt of materials under  
117.13 subdivision 1, the chief election official may declare a recess. Notice of the recess must  
117.14 include the date, time, and location at which the process of recording and tabulating votes  
117.15 will resume and the reason for the recess. Notice must be posted on the city's official bulletin  
117.16 board and on the door of the ranked-choice voting tabulation center.

117.17 Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the  
117.18 election judges shall convene at the ranked-choice voting tabulation center to examine  
117.19 ballots on which voters have indicated a write-in choice, and record the names and number  
117.20 of votes received by each write-in candidate. In the event that votes cast for the write-in  
117.21 category are not eliminated as provided in section 204E.06, the results must be entered into  
117.22 the ranked-choice voting tabulation software.

117.23 Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a  
117.24 time set by the chief election official, the process of tabulating votes cast for offices to be  
117.25 elected using the ranked-choice method must begin. The counting must continue until  
117.26 preliminary results for all races are determined, subject to subdivision 3.

117.27 **Sec. 51. [204E.06] TABULATION OF VOTES.**

117.28 (a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in  
117.29 rounds for each office to be counted. The threshold must be calculated and publicly declared.  
117.30 Each round must proceed sequentially as follows:

117.31 (1) the number of votes cast for each candidate for the current round must be counted.  
117.32 If the number of candidates whose vote totals equal or exceed the threshold are equal to the  
117.33 number of seats to be filled, those candidates who are continuing candidates are elected and

118.1 the tabulation is complete. If the number of candidates whose vote totals are equal to or  
118.2 greater than the threshold is not equal to the number of seats to be filled, a new round begins  
118.3 and the tabulation must continue as provided in the remainder of this paragraph;

118.4 (2) surplus votes for any candidates whose vote totals are equal to or greater than the  
118.5 threshold must be calculated;

118.6 (3) after any surplus votes are calculated but not yet transferred, all candidates for whom  
118.7 it is mathematically impossible to be elected must be defeated by batch elimination. Votes  
118.8 for the defeated candidates must be transferred to each ballot's next-ranked continuing  
118.9 candidate, and the tabulation process reiterates beginning with clause (2). If no candidate  
118.10 can be defeated mathematically, the tabulation must continue as described in clause (4);

118.11 (4) the transfer value of each vote cast for an elected candidate must be transferred to  
118.12 the next continuing candidate on that ballot. Of the candidates whose vote totals reach or  
118.13 exceed the threshold, the candidate with the largest surplus is declared elected and that  
118.14 candidate's surplus is transferred. A tie between two or more candidates must immediately  
118.15 and publicly be resolved by lot by the chief election official at the tabulation center. The  
118.16 surplus of the candidate chosen by lot must be transferred before other transfers are made.  
118.17 The result of the tie resolution must be recorded and reused in the event of a recount. If no  
118.18 candidate has a surplus, the tabulation must continue as described in clause (5); otherwise,  
118.19 the tabulation process must reiterate beginning with clause (2);

118.20 (5) if there are no transferable surplus votes, the candidate with the fewest votes is  
118.21 defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked  
118.22 continuing candidate. Ties between candidates with the fewest votes must be decided by  
118.23 lot, and the candidate chosen by lot must be defeated. The result of the tie resolution must  
118.24 be recorded and reused in the event of a recount. The tabulation process must reiterate  
118.25 beginning with clause (2); and

118.26 (6) the procedures in clauses (2) to (5) must be repeated until the number of candidates  
118.27 whose vote totals are equal to or exceed the threshold is equal to the number of seats to be  
118.28 filled, or until the number of continuing candidates is equal to the number of offices yet to  
118.29 be elected. If the number of continuing candidates is equal to the number of offices yet to  
118.30 be elected, the remaining continuing candidates must be declared elected. In the case of a  
118.31 tie between two continuing candidates, the tie must be decided by lot as provided in section  
118.32 204C.34, and the candidate chosen by lot must be defeated. The result of the tie resolution  
118.33 must be recorded and reused in the event of a recount.

119.1 (b) When a single skipped ranking is encountered on a ballot, that ballot must count  
119.2 toward the next nonskipped ranking. If any ballot cannot be advanced because no further  
119.3 candidates are ranked on that ballot, because a voter has skipped more than one ranking, or  
119.4 because an undervote, overvote, or duplicate ranking is encountered, the ballot must not  
119.5 count toward any candidate in that round or in subsequent rounds for the office being  
119.6 counted.

119.7 **Sec. 52. [204E.07] REPORTING RESULTS.**

119.8 (a) Each precinct must print a precinct summary statement, which must include the  
119.9 number of first choices cast for each candidate in that precinct.

119.10 (b) The ranked-choice voting tabulation center must print a summary statement with the  
119.11 following information: total votes cast; number of undervotes; number of totally defective  
119.12 and spoiled ballots; threshold calculation; total first choice rankings for all candidates;  
119.13 round-by-round tabulation results, including simultaneous batch eliminations, surplus  
119.14 transfers, and defeated candidate transfers; and exhausted ballots at each round.

119.15 (c) The election abstract must include the information required in the ranked-choice  
119.16 voting tabulation center summary statement, with the addition of the number of registered  
119.17 voters by precinct, the number of same-day voter registrations, and the number of absentee  
119.18 voters.

119.19 **Sec. 53. [204E.08] RECOUNTS.**

119.20 (a) A candidate defeated in the final round of tabulation may request a recount as provided  
119.21 in section 204C.36.

119.22 (b) A candidate defeated in the final round of tabulation when the vote difference is  
119.23 greater than that provided in section 204C.36 may request a recount at the candidate's own  
119.24 expense. A candidate defeated in an earlier round of tabulation may request a recount at the  
119.25 candidate's own expense. The candidate is responsible for all expenses associated with the  
119.26 recount, regardless of the vote difference between the candidates in the round in which the  
119.27 requesting candidate was defeated. The requesting candidate shall file with the filing officer  
119.28 a bond, cash, or surety in an amount set by the filing officer for the payment of the recount  
119.29 expenses. Expenses must be determined as provided in section 204C.36, subdivision 4.

119.30 (c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to  
119.31 recounts conducted under this section.

120.1 Sec. 54. [204E.09] RULES.

120.2 The secretary of state may adopt rules necessary to implement the requirements and  
120.3 procedures established by this chapter.

120.4 Sec. 55. Minnesota Statutes 2018, section 205.13, subdivision 2, is amended to read:

120.5 Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits  
120.6 of candidacy, the municipal clerk shall publish a notice stating the first and last dates on  
120.7 which affidavits of candidacy may be filed in the clerk's office and the closing time for  
120.8 filing on the last day for filing. The clerk shall post a similar notice at least ten days before  
120.9 the first day to file affidavits of candidacy. The notice must indicate the method of election  
120.10 to be used for the offices on the ballot. The notice must separately list any office for which  
120.11 affidavits of candidacy may be filed to fill the unexpired portion of a term when a special  
120.12 election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.

120.13 Sec. 56. Minnesota Statutes 2018, section 206.58, subdivision 1, is amended to read:

120.14 Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular  
120.15 meeting or at a special meeting called for the purpose, may provide for the use of an  
120.16 electronic voting system in one or more precincts and at all elections in the precincts, subject  
120.17 to approval by the county auditor. The governing body shall disseminate information to the  
120.18 public about the use of a new voting system at least 60 days prior to the election and shall  
120.19 provide for instruction of voters with a demonstration voting system in a public place for  
120.20 the six weeks immediately prior to the first election at which the new voting system will be  
120.21 used.

120.22 (b) No system may be adopted or used unless it has been approved by the secretary of  
120.23 state pursuant to section 206.57.

120.24 (c) The governing body of a municipality may provide for the use of an electronic voting  
120.25 system that has been approved by the secretary of state under section 206.57 but includes  
120.26 an automatic tabulating equipment reallocation feature that has not been approved by the  
120.27 secretary of state if the municipal clerk certifies to the secretary of state, within 30 days  
120.28 from the date of adoption under paragraph (a), that the reallocation feature:

120.29 (1) has been certified as required under section 206.57, subdivision 6; and

120.30 (2) meets the municipality's ordinance requirements for electronic voting systems.

121.1 Sec. 57. Minnesota Statutes 2018, section 206.61, is amended by adding a subdivision to  
121.2 read:

121.3 Subd. 1a. Availability of alternate ballot formats. In precincts using a ballot format  
121.4 authorized by section 206.80, paragraph (b), clause (3), voters must be provided the option  
121.5 of voting a regularly printed optical scan ballot.

121.6 Sec. 58. Minnesota Statutes 2018, section 206.80, is amended to read:

121.7 **206.80 ELECTRONIC VOTING SYSTEMS.**

121.8 (a) An electronic voting system may not be employed unless it:

121.9 (1) permits every voter to vote in secret;

121.10 (2) permits every voter to vote for all candidates and questions for whom or upon which  
121.11 the voter is legally entitled to vote;

121.12 (3) provides for write-in voting when authorized;

121.13 (4) automatically rejects, except as provided in section 206.84 with respect to write-in  
121.14 votes, all votes for an office or question when the number of votes cast on it exceeds the  
121.15 number which the voter is entitled to cast;

121.16 (5) permits a voter at a primary election to select secretly the party for which the voter  
121.17 wishes to vote;

121.18 (6) automatically rejects all votes cast in a primary election by a voter when the voter  
121.19 votes for candidates of more than one party; and

121.20 (7) provides every voter an opportunity to verify votes recorded on the permanent paper  
121.21 ballot, either visually or using assistive voting technology, and to change votes or correct  
121.22 any error before the voter's ballot is cast and counted, produces an individual, discrete,  
121.23 permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record  
121.24 available for use in any recount.

121.25 (b) An electronic voting system purchased on or after June 4, 2005, may not be employed  
121.26 unless it:

121.27 (1) accepts and tabulates, in the polling place or at a counting center, a marked optical  
121.28 scan ballot; ~~or~~

121.29 (2) creates a marked optical scan ballot that can be tabulated in the polling place or at a  
121.30 counting center by automatic tabulating equipment certified for use in this state: or

122.1 (3) creates a marked paper ballot indicating, at a minimum, the date of the election, the  
122.2 name of the precinct, an electronically readable precinct identifier or ballot style indicator,  
122.3 and the voter's votes for each office or question, generated from the voter's use of a touch  
122.4 screen or other electronic device on which a complete ballot meeting the information  
122.5 requirements of any applicable law was displayed electronically.

122.6 (c) Jurisdictions using multiple ballot formats must not record the ballot formats of  
122.7 electronic voting system used by a particular voter.

122.8 **Sec. 59. [206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.**

122.9 Any new voting equipment purchased for use in Minnesota for the purpose of replacing  
122.10 a voting system must have the ability to:

122.11 (1) capture and store ballot data;

122.12 (2) keep data anonymous;

122.13 (3) accept ranked or cumulative voting data under a variety of tabulation rules;

122.14 (4) be programmable to follow all other specifications of the ranked-choice voting system  
122.15 as provided in chapter 204E;

122.16 (5) provide a minimum of three rankings for ranked-choice voting elections;

122.17 (6) notify voters of the following errors: overvotes, skipped rankings, and duplicate  
122.18 rankings in a ranked-choice voting election; and

122.19 (7) be programmable to print a zero tape indicating all rankings for all candidates in a  
122.20 ranked-choice voting election.

122.21 **EFFECTIVE DATE.** This section is effective upon certification by the secretary of  
122.22 state that equipment meeting the standards required by this section is available for purchase  
122.23 and implementation.

122.24 **Sec. 60.** Minnesota Statutes 2018, section 206.82, subdivision 1, is amended to read:

122.25 **Subdivision 1. Program.** A program or programs for use in an election conducted by  
122.26 means of an electronic voting system or using an electronic ballot marker shall be prepared  
122.27 at the direction of the county auditor or municipal clerk who is responsible for the conduct  
122.28 of the election and shall be independently verified by a competent person designated by  
122.29 that official. The term "competent person" as used in this section means a person who can  
122.30 demonstrate knowledge as a computer programmer and who is other than and wholly  
122.31 independent of any person operating or employed by the counting center or the corporation

123.1 or other preparer of the program. A test deck prepared by a competent person shall be used  
123.2 for independent verification of the program; it shall test the maximum digits used in totaling  
123.3 the returns and shall be usable by insertion during the tabulation process as well as prior to  
123.4 tabulation. A test deck must also be prepared using the electronic ballot marker program  
123.5 and must also be used to verify that all valid votes counted by the vote tabulator may be  
123.6 selected using the electronic ballot marker. The computer program for any election and an  
123.7 exact duplicate of the program for use as backup must be completed and delivered to the  
123.8 election jurisdiction or the county auditor in charge of a common central counting center  
123.9 at least 40 days prior to the election. The secretary of state shall adopt rules further specifying  
123.10 test procedures.

123.11 Sec. 61. Minnesota Statutes 2018, section 206.83, is amended to read:

123.12 **206.83 TESTING OF VOTING SYSTEMS.**

123.13 (a) Within ~~14~~ 37 days before election day, the official in charge of elections shall have  
123.14 the voting system tested to ascertain that the system will correctly mark ballots using all  
123.15 methods supported by the system, including ranked-choice voting if applicable, and through  
123.16 assistive technology, and count the votes cast for all candidates and on all questions. Public  
123.17 notice of the time and place of the test must be given at least two days in advance by  
123.18 publication once in official newspapers. The test must be observed by at least two election  
123.19 judges, who are not of the same major political party, and must be open to representatives  
123.20 of the political parties, candidates, the press, and the public. The test must be conducted by  
123.21 (1) processing a preaudited group of ballots punched or marked to record a predetermined  
123.22 number of valid votes for each candidate and on each question, and must include for each  
123.23 office one or more ballot cards which have votes in excess of the number allowed by law  
123.24 in order to test the ability of the voting system tabulator and electronic ballot marker to  
123.25 reject those votes; and (2) processing an additional test deck of ballots marked using the  
123.26 electronic ballot marker for the precinct, including ballots marked using the electronic ballot  
123.27 display, audio ballot reader, and any assistive voting technology used with the electronic  
123.28 ballot marker. If an election is to be conducted using ranked-choice voting, the equipment  
123.29 must also be tested to ensure that each ranking for each candidate is recorded properly.

123.30 (b) If any error is detected, the cause must be ascertained and corrected and an errorless  
123.31 count must be made before the voting system may be used in the election.

123.32 (c) After the completion of the test, the programs used and ballot cards must be sealed,  
123.33 retained, and disposed of as provided for paper ballots.

124.1 Sec. 62. Minnesota Statutes 2018, section 206.86, is amended by adding a subdivision to  
124.2 read:

124.3 Subd. 5a. **Ballots in precincts with multiple styles of voting system.** (a) This subdivision  
124.4 applies only to precincts using a ballot format as provided by section 206.80, paragraph (b),  
124.5 clause (3), that was used by ten or fewer voters.

124.6 (b) In the event the results of a precinct are subject to a recount under section 204C.35  
124.7 or 204C.36, or are subject to postelection review under section 206.89, the election judges  
124.8 from that precinct are not eligible to participate in conducting a recount or postelection  
124.9 review in that precinct.

124.10 Sec. 63. Minnesota Statutes 2018, section 206.89, subdivision 2, is amended to read:

124.11 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county  
124.12 canvassing board in each county must set the date, time, and place for the postelection  
124.13 review of the state general election to be held under this section. In jurisdictions where  
124.14 ranked-choice voting is used, the date, time, and place for postelection review must be set  
124.15 by the county auditor at least 30 days before the election. The postelection review must not  
124.16 begin before the 11th day after the state general election and must be complete no later than  
124.17 the 18th day after the state general election.

124.18 At the canvass of the state general election, the county canvassing boards must select  
124.19 the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both  
124.20 the ballots counted at the polling place for that precinct and the absentee ballots counted  
124.21 centrally by a ballot board for that precinct. The county canvassing board of a county with  
124.22 fewer than 50,000 registered voters must conduct a postelection review of a total of at least  
124.23 two precincts. The county canvassing board of a county with between 50,000 and 100,000  
124.24 registered voters must conduct a review of a total of at least three precincts. The county  
124.25 canvassing board of a county with over 100,000 registered voters must conduct a review  
124.26 of a total of at least four precincts, or three percent of the total number of precincts in the  
124.27 county, whichever is greater. At least one precinct selected in each county must have had  
124.28 more than 150 votes cast at the general election.

124.29 The county auditor must notify the secretary of state of the precincts that have been  
124.30 chosen for review and the time and place the postelection review for that county will be  
124.31 conducted, as soon as the decisions are made. If the selection of precincts has not resulted  
124.32 in the selection of at least four precincts in each congressional district, the secretary of state  
124.33 may require counties to select by lot additional precincts to meet the congressional district  
124.34 requirement. The secretary of state must post this information on the office website.

125.1 Sec. 64. Minnesota Statutes 2018, section 206.89, subdivision 3, is amended to read:

125.2 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the  
125.3 postelection review official as defined in subdivision 1. The postelection review must be  
125.4 conducted of the votes cast for president or governor; United States senator; and United  
125.5 States representative. In jurisdictions where ranked-choice voting is used, the review must  
125.6 also include at least one single-seat ranked-choice voting election and at least one  
125.7 multiple-seat ranked-choice voting election, if such an election occurred. A postelection  
125.8 review of a ranked-choice voting election must be conducted for elections decided most  
125.9 closely in the final round, by percentage. The postelection review official may conduct  
125.10 postelection review of the votes cast for additional offices.

125.11 The postelection review must be conducted in public at the location where the voted  
125.12 ballots have been securely stored after the state general election or at another location chosen  
125.13 by the county canvassing board. The postelection review official for each precinct selected  
125.14 must conduct the postelection review and may be assisted by election judges designated by  
125.15 the postelection review official for this purpose. The party balance requirement of section  
125.16 204B.19 applies to election judges designated for the review. The postelection review must  
125.17 consist of a manual count of the ballots used in the precincts selected and must be performed  
125.18 in the manner provided by section 204C.21. The postelection review must be conducted in  
125.19 the manner provided for recounts under section 204C.361 to the extent practicable, and  
125.20 where ranked-choice voting is used, must include testing of the accumulation software using  
125.21 stored electronic data for those precincts that are not reviewed by manual count. The review  
125.22 must be completed no later than two days before the meeting of the state canvassing board  
125.23 to certify the results of the state general election.

125.24 Sec. 65. Minnesota Statutes 2018, section 207A.11, is amended to read:

125.25 **207A.11 PRESIDENTIAL NOMINATION PRIMARY ESTABLISHED.**

125.26 (a) A presidential nomination primary must be held each year in which a president and  
125.27 vice president of the United States are to be nominated and elected.

125.28 (b) The party chairs must jointly submit to the secretary of state, no later than March 1  
125.29 in a year prior to a presidential election year, the single date on which the parties have agreed  
125.30 to conduct the presidential nomination primary in the next year. The date selected must not  
125.31 be the date of the town general election provided in section 205.075, subdivision 1. If a date  
125.32 is not jointly submitted by the deadline, the presidential nomination primary must be held  
125.33 on the first Tuesday in March in the year of the presidential election. No other election may  
125.34 be conducted on the date of the presidential nomination primary.

126.1 (c) The secretary of state must adopt rules to implement the provisions of this chapter.  
126.2 The secretary of state shall consult with the party chairs throughout the rulemaking process,  
126.3 including seeking advice about possible rules before issuing a notice of intent to adopt rules,  
126.4 consultation before the notice of comment is published, consultation on the statement of  
126.5 need and reasonableness, consultation in drafting and revising the rules, and consultation  
126.6 regarding any modifications to the rule being considered.

126.7 (d) This chapter only applies to a major political party that selects delegates at the  
126.8 presidential nomination primary to send to a national convention. A major political party  
126.9 that does not participate in a national convention is not eligible to participate in the  
126.10 presidential nomination primary.

126.11 (e) For purposes of this chapter, "political party" or "party" means a major political party  
126.12 as defined in section 200.02, subdivision 7, that is eligible to participate in the presidential  
126.13 nomination primary.

126.14 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
126.15 nomination primaries conducted on or after that date.

126.16 Sec. 66. Minnesota Statutes 2018, section 207A.12, is amended to read:

126.17 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

126.18 (a) Except as otherwise provided by law, the presidential nomination primary must be  
126.19 conducted, and the results canvassed and returned, in the manner provided by law for the  
126.20 state primary.

126.21 (b) An individual seeking to vote at the presidential nomination primary must be  
126.22 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the  
126.23 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section  
126.24 204C.18, subdivision 1, the election judge must record in the polling place roster the name  
126.25 of the political party whose ballot the voter requested. When posting voter history pursuant  
126.26 to section 201.171, the county auditor must include the name of the political party whose  
126.27 ballot the voter requested. ~~The voter instruction posters, pamphlets, and other informational~~  
126.28 ~~materials prepared for a presidential primary by the secretary of state pursuant to section~~  
126.29 ~~204B.27 must include information about the requirements of this paragraph, including a~~  
126.30 ~~notice that the voter's choice of a political party's ballot will be recorded and is public~~  
126.31 ~~information.~~ The political party ballot selected by a voter is private data on individuals as  
126.32 defined under section 13.02, subdivision 12, except as provided in section 201.091,  
126.33 subdivision 4a.

127.1 (c) Immediately after the state canvassing board declares the results of the presidential  
127.2 nomination primary, the secretary of state must notify the chair of each party of the results.

127.3 (d) The results of the presidential nomination primary must bind the election of delegates  
127.4 in each party.

127.5 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
127.6 nomination primaries conducted on or after that date.

127.7 Sec. 67. Minnesota Statutes 2018, section 207A.14, subdivision 2, is amended to read:

127.8 Subd. 2. **Sample Example ballots.** No later than 70 days before the presidential  
127.9 nomination primary, the secretary of state must supply each county auditor with ~~sample~~  
127.10 example ballots to be used at the presidential nomination primary. The ~~sample~~ example  
127.11 ballots must illustrate the format required for the ballots used in the presidential nomination  
127.12 primary.

127.13 Sec. 68. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:

127.14 Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the  
127.15 counties and municipalities for expenses incurred in the administration of the presidential  
127.16 nomination primary from money contained in the presidential nomination primary elections  
127.17 account. The following expenses are eligible for reimbursement: preparation and printing  
127.18 of ballots; postage for absentee ballots; publication of the sample ballot; preparation of  
127.19 polling places in an amount not to exceed \$150 per polling place; preparation of electronic  
127.20 voting systems in an amount not to exceed \$100 per precinct; compensation for temporary  
127.21 staff or overtime payments; salaries of election judges; ~~and~~ compensation of county  
127.22 canvassing board members; and other expenses as approved by the secretary of state.

127.23 (b) Within 60 days after the results of a presidential nomination primary are certified  
127.24 by the State Canvassing Board, the county auditor must submit a request for payment of  
127.25 the costs incurred by the county for conducting the presidential nomination primary, and  
127.26 the municipal clerk must submit a request for payment of the costs incurred by the  
127.27 municipality for conducting the presidential nomination primary. The request for payment  
127.28 must be submitted to the secretary of state, and must be accompanied by an itemized  
127.29 description of actual county or municipal expenditures, including copies of invoices. In  
127.30 addition, the county auditor or municipal clerk must certify that the request for reimbursement  
127.31 is based on actual costs incurred by the county or municipality in the presidential nomination  
127.32 primary.

128.1 (c) The secretary of state shall provide each county and municipality with the appropriate  
128.2 forms for requesting payment and certifying expenses under this subdivision. The secretary  
128.3 of state must not reimburse expenses unless the request for payment and certification of  
128.4 costs has been submitted as provided in this subdivision. The secretary of state must complete  
128.5 the issuance of reimbursements to the counties and municipalities no later than 90 days after  
128.6 the results of the presidential nomination primary have been certified by the State Canvassing  
128.7 Board.

128.8 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
128.9 nomination primaries conducted on or after that date.

128.10 Sec. 69. **[208.051] AGREEMENT AMONG THE STATES TO ELECT THE**  
128.11 **PRESIDENT BY NATIONAL POPULAR VOTE.**

128.12 The Agreement Among the States to Elect the President by National Popular Vote is  
128.13 enacted into law and entered into with all other states legally joining in it in substantially  
128.14 the following form:

128.15 Article I - Membership

128.16 Any state of the United States and the District of Columbia may become a member of  
128.17 this agreement by enacting this agreement.

128.18 Article II - Right of the People in Member States to

128.19 Vote for President and Vice President

128.20 Each member state shall conduct a statewide popular election for president and vice  
128.21 president of the United States.

128.22 Article III - Manner of Appointing Presidential Electors in Member States

128.23 Prior to the time set by law for the meeting and voting by the presidential electors, the  
128.24 chief election official of each member state shall determine the number of votes for each  
128.25 presidential slate in each state of the United States and in the District of Columbia in which  
128.26 votes have been cast in a statewide popular election and shall add such votes together to  
128.27 produce a "national popular vote total" for each presidential slate. The chief election official  
128.28 of each member state shall designate the presidential slate with the largest national popular  
128.29 vote total as the "national popular vote winner." The presidential elector certifying official  
128.30 of each member state shall certify the appointment in that official's own state of the elector  
128.31 slate nominated in that state in association with the national popular vote winner. At least  
128.32 six days before the day fixed by law for the meeting and voting by the presidential electors,

129.1 each member state shall make a final determination of the number of popular votes cast in  
129.2 the state for each presidential slate and shall communicate an official statement of such  
129.3 determination within 24 hours to the chief election official of each other member state. The  
129.4 chief election official of each member state shall treat as conclusive an official statement  
129.5 containing the number of popular votes in a state for each presidential slate made by the  
129.6 day established by federal law for making a state's final determination conclusive as to the  
129.7 counting of electoral votes by Congress. In event of a tie for the national popular vote  
129.8 winner, the presidential elector certifying official of each member state shall certify the  
129.9 appointment of the elector slate nominated in association with the presidential slate receiving  
129.10 the largest number of popular votes within that official's own state. If, for any reason, the  
129.11 number of presidential electors nominated in a member state in association with the national  
129.12 popular vote winner is less than or greater than that state's number of electoral votes, the  
129.13 presidential candidate on the presidential slate that has been designated as the national  
129.14 popular vote winner shall have the power to nominate the presidential electors for that state  
129.15 and that state's presidential elector certifying official shall certify the appointment of such  
129.16 nominees. The chief election official of each member state shall immediately release to the  
129.17 public all vote counts or statements of votes as they are determined or obtained. This article  
129.18 shall govern the appointment of presidential electors in each member state in any year in  
129.19 which this agreement is, on July 20, in effect in states cumulatively possessing a majority  
129.20 of the electoral votes.

129.21 Article IV - Other Provisions

129.22 This agreement shall take effect when states cumulatively possessing a majority of the  
129.23 electoral votes have enacted this agreement in substantially the same form and the enactments  
129.24 by such states have taken effect in each state. Any member state may withdraw from this  
129.25 agreement, except that a withdrawal occurring six months or less before the end of a  
129.26 president's term shall not become effective until a president or vice president shall have  
129.27 been qualified to serve the next term. The chief executive of each member state shall promptly  
129.28 notify the chief executive of all other states of when this agreement has been enacted and  
129.29 has taken effect in that official's state, when the state has withdrawn from this agreement,  
129.30 and when this agreement takes effect generally. This agreement shall terminate if the electoral  
129.31 college is abolished. If any provision of this agreement is held invalid, the remaining  
129.32 provisions shall not be affected.

129.33 Article V - Definitions

129.34 For purposes of this agreement,

130.1 "chief executive" means the governor of a state of the United States or the mayor of the  
130.2 District of Columbia;

130.3 "elector slate" means a slate of candidates who have been nominated in a state for the  
130.4 position of presidential elector in association with a presidential slate;

130.5 "chief election official" means the state official or body that is authorized to certify the  
130.6 total number of popular votes for each presidential slate;

130.7 "presidential elector" means an elector for president and vice president of the United  
130.8 States;

130.9 "presidential elector certifying official" means the state official or body that is authorized  
130.10 to certify the appointment of the state's presidential electors;

130.11 "presidential slate" means a slate of two persons, the first of whom has been nominated  
130.12 as a candidate for president of the United States and the second of whom has been nominated  
130.13 as a candidate for vice president of the United States, or any legal successors to such persons,  
130.14 regardless of whether both names appear on the ballot presented to the voter in a particular  
130.15 state;

130.16 "state" means a state of the United States and the District of Columbia; and

130.17 "statewide popular election" means a general election in which votes are cast for  
130.18 presidential slates by individual voters and counted on a statewide basis.

130.19 **Sec. 70. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

130.20 **Subdivision 1. Correctional facilities; designation of official.** The chief executive  
130.21 officer of each state and local correctional facility shall designate an official within the  
130.22 facility to provide the notice and application required under this section to persons to whom  
130.23 the civil right to vote is restored by reason of the persons' release from actual incarceration.  
130.24 The official shall maintain an adequate supply of voter registration applications and  
130.25 informational materials for this purpose.

130.26 **Subd. 2. Notice requirement.** A notice of restoration of the civil right to vote and a  
130.27 voter registration application must be provided as follows:

130.28 (1) the chief executive officer of each state and local correctional facility shall provide  
130.29 the notice and application to a person being released from the facility following incarceration  
130.30 for a felony-level offense; and

130.31 (2) a probation officer or supervised release agent shall provide the notice and application  
130.32 to all individuals under correctional supervision for a felony-level offense.

131.1 Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially  
131.2 as follows:

131.3 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

131.4 Your receipt of this notice today means that your right to vote in Minnesota has been  
131.5 restored. Before you can vote on election day, you still need to register to vote. To register,  
131.6 you may complete a voter registration application and return it to the Office of the Minnesota  
131.7 Secretary of State. You may also register to vote in your polling place on election day. You  
131.8 will not be permitted to cast a ballot until you register to vote. The first time you appear at  
131.9 your polling place to cast a ballot, you may be required to provide proof of your current  
131.10 residence."

131.11 Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by  
131.12 this section does not prevent the restoration of the person's civil right to vote.

131.13 Sec. 71. Minnesota Statutes 2018, section 473.408, is amended by adding a subdivision  
131.14 to read:

131.15 Subd. 11. **Transit service on election day.** (a) The Metropolitan Council shall provide  
131.16 regular route transit, as defined under section 473.385, subdivision 1, paragraph (b), free  
131.17 of charge on a day a state general election is held.

131.18 (b) The requirements under this subdivision apply to operators of regular route transit  
131.19 (1) receiving financial assistance under section 473.388, or (2) operating under section  
131.20 473.405, subdivision 12.

131.21 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2020, and  
131.22 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

131.23 Sec. 72. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

131.24 Subdivision 1. **Restoration.** Except as provided in section 201.014, subdivision 2a,  
131.25 when a person has been deprived of civil rights by reason of conviction of a crime and is  
131.26 thereafter discharged, such discharge shall restore the person to all civil rights and to full  
131.27 citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not  
131.28 taken place, and the order of discharge shall so provide.

131.29 Sec. 73. **REPEALER; EARLY VOTING.**

131.30 Minnesota Statutes 2018, section 203B.081, subdivision 3, is repealed.

132.1 Sec. 74. **EFFECTIVE DATE; EARLY VOTING.**

132.2 The provisions of this article related to early voting are effective when the secretary of  
 132.3 state has certified that:

132.4 (1) the statewide voter registration system has been tested and shown to properly allow  
 132.5 for the tracking of the information required to conduct early voting, and can handle the  
 132.6 expected volume of use; and

132.7 (2) precinct voting equipment that can tabulate at least 30 different ballot styles has been  
 132.8 certified for use in this state. Upon certification pursuant to this section, the provisions of  
 132.9 this act related to early voting apply to all federal, state, and county elections held on August  
 132.10 1, 2019, and thereafter. A jurisdiction may implement the requirements of this act prior to  
 132.11 the date provided in this section, if the secretary of state has made the required certifications  
 132.12 at least 90 days prior to the date of the election at which early voting will be used.

132.13

**ARTICLE 5**

132.14

**CAMPAIGN FINANCE**

132.15 Section 1. Minnesota Statutes 2018, section 10A.01, subdivision 4, is amended to read:

132.16 Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made  
 132.17 on behalf of a candidate or a local candidate by an entity other than the candidate's principal  
 132.18 campaign committee ~~of the candidate~~ or the local candidate, if the expenditure is made with  
 132.19 the authorization or expressed or implied consent of, or in cooperation or in concert with,  
 132.20 or at the request or suggestion of the candidate or local candidate, the candidate's principal  
 132.21 campaign committee, or the candidate's or local candidate's agent. An approved expenditure  
 132.22 is a contribution to that candidate or local candidate.

132.23 Sec. 2. Minnesota Statutes 2018, section 10A.01, subdivision 7, is amended to read:

132.24 Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed  
 132.25 on the ballot and that may be voted on by:

132.26 (1) all voters of the state;

132.27 (2) all voters of Hennepin County;

132.28 (3) all voters of any home rule charter city or statutory city located wholly within  
 132.29 Hennepin County and having a population of 75,000 or more; or

132.30 (4) all voters of Special School District No. 1.

133.1 "Promoting or defeating a ballot question" includes activities, other than lobbying  
133.2 activities, related to qualifying the question for placement on the ballot.

133.3 Sec. 3. Minnesota Statutes 2018, section 10A.01, subdivision 9, is amended to read:

133.4 Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a  
133.5 purchase or payment of money or anything of value, or an advance of credit, made or  
133.6 incurred for the purpose of influencing the nomination or election of a candidate or a local  
133.7 candidate or for the purpose of promoting or defeating a ballot question.

133.8 An expenditure is considered to be made in the year in which the candidate made the  
133.9 purchase of goods or services or incurred an obligation to pay for goods or services.

133.10 An expenditure made for the purpose of defeating a candidate or a local candidate is  
133.11 considered made for the purpose of influencing the nomination or election of that candidate  
133.12 or local candidate or any opponent of that candidate or local candidate.

133.13 Except as provided in clause (1), "expenditure" includes the dollar value of a donation  
133.14 in kind.

133.15 "Expenditure" does not include:

133.16 (1) noncampaign disbursements as defined in subdivision 26;

133.17 (2) services provided without compensation by an individual volunteering personal time  
133.18 on behalf of a candidate or a local candidate, ballot question, political committee, political  
133.19 fund, principal campaign committee, or party unit;

133.20 (3) the publishing or broadcasting of news items or editorial comments by the news  
133.21 media; or

133.22 (4) an individual's unreimbursed personal use of an automobile owned by the individual  
133.23 and used by the individual while volunteering personal time.

133.24 Sec. 4. Minnesota Statutes 2018, section 10A.01, is amended by adding a subdivision to  
133.25 read:

133.26 Subd. 10d. **Local candidate.** "Local candidate" means an individual who seeks  
133.27 nomination or election to:

133.28 (1) any county office in Hennepin County;

133.29 (2) any city office in any home rule charter city or statutory city located wholly within  
133.30 Hennepin County and having a population of 75,000 or more; or

134.1 (3) the school board in Special School District No. 1.

134.2 Sec. 5. Minnesota Statutes 2018, section 10A.01, subdivision 11, is amended to read:

134.3 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or  
134.4 a donation in kind that is given to a political committee, political fund, principal campaign  
134.5 committee, local candidate, or party unit. An allocation by an association of general treasury  
134.6 money to be used for activities that must be or are reported through the association's political  
134.7 fund is considered to be a contribution for the purposes of disclosure required by this chapter.

134.8 (b) "Contribution" includes a loan or advance of credit to a political committee, political  
134.9 fund, principal campaign committee, local candidate, or party unit, if the loan or advance  
134.10 of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the  
134.11 political committee, political fund, principal campaign committee, local candidate, or party  
134.12 unit to which the loan or advance of credit was made. If an advance of credit or a loan is  
134.13 forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the  
134.14 loan or advance of credit was made.

134.15 (c) "Contribution" does not include services provided without compensation by an  
134.16 individual volunteering personal time on behalf of a candidate, local candidate, ballot  
134.17 question, political committee, political fund, principal campaign committee, or party unit;  
134.18 the publishing or broadcasting of news items or editorial comments by the news media; or  
134.19 an individual's unreimbursed personal use of an automobile owned by the individual while  
134.20 volunteering personal time.

134.21 Sec. 6. Minnesota Statutes 2018, section 10A.01, subdivision 16a, is amended to read:

134.22 Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

134.23 (1) that a communication clearly identifies a candidate or a local candidate and uses  
134.24 words or phrases of express advocacy; or

134.25 (2) that a communication when taken as a whole and with limited reference to external  
134.26 events, such as the proximity to the election, is susceptible of no reasonable interpretation  
134.27 other than as an appeal advocating the election or defeat of one or more clearly identified  
134.28 candidates.

134.29 **EFFECTIVE DATE.** This section is effective August 1, 2019, except that clause (2)  
134.30 is effective January 1, 2020, and applies to expenditures and electioneering communications  
134.31 made on or after that date.

135.1 Sec. 7. Minnesota Statutes 2018, section 10A.01, subdivision 17c, is amended to read:

135.2 Subd. 17c. **General treasury money.** "General treasury money" means money that an  
135.3 association other than a principal campaign committee, party unit, or political committee  
135.4 accumulates through membership dues and fees, donations to the association for its general  
135.5 purposes, and income from the operation of a business. General treasury money does not  
135.6 include money collected to influence the nomination or election of candidates or local  
135.7 candidates or to promote or defeat a ballot question.

135.8 Sec. 8. Minnesota Statutes 2018, section 10A.01, subdivision 18, is amended to read:

135.9 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure  
135.10 expressly advocating the election or defeat of a clearly identified candidate or local candidate,  
135.11 if the expenditure is made without the express or implied consent, authorization, or  
135.12 cooperation of, and not in concert with or at the request or suggestion of, any candidate or  
135.13 any candidate's principal campaign committee or agent or any local candidate or local  
135.14 candidate's agent. An independent expenditure is not a contribution to that candidate or  
135.15 local candidate. An independent expenditure does not include the act of announcing a formal  
135.16 public endorsement of a candidate or local candidate for public office, unless the act is  
135.17 simultaneously accompanied by an expenditure that would otherwise qualify as an  
135.18 independent expenditure under this subdivision.

135.19 Sec. 9. Minnesota Statutes 2018, section 10A.01, subdivision 20, is amended to read:

135.20 Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a  
135.21 political committee, political fund, principal campaign committee, local candidate, or party  
135.22 unit.

135.23 Sec. 10. Minnesota Statutes 2018, section 10A.01, subdivision 26, is amended to read:

135.24 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a  
135.25 purchase or payment of money or anything of value made, or an advance of credit incurred,  
135.26 or a donation in kind received, by a principal campaign committee for any of the following  
135.27 purposes:

135.28 (1) payment for accounting and legal services;

135.29 (2) return of a contribution to the source;

135.30 (3) repayment of a loan made to the principal campaign committee by that committee;

135.31 (4) return of a public subsidy;

- 136.1 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,  
136.2 and facility rental for a fund-raising event;
- 136.3 (6) services for a constituent by a member of the legislature or a constitutional officer  
136.4 in the executive branch as provided in section 10A.173, subdivision 1;
- 136.5 (7) payment for food and beverages consumed by a candidate or volunteers while they  
136.6 are engaged in campaign activities;
- 136.7 (8) payment for food or a beverage consumed while attending a reception or meeting  
136.8 directly related to legislative duties;
- 136.9 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus  
136.10 in carrying out their leadership responsibilities;
- 136.11 (10) payment by a principal campaign committee of the candidate's expenses for serving  
136.12 in public office, other than for personal uses;
- 136.13 (11) costs of child care for the candidate's children when campaigning;
- 136.14 (12) fees paid to attend a campaign school;
- 136.15 (13) costs of a postelection party during the election year when a candidate's name will  
136.16 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 136.17 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 136.18 (15) filing fees;
- 136.19 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements  
136.20 in the news media mailed or published prior to the end of the election cycle;
- 136.21 (17) the cost of campaign material purchased to replace defective campaign material, if  
136.22 the defective material is destroyed without being used;
- 136.23 (18) contributions to a party unit;
- 136.24 (19) payments for funeral gifts or memorials;
- 136.25 (20) the cost of a magnet less than six inches in diameter containing legislator contact  
136.26 information and distributed to constituents;
- 136.27 (21) costs associated with a candidate attending a political party state or national  
136.28 convention in this state;

137.1 (22) other purchases or payments specified in board rules or advisory opinions as being  
137.2 for any purpose other than to influence the nomination or election of a candidate or to  
137.3 promote or defeat a ballot question;

137.4 (23) costs paid to a third party for processing contributions made by a credit card, debit  
137.5 card, or electronic check;

137.6 (24) a contribution to a fund established to support a candidate's participation in a recount  
137.7 of ballots affecting that candidate's election;

137.8 (25) costs paid by a candidate's principal campaign committee for a single reception  
137.9 given in honor of the candidate's retirement from public office after the filing period for  
137.10 affidavits of candidacy for that office has closed;

137.11 (26) a donation from a terminating principal campaign committee to the state general  
137.12 fund; ~~and~~

137.13 (27) a donation from a terminating principal campaign committee to a county obligated  
137.14 to incur special election expenses due to that candidate's resignation from state office; and

137.15 (28) payment of expenses for home security cameras, an electronic home security system,  
137.16 and identity theft monitoring services for a candidate and any immediate family members  
137.17 of the candidate residing in the candidate's household.

137.18 (b) The board must determine whether an activity involves a noncampaign disbursement  
137.19 within the meaning of this subdivision.

137.20 (c) A noncampaign disbursement is considered to be made in the year in which the  
137.21 candidate made the purchase of goods or services or incurred an obligation to pay for goods  
137.22 or services.

137.23 Sec. 11. Minnesota Statutes 2018, section 10A.01, subdivision 27, is amended to read:

137.24 Subd. 27. **Political committee.** "Political committee" means an association whose major  
137.25 purpose is to influence the nomination or election of one or more candidates or local  
137.26 candidates or to promote or defeat a ballot question, other than a principal campaign  
137.27 committee, local candidate, or a political party unit.

137.28 Sec. 12. Minnesota Statutes 2018, section 10A.01, subdivision 28, is amended to read:

137.29 Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary  
137.30 contributions by an association other than a political committee, principal campaign  
137.31 committee, or party unit, if the accumulation is collected or expended to influence the

138.1 nomination or election of one or more candidates or local candidates or to promote or defeat  
138.2 a ballot question. The term political fund as used in this chapter may also refer to the  
138.3 association acting through its political fund.

138.4 Sec. 13. Minnesota Statutes 2018, section 10A.12, subdivision 1, is amended to read:

138.5 Subdivision 1. **When required for contributions and approved expenditures.** An  
138.6 association other than a political committee or party unit may not contribute more than \$750  
138.7 in aggregate in any calendar year to candidates, local candidates, political committees, or  
138.8 party units or make approved expenditures of more than \$750 in aggregate in any calendar  
138.9 year unless the contribution or expenditure is made through a political fund.

138.10 Sec. 14. Minnesota Statutes 2018, section 10A.12, subdivision 2, is amended to read:

138.11 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may  
138.12 not be commingled with other funds or with the personal funds of an officer or member of  
138.13 the association or the fund. It is not commingling for an association that uses only its own  
138.14 general treasury money to make expenditures and disbursements permitted under section  
138.15 10A.121, subdivision 1, directly from the depository used for its general treasury money.  
138.16 An association that accepts more than \$1,500 in aggregate in contributions to influence the  
138.17 nomination or election of candidates or local candidates or more than \$5,000 in contributions  
138.18 to promote or defeat a ballot question must establish a separate depository for those  
138.19 contributions.

138.20 Sec. 15. Minnesota Statutes 2018, section 10A.121, subdivision 1, is amended to read:

138.21 Subdivision 1. **Permitted disbursements.** An independent expenditure political  
138.22 committee or fund, or a ballot question political committee or fund, may:

138.23 (1) pay costs associated with its fund-raising and general operations;

138.24 (2) pay for communications that do not constitute contributions or approved expenditures;

138.25 (3) make contributions to independent expenditure or ballot question political committees  
138.26 or funds;

138.27 (4) make independent expenditures;

138.28 (5) make expenditures to promote or defeat ballot questions;

138.29 (6) return a contribution to its source;

139.1 (7) for a political fund, record bookkeeping entries transferring the association's general  
139.2 treasury money allocated for political purposes back to the general treasury of the association;  
139.3 ~~and~~

139.4 (8) for a political fund, return general treasury money transferred to a separate depository  
139.5 to the general depository of the association; and

139.6 (9) make disbursements for electioneering communications.

139.7 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
139.8 expenditures and electioneering communications made on or after that date.

139.9 Sec. 16. Minnesota Statutes 2018, section 10A.121, subdivision 2, is amended to read:

139.10 Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent  
139.11 expenditure political fund is subject to a civil penalty of up to four times the amount of the  
139.12 contribution or approved expenditure if it does the following:

139.13 (1) makes a contribution to a candidate, local candidate, party unit, political committee,  
139.14 or political fund other than an independent expenditure political committee or an independent  
139.15 expenditure political fund; or

139.16 (2) makes an approved expenditure.

139.17 (b) No other penalty provided in law may be imposed for conduct that is subject to a  
139.18 civil penalty under this section.

139.19 Sec. 17. Minnesota Statutes 2018, section 10A.13, subdivision 1, is amended to read:

139.20 Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund,  
139.21 principal campaign committee, or party unit must keep an account of:

139.22 (1) the sum of all contributions, except any donation in kind valued at \$20 or less, made  
139.23 to the committee, fund, or party unit;

139.24 (2) the name and address of each source of a contribution made to the committee, fund,  
139.25 or party unit in excess of \$20, together with the date and amount of each;

139.26 (3) each expenditure made by the committee, fund, or party unit, together with the date  
139.27 and amount;

139.28 (4) each approved expenditure made on behalf of the committee, fund, or party unit,  
139.29 together with the date and amount; and

140.1 (5) the name and address of each political committee, political fund, principal campaign  
140.2 committee, local candidate, or party unit to which contributions in excess of \$20 have been  
140.3 made, together with the date and amount.

140.4 Any individual who knowingly violates this subdivision is subject to a civil penalty  
140.5 imposed by the board of up to \$1,000.

140.6 Sec. 18. Minnesota Statutes 2018, section 10A.17, subdivision 4, is amended to read:

140.7 Subd. 4. **Independent expenditures.** An individual, political committee, political fund,  
140.8 principal campaign committee, or party unit that independently solicits or accepts  
140.9 contributions or makes independent expenditures on behalf of a candidate or local candidate  
140.10 must publicly disclose that the expenditure is an independent expenditure. All written and  
140.11 broadcast communications with those from whom contributions are independently solicited  
140.12 or accepted or to whom independent expenditures are made on behalf of a candidate or local  
140.13 candidate must contain a statement in substantially the form provided in section 211B.04,  
140.14 subdivision 2. The statement must be on the front page of all written communications and  
140.15 at the end of all broadcast communications made by that individual, political committee,  
140.16 political fund, principal campaign committee, or party unit on the candidate's or local  
140.17 candidate's behalf.

140.18 Sec. 19. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to  
140.19 read:

140.20 Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee,  
140.21 political fund, or political party unit that during a nongeneral election year:

140.22 (1) spends in aggregate more than \$200 to influence the nomination or election of local  
140.23 candidates;

140.24 (2) spends in aggregate more than \$200 to make independent expenditures on behalf of  
140.25 local candidates; or

140.26 (3) spends in aggregate more than \$200 to promote or defeat ballot questions defined  
140.27 in section 10A.01, subdivision 7, clause (2), (3), or (4).

140.28 (b) In addition to the reports required under subdivision 2, the entities listed in paragraph  
140.29 (a) must file the following reports in each nongeneral election year:

140.30 (1) a first-quarter report covering the calendar year through March 31, which is due  
140.31 April 14;

141.1 (2) a report covering the calendar year through May 31, which is due June 14;

141.2 (3) a pre-primary-election report due 15 days before the local primary election date  
141.3 specified in section 205.065;

141.4 (4) a pre-general-election report due 42 days before the local general election; and

141.5 (5) a pre-general-election report due ten days before a local general election.

141.6 The reporting obligations in this paragraph begin with the first report due after the  
141.7 reporting period in which the entity reaches the spending threshold specified in paragraph  
141.8 (a).

141.9 Sec. 20. Minnesota Statutes 2018, section 10A.20, subdivision 3, is amended to read:

141.10 Subd. 3. **Contents of report.** (a) The report required by this section must include each  
141.11 of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall  
141.12 prescribe forms based on filer type indicating which of those items must be included on the  
141.13 filer's report.

141.14 (b) The report must disclose the amount of liquid assets on hand at the beginning of the  
141.15 reporting period.

141.16 (c) The report must disclose the name, address, employer, or occupation if self-employed,  
141.17 and registration number if registered with the board, of each individual or association that  
141.18 has made one or more contributions to the reporting entity, including the purchase of tickets  
141.19 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or  
141.20 statewide candidates or more than \$500 for ballot questions, together with the amount and  
141.21 date of each contribution, and the aggregate amount of contributions within the year from  
141.22 each source so disclosed. A donation in kind must be disclosed at its fair market value. An  
141.23 approved expenditure must be listed as a donation in kind. A donation in kind is considered  
141.24 consumed in the reporting period in which it is received. The names of contributors must  
141.25 be listed in alphabetical order. Contributions from the same contributor must be listed under  
141.26 the same name. When a contribution received from a contributor in a reporting period is  
141.27 added to previously reported unitemized contributions from the same contributor and the  
141.28 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and  
141.29 employer, or occupation if self-employed, of the contributor must then be listed on the  
141.30 report.

141.31 (d) The report must disclose the sum of contributions to the reporting entity during the  
141.32 reporting period.

142.1 (e) The report must disclose each loan made or received by the reporting entity within  
142.2 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,  
142.3 together with the name, address, occupation, principal place of business, if any, and  
142.4 registration number if registered with the board of the lender and any endorser and the date  
142.5 and amount of the loan. If a loan made to the principal campaign committee of a candidate  
142.6 is forgiven or is repaid by an entity other than that principal campaign committee, it must  
142.7 be reported as a contribution for the year in which the loan was made.

142.8 (f) The report must disclose each receipt over \$200 during the reporting period not  
142.9 otherwise listed under paragraphs (c) to (e).

142.10 (g) The report must disclose the sum of all receipts of the reporting entity during the  
142.11 reporting period.

142.12 (h) The report must disclose the following:

142.13 (1) the name, address, and registration number if registered with the board of each  
142.14 individual or association to whom aggregate expenditures, approved expenditures,  
142.15 independent expenditures, ~~and~~ ballot question expenditures, and disbursements for  
142.16 electioneering communications have been made by or on behalf of the reporting entity  
142.17 within the year in excess of \$200, ~~together with~~;

142.18 (2) the amount, date, and purpose of each expenditure, including an explanation of how  
142.19 the expenditure was used, ~~and~~;

142.20 (3) the name and address of, and office sought by, each candidate or local candidate on  
142.21 whose behalf the expenditure was made, or, in the case of electioneering communications,  
142.22 each candidate identified positively in the communication;

142.23 (4) identification of the ballot question that the expenditure was intended to promote or  
142.24 defeat and an indication of whether the expenditure was to promote or to defeat the ballot  
142.25 question; and

142.26 (5) in the case of independent expenditures made in opposition to a candidate, local  
142.27 candidate, or electioneering communications in which a candidate is identified negatively,  
142.28 the candidate's or local candidate's name, address, and office sought. A reporting entity  
142.29 making an expenditure on behalf of more than one candidate ~~for state or legislative office~~  
142.30 must allocate the expenditure among the candidates or local candidates on a reasonable cost  
142.31 basis and report the allocation for each candidate or local candidate. The report must list  
142.32 on separate schedules any independent expenditures made on behalf of local candidates and

143.1 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,  
143.2 clause (2), (3), or (4).

143.3 (i) The report must disclose the sum of all expenditures made by or on behalf of the  
143.4 reporting entity during the reporting period.

143.5 (j) The report must disclose the amount and nature of an advance of credit incurred by  
143.6 the reporting entity, continuously reported until paid or forgiven. If an advance of credit  
143.7 incurred by the principal campaign committee of a candidate is forgiven by the creditor or  
143.8 paid by an entity other than that principal campaign committee, it must be reported as a  
143.9 donation in kind for the year in which the advance of credit was made.

143.10 (k) The report must disclose the name, address, and registration number if registered  
143.11 with the board of each political committee, political fund, principal campaign committee,  
143.12 local candidate, or party unit to which contributions have been made that aggregate in excess  
143.13 of \$200 within the year and the amount and date of each contribution. The report must list  
143.14 on separate schedules any contributions made to state candidates' principal campaign  
143.15 committees and any contributions made to local candidates.

143.16 (l) The report must disclose the sum of all contributions made by the reporting entity  
143.17 during the reporting period and must separately disclose the sum of all contributions made  
143.18 to local candidates by the reporting entity during the reporting period.

143.19 (m) The report must disclose the name, address, and registration number if registered  
143.20 with the board of each individual or association to whom noncampaign disbursements have  
143.21 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting  
143.22 entity and the amount, date, and purpose of each noncampaign disbursement, including an  
143.23 explanation of how the expenditure was used.

143.24 (n) The report must disclose the sum of all noncampaign disbursements made within  
143.25 the year by or on behalf of the reporting entity.

143.26 (o) The report must disclose the name and address of a nonprofit corporation that provides  
143.27 administrative assistance to a political committee or political fund as authorized by section  
143.28 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate  
143.29 fair market value of each type of assistance provided to the political committee or political  
143.30 fund during the reporting period.

143.31 (p) Legislative, statewide, and judicial candidates, party units, and political committees  
143.32 and funds must itemize contributions that in aggregate within the year exceed \$200 for  
143.33 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted

144.1 to the board. The itemization must include the date on which the contribution was received,  
144.2 the individual or association that provided the contribution, and the address of the contributor.  
144.3 Additionally, the itemization for a donation in kind must provide a description of the item  
144.4 or service received. Contributions that are less than the itemization amount must be reported  
144.5 as an aggregate total.

144.6 (q) Legislative, statewide, and judicial candidates, party units, political committees and  
144.7 funds, and committees to promote or defeat a ballot question must itemize expenditures and  
144.8 noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports  
144.9 submitted to the board. The itemization must include the date on which the committee made  
144.10 or became obligated to make the expenditure or disbursement, the name and address of the  
144.11 vendor that provided the service or item purchased, and a description of the service or item  
144.12 purchased, including an explanation of how the expenditure was used. Expenditures and  
144.13 noncampaign disbursements must be listed on the report alphabetically by vendor.

144.14 **EFFECTIVE DATE.** The amendments related to electioneering communications are  
144.15 effective January 1, 2020, and apply to expenditures and electioneering communications  
144.16 made on or after that date.

144.17 Sec. 21. Minnesota Statutes 2018, section 10A.20, subdivision 6a, is amended to read:

144.18 Subd. 6a. **Statement of independence.** An individual, political committee, political  
144.19 fund, or party unit filing a report or statement disclosing an independent expenditure under  
144.20 subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures  
144.21 were not made with the authorization or expressed or implied consent of, or in cooperation  
144.22 or in concert with, or at the request or suggestion of any candidate; ~~or~~ any candidate's  
144.23 principal campaign committee or agent; any local candidate or any local candidate's agent.

144.24 Sec. 22. **[10A.201] ELECTIONEERING COMMUNICATIONS.**

144.25 **Subdivision 1. Electioneering communication.** (a) "Electioneering communication"  
144.26 means a communication distributed by television, radio, satellite, the Internet, or cable  
144.27 broadcasting system; by means of printed material, signs, or billboards; through the use of  
144.28 telephone communications; or by electronic communication, including electronic mail or  
144.29 electronic text messaging that:

144.30 (1) refers to a clearly identified candidate;

144.31 (2) is made within:

145.1 (i) 30 days before a primary election or special primary election for the office sought  
145.2 by the candidate; or

145.3 (ii) 60 days before a general election or special election for the office sought by the  
145.4 candidate;

145.5 (3) is targeted to the relevant electorate; and

145.6 (4) is made without the express or implied consent, authorization, or cooperation of, and  
145.7 not in concert with or at the request or suggestion of, a candidate or a candidate's principal  
145.8 campaign committee or agent.

145.9 (b) Electioneering communication does not include:

145.10 (1) the publishing or broadcasting of news items or editorial comments by the news  
145.11 media;

145.12 (2) a communication that constitutes an approved expenditure or an independent  
145.13 expenditure;

145.14 (3) a voter guide, which is a pamphlet or similar printed material, intended to help voters  
145.15 compare candidates' positions on a set of issues, as long as each of the following is true:

145.16 (i) the guide does not focus on a single issue or a narrow range of issues, but includes  
145.17 questions and subjects sufficient to encompass major issues of interest to the entire electorate;

145.18 (ii) the questions and any other description of the issues are clear and unbiased in both  
145.19 their structure and content;

145.20 (iii) the questions posed and provided to the candidates are identical to those included  
145.21 in the guide;

145.22 (iv) each candidate included in the guide is given a reasonable amount of time and the  
145.23 same opportunity as other candidates to respond to the questions;

145.24 (v) if the candidate is given limited choices for an answer to a question, for example:  
145.25 "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to  
145.26 reasonable limits, to explain the candidate's position in the candidate's own words; the fact  
145.27 that a candidate provided an explanation is clearly indicated in the guide; and the guide  
145.28 clearly indicates that the explanations will be made available for public inspection, subject  
145.29 to reasonable conditions;

145.30 (vi) answers included in the guide are those provided by the candidates in response to  
145.31 questions, the candidates' answers are unedited, and the answers appear in close proximity  
145.32 to the question to which they respond;

146.1 (vii) if the guide includes candidates' positions based on information other than responses  
146.2 provided directly by the candidate, the positions are based on recorded votes or public  
146.3 statements of the candidates and are presented in an unedited and unbiased manner; and

146.4 (viii) the guide includes all major party candidates for each office listed in the guide;

146.5 (4) a candidate forum or debate hosted by one or more nonprofit organizations that does  
146.6 not endorse, support, or oppose candidates, as long as each of the following is true:

146.7 (i) the forum or debate includes the participation of at least two candidates for each  
146.8 office featured;

146.9 (ii) the forum or debate is structured so that it does not promote one candidate or one  
146.10 candidate's issues of interest over another; and

146.11 (iii) candidates are selected for participation in the forum or debate based on  
146.12 preestablished, objective criteria;

146.13 (5) any other communication specified in board rules or advisory opinions as being  
146.14 excluded from the definition of electioneering communication; or

146.15 (6) a communication that:

146.16 (i) refers to a clearly identified candidate who is an incumbent member of the legislature  
146.17 or a constitutional officer;

146.18 (ii) refers to a clearly identified issue that is or was before the legislature in the form of  
146.19 an introduced bill; and

146.20 (iii) is made when the legislature is in session or within ten days after the last day of a  
146.21 regular session of the legislature.

146.22 (c) A communication that meets the requirements of paragraph (a) but is made with the  
146.23 authorization or express or implied consent of, or in cooperation or in concert with, or at  
146.24 the request or suggestion of a candidate, a candidate's principal campaign committee, or a  
146.25 candidate's agent is an approved expenditure.

146.26 (d) Distributing a voter guide questionnaire, survey, or similar document to candidates  
146.27 and communications with candidates limited to obtaining their responses, without more, do  
146.28 not constitute communications that would result in the voter guide being an approved  
146.29 expenditure on behalf of the candidate.

146.30 Subd. 2. Targeted to relevant electorate. (a) For purposes of this section, a  
146.31 communication that refers to a clearly identified candidate is targeted to the relevant electorate  
146.32 if the communication is distributed to or can be received by more than 1,500 persons in the

147.1 district the candidate seeks to represent, in the case of a candidate for the house of  
147.2 representatives, senate, or a district court judicial office or by more than 6,000 persons in  
147.3 the state, in the case of a candidate for constitutional office or appellate court judicial office.  
147.4 When determining the number of persons to whom a communication in the form of printed  
147.5 material, telephone communication, electronic mail, or electronic text messaging is  
147.6 distributed, an association may exclude communications distributed to its own members.

147.7 (b) A communication consisting of printed materials, other than signs, billboards, or  
147.8 advertisements published in the print media, is targeted to the relevant electorate if it meets  
147.9 the requirements of paragraph (a) and is distributed to voters by means of United States  
147.10 mail or through direct delivery to a resident's home or business.

147.11 Subd. 3. **Disclosure of electioneering communications.** (a) Electioneering  
147.12 communications made by a political committee, a party unit, or a principal campaign  
147.13 committee must be disclosed on the periodic reports of receipts and expenditures filed by  
147.14 the association on the schedule and in accordance with the terms of section 10A.20.

147.15 (b) An association other than a political committee, party unit, or principal campaign  
147.16 committee may register a political fund with the board and disclose its electioneering  
147.17 communications on the reports of receipts and expenditures filed by the political fund. If it  
147.18 does so, it must disclose its disbursements for electioneering communications on the schedule  
147.19 and in accordance with the terms of section 10A.20.

147.20 (c) An association that does not disclose its disbursements for electioneering  
147.21 communications under paragraph (a) or (b) must disclose its electioneering communications  
147.22 according to the requirements of subdivision 4.

147.23 Subd. 4. **Statement required for electioneering communications.** (a) Except for  
147.24 associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every  
147.25 person who makes a disbursement for the costs of producing or distributing electioneering  
147.26 communications that aggregate more than \$1,500 in a calendar year must, within 24 hours  
147.27 of each disclosure date, file with the board a disclosure statement containing the information  
147.28 described in this subdivision.

147.29 (b) Each statement required to be filed under this section must contain the following  
147.30 information:

147.31 (1) the names of: (i) the association making the disbursement; (ii) any person exercising  
147.32 direction or control over the activities of the association with respect to the disbursement;  
147.33 and (iii) the custodian of the financial records of the association making the disbursement;

148.1 (2) the address of the association making the disbursement;

148.2 (3) the amount of each disbursement of more than \$200 during the period covered by  
148.3 the statement, a description of the purpose of the disbursement, and the identification of the  
148.4 person to whom the disbursement was made;

148.5 (4) the names of the candidates identified or to be identified in the communication;

148.6 (5) if the disbursements were paid out of a segregated bank account that consists of funds  
148.7 donated specifically for electioneering communications, the name and address of each  
148.8 person who gave the association more than \$200 in aggregate to that account during the  
148.9 period beginning on the first day of the preceding calendar year and ending on the disclosure  
148.10 date; and

148.11 (6) if the disbursements for electioneering communications were made using general  
148.12 treasury money of the association, an association that has paid more than \$5,000 in aggregate  
148.13 for electioneering communications during the calendar year must file with its disclosure  
148.14 statement a written statement that includes the name, address, and amount attributable to  
148.15 each person that paid the association membership dues or fees, or made donations to the  
148.16 association that, in total, aggregate more than \$5,000 of the money used by the association  
148.17 for electioneering communications. The statement must also include the total amount of the  
148.18 disbursements for electioneering communications attributable to persons not subject to  
148.19 itemization under this clause. The statement must be certified as true by an officer of the  
148.20 association that made the disbursements for the electioneering communications.

148.21 (c) To determine the amount of the membership dues or fees, or donations made by a  
148.22 person to an association and attributable to the association's disbursements for electioneering  
148.23 communications, the association must separately prorate the total disbursements made for  
148.24 electioneering communications during the calendar year over all general treasury money  
148.25 received during the calendar year.

148.26 (d) If the amount spent for electioneering communications exceeds the amount of general  
148.27 treasury money received by the association during that year:

148.28 (1) the electioneering communications must be attributed first to all receipts of general  
148.29 treasury money received during the calendar year in which the electioneering communications  
148.30 were made;

148.31 (2) any amount of current year electioneering communications that exceeds the total of  
148.32 all receipts of general treasury money during the current calendar year must be prorated  
148.33 over all general treasury money received in the preceding calendar year; and

149.1 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject  
149.2 electioneering communications, no further allocation is required.

149.3 (e) After a portion of the general treasury money received by an association from a  
149.4 person has been designated as the source of a disbursement for electioneering  
149.5 communications, that portion of the association's general treasury money received from that  
149.6 person may not be designated as the source of any other disbursement for electioneering  
149.7 communications or as the source for any contribution to an independent expenditure political  
149.8 committee or fund.

149.9 Subd. 5. **Disclosure date.** For purposes of this section, the term "disclosure date" means  
149.10 the earlier of:

149.11 (1) the first date on which an electioneering communication is publicly distributed,  
149.12 provided that the person making the electioneering communication has made disbursements  
149.13 for the direct costs of producing or distributing one or more electioneering communication  
149.14 aggregating in excess of \$1,500; or

149.15 (2) any other date during the same calendar year on which an electioneering  
149.16 communication is publicly distributed, provided that the person making the electioneering  
149.17 communication has made disbursements for the direct costs of distributing one or more  
149.18 electioneering communication aggregating in excess of \$1,500 since the most recent  
149.19 disclosure date.

149.20 Subd. 6. **Contracts to disburse.** For purposes of this section, a person shall be treated  
149.21 as having made a disbursement if the person has entered into an obligation to make the  
149.22 disbursement.

149.23 Subd. 7. **Statement of attribution.** (a) An electioneering communication must include  
149.24 a statement of attribution.

149.25 (1) For communications distributed by printed material, signs, and billboards, the  
149.26 statement must say, in conspicuous letters: "Paid for by [association name] [address]."

149.27 (2) For communications distributed by television, radio, satellite, or cable broadcasting  
149.28 system, the statement must be included at the end of the communication and must orally  
149.29 state at a volume and speed that a person of ordinary hearing can comprehend: "The preceding  
149.30 communication was paid for by the [association name]."

149.31 (3) For communications distributed by telephone, the statement must precede the  
149.32 communication and must orally state at a volume and speed that a person of ordinary hearing  
149.33 can comprehend: "The following communication is paid for by the [association name]."

150.1 (b) If the communication is paid for by an association registered with the board, the  
150.2 statement of attribution must use the association's name as it is registered with the board.  
150.3 If the communication is paid for by an association not registered with the board, the statement  
150.4 of attribution must use the association's name as it is disclosed to the board on the  
150.5 association's disclosure statement associated with the communication.

150.6 Subd. 8. **Failure to file; penalty.** (a) If a person fails to file a statement required by this  
150.7 section by the date the statement is due, the board may impose a late filing fee of \$50 per  
150.8 day, not to exceed \$1,000, commencing the day after the statement was due.

150.9 (b) The board must send notice by certified mail to a person who fails to file a statement  
150.10 within ten business days after the statement was due that the person may be subject to a  
150.11 civil penalty for failure to file the statement. A person who fails to file the statement within  
150.12 seven days after the certified mail notice was sent by the board is subject to a civil penalty  
150.13 imposed by the board of up to \$1,000.

150.14 (c) An association that provides disclosure under section 10A.20 rather than under this  
150.15 section is subject to the late filing fee and civil penalty provisions of section 10A.20 and is  
150.16 not subject to the penalties provided in this subdivision.

150.17 (d) An association that makes electioneering communications under this section and  
150.18 willfully fails to provide the statement required by subdivision 4, paragraph (b), clause (6),  
150.19 within the time specified is subject to an additional civil penalty of up to four times the  
150.20 amount of the electioneering communications disbursements that should have been included  
150.21 on the statement.

150.22 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
150.23 expenditures and electioneering communications made on or after that date.

150.24 Sec. 23. Minnesota Statutes 2018, section 10A.244, is amended to read:

150.25 **10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

150.26 Subdivision 1. **Election of voluntary inactive status.** An association that has a political  
150.27 fund registered under this chapter may elect to have the fund placed on voluntary inactive  
150.28 status if the following conditions are met:

150.29 (1) the association makes a written request for inactive status;

150.30 (2) the association has filed all periodic reports required by this chapter and has received  
150.31 no contributions into its political fund and made no expenditures or disbursements, including

151.1 disbursements for electioneering communications, through its political fund since the last  
151.2 date included on the association's most recent report; and

151.3 (3) the association has satisfied all obligations to the state for late filing fees and civil  
151.4 penalties imposed by the board or the board has waived this requirement.

151.5 Subd. 2. **Effect of voluntary inactive status.** After an association has complied with  
151.6 the requirements of subdivision 1:

151.7 (1) the board must notify the association that its political fund has been placed in  
151.8 voluntary inactive status and of the terms of this section;

151.9 (2) the board must stop sending the association reports, forms, and notices of report due  
151.10 dates that are periodically sent to entities registered with the board;

151.11 (3) the association is not required to file periodic disclosure reports for its political fund  
151.12 as otherwise required under this chapter;

151.13 (4) the association may not accept contributions into its political fund and may not make  
151.14 expenditures, contributions, or disbursements, including disbursements for electioneering  
151.15 communications, through its political fund; and

151.16 (5) if the association maintains a separate depository account for its political fund, it  
151.17 may continue to pay bank service charges and receive interest paid on that account while  
151.18 its political fund is in inactive status.

151.19 Subd. 3. **Resumption of active status or termination.** (a) An association that has placed  
151.20 its political fund in voluntary inactive status may resume active status upon written notice  
151.21 to the board.

151.22 (b) A political fund placed in voluntary inactive status must resume active status within  
151.23 14 days of the date that it has accepted contributions or made expenditures, contributions,  
151.24 or disbursements, including disbursements for electioneering communications, that aggregate  
151.25 more than \$750 since the political fund was placed on inactive status. If, after meeting this  
151.26 threshold, the association does not notify the board that its fund has resumed active status,  
151.27 the board may place the association's political fund in active status and notify the association  
151.28 of the change in status.

151.29 (c) An association that has placed its political fund in voluntary inactive status may  
151.30 terminate the registration of the fund without returning it to active status.

151.31 Subd. 4. **Penalty for financial activity while in voluntary inactive status.** If an  
151.32 association fails to notify the board of its political fund's resumption of active status under

152.1 subdivision 3, the board may impose a civil penalty of \$50 per day, not to exceed \$1,000  
152.2 commencing on the 15th calendar day after the fund resumed active status.

152.3 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
152.4 expenditures and electioneering communications made on or after that date.

152.5 Sec. 24. Minnesota Statutes 2018, section 10A.25, subdivision 3a, is amended to read:

152.6 Subd. 3a. **Independent expenditures and electioneering communications.** The principal  
152.7 campaign committee of a candidate must not make independent expenditures or  
152.8 disbursements for electioneering communications. If the principal campaign committee of  
152.9 a candidate makes a contribution to an independent expenditure committee or independent  
152.10 expenditure fund on or after January 1 of the year the candidate's office will appear on the  
152.11 ballot, the independent expenditure committee or independent expenditure fund must not  
152.12 make an independent expenditure for that candidate.

152.13 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
152.14 expenditures and electioneering communications made on or after that date.

152.15 Sec. 25. Minnesota Statutes 2018, section 10A.27, subdivision 15, is amended to read:

152.16 Subd. 15. **Contributions or use of general treasury money.** (a) An association may,  
152.17 if not prohibited by other law, contribute its general treasury money to an independent  
152.18 expenditure or ballot question political committee or fund, including its own independent  
152.19 expenditure or ballot question political committee or fund, without complying with  
152.20 subdivision 13.

152.21 (b) Before the day when the recipient committee or fund's next report must be filed with  
152.22 the board under section 10A.20, subdivision 2 or 5, an association that has contributed more  
152.23 than \$5,000 in aggregate to independent expenditure political committees or funds during  
152.24 the calendar year or has contributed more than \$5,000 in aggregate to ballot question political  
152.25 committees or funds during the calendar year must provide in writing to the recipient's  
152.26 treasurer a statement that includes the name, address, and amount attributable to each person  
152.27 that paid the association dues or fees, or made donations to the association that, in total,  
152.28 aggregate more than \$5,000 of the contribution from the association to the independent  
152.29 expenditure or ballot question political committee or fund. The statement must also include  
152.30 the total amount of the contribution attributable to persons not subject to itemization under  
152.31 this section. The statement must be certified as true by an officer of the donor association.

153.1 (c) To determine the amount of membership dues or fees, or donations made by a person  
153.2 to an association and attributable to the association's contribution to the independent  
153.3 expenditure or ballot question political committee or fund, the donor association must:  
153.4 separately prorate the total independent expenditures and ballot question expenditures made  
153.5 during the calendar year over all general treasury money received during the calendar year.

153.6 ~~(1) apply a pro-rata calculation to all unrestricted dues, fees, and contributions received~~  
153.7 ~~by the donor association in the calendar year; or~~

153.8 ~~(2) as provided in paragraph (d), identify the specific individuals or associations whose~~  
153.9 ~~dues, fees, or contributions are included in the contribution to the independent expenditure~~  
153.10 ~~political committee or fund.~~

153.11 ~~(d) Dues, fees, or contributions from an individual or association must be identified in~~  
153.12 ~~a contribution to an independent expenditure political committee or fund under paragraph~~  
153.13 ~~(e), clause (2), if:~~

153.14 ~~(1) the individual or association has specifically authorized the donor association to use~~  
153.15 ~~the individual's or association's dues, fees, or contributions for this purpose; or~~

153.16 ~~(2) the individual's or association's dues, fees, or contributions to the donor association~~  
153.17 ~~are unrestricted and the donor association designates them as the source of the subject~~  
153.18 ~~contribution to the independent expenditure political committee or fund.~~

153.19 (d) If the amount contributed to independent expenditure and ballot question political  
153.20 committees or funds in a calendar year exceeds the amount of general treasury money  
153.21 received by the association during that year:

153.22 (1) the contributions must be attributed first to all receipts of general treasury money  
153.23 received during the calendar year in which the contributions were made;

153.24 (2) any amount of current-year contributions that exceeds the total of all receipts of  
153.25 general treasury money during the current calendar year must be prorated over all general  
153.26 treasury money received in the preceding calendar year; and

153.27 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject  
153.28 independent expenditures and ballot question expenditures, no further allocation is required.

153.29 (e) After a portion of the general treasury money received by an association from a  
153.30 person has been designated as the source of a contribution to an independent expenditure  
153.31 or ballot question political committee or fund, that portion of the association's general  
153.32 treasury money received from that person may not be designated as the source of any other  
153.33 contribution to an independent expenditure or ballot question political committee or fund<sub>2</sub>

154.1 or as the source of funds for a disbursement for electioneering communications made by  
154.2 that association.

154.3 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
154.4 expenditures and electioneering communications made on or after that date.

154.5 Sec. 26. Minnesota Statutes 2018, section 383B.041, is amended to read:

154.6 **383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC**  
154.7 **INTERESTS.**

154.8 Subdivision 1. **Hennepin County candidates.** Sections 383B.041 to 383B.058 apply  
154.9 to the financing of campaigns for county elections in Hennepin County and for city elections  
154.10 in home rule charter cities and statutory cities located wholly within Hennepin County,  
154.11 having a population of 75,000 or more, and for school board elections in the Special School  
154.12 District No. 1, Minneapolis, and to disclosure of economic interests by candidates and  
154.13 elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07  
154.14 do not apply to the financing of campaigns for elections subject to the provisions of sections  
154.15 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff  
154.16 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin  
154.17 County. These candidates are subject to the provisions of chapter 211A.

154.18 Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board,  
154.19 park commissioner, and other political subdivision offices within Hennepin County shall  
154.20 file campaign disclosure forms with the filing officer for the political subdivision for which  
154.21 the candidate is seeking office. These candidates are subject to the provisions of chapter  
154.22 211A.

154.23 Subd. 3. **Political committees, political funds, and independent expenditures.** (a)  
154.24 The provisions of chapter 10A apply to political committees as defined in section 10A.01,  
154.25 subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent  
154.26 expenditures as defined in section 10A.01, subdivision 18, related to:

154.27 (1) a campaign for the nomination or election of a candidate for:

154.28 (i) a county office in Hennepin County;

154.29 (ii) a city office in a home rule charter or statutory city located wholly within Hennepin  
154.30 County with a population of 75,000 or more; or

154.31 (iii) the school board in Special School District No. 1; and

154.32 (2) a ballot question or proposition that may be voted on by:

- 155.1 (i) all voters in Hennepin County;
- 155.2 (ii) all voters of a home rule charter or statutory city located wholly within Hennepin
- 155.3 County and having a population of 75,000 or more; or
- 155.4 (iii) all voters in Special School District No. 1.
- 155.5 (b) The provisions of chapter 211A apply to a campaign for nomination or election for
- 155.6 an office in the following political subdivisions:
- 155.7 (1) a home rule or statutory city located wholly within Hennepin County and having a
- 155.8 population of less than 75,000; and
- 155.9 (2) a school district located wholly within Hennepin County other than Special School
- 155.10 District No. 1.
- 155.11 (c) The provisions of chapter 211A apply to a ballot question or proposition that may
- 155.12 be voted on by:
- 155.13 (1) all voters of a home rule or statutory city located wholly within Hennepin County
- 155.14 and having a population of less than 75,000; and
- 155.15 (2) all voters of a school district located wholly within Hennepin County other than
- 155.16 Special School District No. 1.
- 155.17 Subd. 4. **Local ordinances and charters superseded.** This section supersedes the
- 155.18 provisions of any ordinance or resolution of a political subdivision within Hennepin County
- 155.19 or any existing special law or home rule charter provision of a political subdivision within
- 155.20 Hennepin County requiring disclosure of information related to the financing of election
- 155.21 campaigns.
- 155.22 Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate
- 155.23 for school board in Special School District No. 1, Minneapolis, must file an original statement
- 155.24 of economic interest with the school district within 14 days of the filing of an affidavit or
- 155.25 petition to appear on the ballot. An elected official in Special School District No. 1,
- 155.26 Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with
- 155.27 the school district for every year that the individual serves in office. An original and annual
- 155.28 statement must contain the information listed in section 10A.09, subdivision 5. The provisions
- 155.29 of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this
- 155.30 subdivision.

156.1 Sec. 27. **REPEALER.**

156.2 Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044;  
156.3 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052;  
156.4 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

156.5 **ARTICLE 6**156.6 **REDISTRICTING**156.7 Section 1. **[2.032] REDISTRICTING COMMISSION.**

156.8 Subdivision 1. **Commission membership; duties.** In each year ending in one, a  
156.9 redistricting commission is created to draw the boundaries of congressional and legislative  
156.10 districts in accordance with the principles established in section 2.035. The commission  
156.11 consists of 12 public members, to be appointed in the manner provided in subdivision 2,  
156.12 and five retired judges of the appellate or district courts of this state who have not served  
156.13 in a party-designated or party-endorsed position, such as legislator, to be appointed in the  
156.14 manner provided in subdivision 3.

156.15 Subd. 2. **Public members; appointment.** (a) The secretary of state shall supervise the  
156.16 appointment of public members to the redistricting commission.

156.17 (b) By January 15 of each year ending in zero, the secretary of state shall open a widely  
156.18 publicized process that encourages eligible residents of this state to apply for membership  
156.19 on the redistricting commission. The secretary of state shall solicit recommendations for  
156.20 appointment to the redistricting commission from nongovernmental organizations with an  
156.21 interest in the elections process.

156.22 (c) The secretary of state shall provide an application form which must be designed to  
156.23 show: (1) that an applicant meets the requirements of this subdivision; (2) that the application  
156.24 must be submitted under oath affirming the truthfulness of its contents under penalty of  
156.25 perjury; and (3) the applicant's demographic information, such as gender, race, ethnicity,  
156.26 and age.

156.27 (d) The following persons are not eligible to serve as a commissioner:

156.28 (1) a person who is not eligible to vote;

156.29 (2) a person under a contract with, or who serves as a consultant or staff to, or who has  
156.30 an immediate family relationship with the governor, a member of the legislature, or a member  
156.31 of congress; and

157.1 (3) a person, or member of the person's immediate family, who has done any of the  
157.2 following during the ten years immediately preceding the date of application:

157.3 (i) has been appointed to, elected to, or a candidate for federal or state office;

157.4 (ii) served as an officer, employee, or paid consultant of a political party or of the  
157.5 campaign committee of a candidate for elective federal or state office;

157.6 (iii) served as an elected or appointed member of a political party state central committee;

157.7 (iv) registered as a federal, state, or local lobbyist or principal;

157.8 (v) served as paid congressional or legislative staff; or

157.9 (vi) violated the candidate contribution limits in section 10A.27.

157.10 (e) For purposes of this subdivision, a member of a person's immediate family means a  
157.11 sibling, spouse, parent or stepparent, child or stepchild, or in-law.

157.12 (f) The secretary of state shall process applications as they are received and remove from  
157.13 the applicant pool any person not eligible to serve as a commissioner and notify the person  
157.14 of the reason they were removed. To be considered, applications must be received by  
157.15 September 15 of the year ending in zero. An applicant must provide with the application  
157.16 two positive references from community leaders or groups that promote civic engagement  
157.17 with whom the applicant has worked and demonstrate that the applicant:

157.18 (1) has experience with outreach to community groups to encourage civic participation  
157.19 with an emphasis on historically disenfranchised groups; or

157.20 (2) has an interest in or experience with government, elections, or civic life.

157.21 (g) The secretary of state shall, based on a review of the applications, prepare a list of  
157.22 120 applicant finalists who have demonstrated based on their application an ability to be  
157.23 impartial and respect the diversity of this state's many communities. The list must, to the  
157.24 extent practicable, reflect the gender, socioeconomic, age, racial, language, ethnic, and  
157.25 geographic diversity of the state.

157.26 (h) The list must include:

157.27 (1) 40 applicant finalists identifying with the largest major political party in Minnesota;

157.28 (2) 40 applicant finalists identifying with the second largest major political party in  
157.29 Minnesota; and

157.30 (3) 40 applicant finalists identifying their political party preference as belonging to a  
157.31 party not described in clause (1) or (2) or to no party.

158.1 For purposes of this paragraph, the two largest political parties are the parties whose  
158.2 candidates received the greatest and second greatest number of votes at the most recent two  
158.3 gubernatorial elections.

158.4 (i) By December 15 of the year ending in zero, the secretary of state shall give the list  
158.5 of finalists and their applications to the majority and minority leaders of the senate, the  
158.6 speaker of the house, and the minority leader of the house of representatives. At an open  
158.7 meeting, each of the four leaders shall remove 21 applicant finalists from the list: seven  
158.8 applicant finalists identifying their political party preference with the majority party in the  
158.9 house of representatives, seven applicant finalists identifying their political party preference  
158.10 with the minority party in the house of representatives, and seven applicant finalists who  
158.11 identified their political party preference with a party different than the majority party in  
158.12 the house of representatives and the minority party of the house of representatives or with  
158.13 no party. The leaders shall remove applicants one at a time in the order listed above, unless  
158.14 the leaders agree to a different order.

158.15 (j) By January 15 of each year ending in one, after the process of removing applicants  
158.16 from the list is completed, each of the four leaders of the house of representatives and senate  
158.17 shall give the list of finalists and their applications to the secretary of state. The secretary  
158.18 of state shall randomly draw four names from the remaining applicants identifying their  
158.19 political party preference as belonging to the majority party of the house of representatives,  
158.20 four identifying their political party preference as belonging to the minority party of the  
158.21 house of representatives, and four identifying their political party preference as belonging  
158.22 to a different party than the majority party in the house of representatives and the minority  
158.23 party of the house of representatives or to no party. These 12 persons shall serve as public  
158.24 member commissioners.

158.25 (k) The secretary of state's actions under this subdivision are not subject to chapter 14.

158.26 Subd. 3. **Retired judges; appointment.** By January 15 of each year ending in one, the  
158.27 four leaders of the house of representatives and senate shall each appoint one retired judge,  
158.28 after consulting with each other in an effort to attain geographic balance in their  
158.29 appointments. If the legislative leaders do not make the appointment by the deadline, the  
158.30 chief justice of the supreme court shall make the appointment by January 22 of that year.  
158.31 The director of the Legislative Coordinating Commission shall convene a meeting of the  
158.32 four retired judges by January 29 of that year. The four retired judges shall then appoint the  
158.33 fifth retired judge by a vote of at least three judges.

159.1 Subd. 4. **Code of conduct.** (a) In performing their duties, the five retired judges serving  
159.2 as commissioners shall abide by the Code of Judicial Conduct and are considered judicial  
159.3 officers as defined in section 609.415.

159.4 (b) Public members of the commission exercise the function of a public officer as defined  
159.5 in section 609.415.

159.6 Subd. 5. **Removal; filling vacancies.** (a) A commissioner can be removed with two-thirds  
159.7 vote of the commission after notice and a hearing for reasons that would justify recall of a  
159.8 state official under section 211C.02.

159.9 (b) The commission must remove a commissioner who participates in a communication  
159.10 that violates subdivision 8.

159.11 (c) Except for vacancies filled by the chief justice, vacancies on the commission must  
159.12 be filled by the appointing authority that made the initial appointment within 30 days after  
159.13 the vacancy occurs. The appointing authority for public members is the secretary of state  
159.14 and must be filled by drawing from the same partisan pool as the vacant position. If no  
159.15 applicants in the pool are available for service, the secretary of state shall establish a new  
159.16 pool, as provided in subdivision 2.

159.17 Subd. 6. **Open records.** The commission is subject to chapter 13, except that a plan is  
159.18 not public data until it has been submitted to the commission for its consideration.

159.19 Subd. 7. **Open meetings.** The commission is subject to chapter 13D.

159.20 Subd. 8. **Certain communications prohibited.** (a) Commissioners and commission  
159.21 staff must not communicate with anyone except other commissioners or staff regarding the  
159.22 content of a plan. The prohibition under this paragraph does not apply to open meetings of  
159.23 the commission.

159.24 (b) A commissioner may not direct, request, suggest, or recommend an interpretation  
159.25 of a districting principle or a change to a district boundary to commission staff except during  
159.26 open meetings of the commission. Commission staff shall report to the commission attempts  
159.27 made to exert influence over the staff's role in the drafting of plans.

159.28 Subd. 9. **Lobbyist registration.** Action of the commission to submit a redistricting plan  
159.29 to the legislature is an administrative action for purposes of section 10A.01, subdivision  
159.30 21, requiring certain persons to register as a lobbyist.

159.31 Subd. 10. **Compensation and expenses.** Commissioners must be compensated for their  
159.32 commission activity as provided in section 15.059, subdivision 3.

160.1 Subd. 11. **Plans submitted to commission.** The commission shall adopt a schedule for  
160.2 interested persons to submit proposed plans and to respond to plans proposed by others.  
160.3 The commission shall also adopt standards to govern the format of plans submitted. The  
160.4 schedule and standards adopted by the commission under this subdivision are not rules.  
160.5 Chapter 14 and section 14.386 do not apply to this section.

160.6 Subd. 12. **Public hearings.** The commission shall hold at least one public hearing in  
160.7 each congressional district before adopting the first congressional and legislative district  
160.8 plans. The commission must ask for input on defining communities of interest for  
160.9 consideration. The commission must publish on its website preliminary drafts of the  
160.10 congressional and legislative district plans and each preliminary draft's accompanying  
160.11 reports at least one week before a hearing required under this subdivision and allow the  
160.12 public at least 30 days to submit comments after publication.

160.13 Subd. 13. **Deadlines.** (a) By April 30 of each year ending in one, the commission shall  
160.14 submit plans to the legislature for congressional and legislative districts. Each plan must be  
160.15 accompanied by a report summarizing information and testimony received by the commission  
160.16 in the course of the hearings and including any comments and conclusions the commissioners  
160.17 deem appropriate on the information and testimony received at the hearings or otherwise  
160.18 presented. Any plan submitted to the legislature must be approved by an affirmative vote  
160.19 of at least 13 members of the commission.

160.20 (b) The legislature intends that a bill be introduced to enact each plan and that the bill  
160.21 be brought to a vote in either the senate or the house of representatives under a procedure  
160.22 or rule permitting no amendments except those of a purely corrective nature, not less than  
160.23 one week after the report of the commission was received and made available to the members  
160.24 of the legislature. The legislature further intends that the bill be brought to a vote in the  
160.25 second body within one week after final passage in the first body under a similar procedure  
160.26 or rule. If either the senate or the house of representatives fails to approve a first plan  
160.27 submitted by the commission, within one week after the failure the secretary of the senate  
160.28 or the chief clerk of the house of representatives must notify the commission of the failure,  
160.29 including any information that the senate or house of representatives may direct by resolution  
160.30 regarding reasons why the plan was not approved. If the governor vetoes a plan, the veto  
160.31 message serves as the notice.

160.32 (c) The commission shall submit a second plan within two weeks after the commission  
160.33 received the notice, unless by then the legislature has adjourned the regular session in the  
160.34 year ending in one, in which case the second plan must be submitted to the legislature at  
160.35 the opening of its regular session in the year ending in two. The legislature intends that a

161.1 second plan be considered by the legislature under the same procedure as provided for a  
161.2 first plan under paragraph (b).

161.3 (d) If the commission fails to submit a plan by either of these two deadlines, the legislature  
161.4 may proceed to enact a plan in place of the missing plan without waiting for the commission  
161.5 to submit a plan.

161.6 (e) If the secretary of the senate or the chief clerk of the house of representatives notifies  
161.7 the commission that a second plan has failed, or the governor vetoes a second plan, the  
161.8 commission shall submit a third plan within two weeks after the commission received the  
161.9 notice, unless by then the legislature has adjourned the regular session in the year ending  
161.10 in one, in which case the third plan must be submitted to the legislature at the opening of  
161.11 its regular session in the year ending in two. The third plan is subject to the same procedure  
161.12 as provided for first and second plans under paragraph (b).

161.13 Final approval of all plans, whether enacted by the legislature or as provided by order  
161.14 of the court, must take place no later than the date provided in section 204B.14, subdivision  
161.15 1a.

161.16 Subd. 14. **Data used.** (a) To draw congressional and legislative districts, the commission  
161.17 shall use, at a minimum, census data representing the entire population of Minnesota.

161.18 (b) The commission shall use redistricting population data that includes data for persons  
161.19 who are incarcerated reflecting their residence to be their last known residential address  
161.20 before incarceration.

161.21 Subd. 15. **Expiration.** (a) The commission expires when both congressional and  
161.22 legislative redistricting plans have been enacted into law or adopted by order of the court  
161.23 and any legal challenges to the plans have been resolved.

161.24 (b) If use of a plan is enjoined after the commission expires, the court enjoining the plan  
161.25 may direct that a new commission be appointed under this section to draft a remedial plan  
161.26 for presentation to the legislature in accordance with deadlines established by order of the  
161.27 court.

161.28 Sec. 2. **[2.035] DISTRICTING PRINCIPLES.**

161.29 Subdivision 1. **Application.** The principles in this section apply to congressional and  
161.30 legislative districts.

161.31 Subd. 2. **Prohibited information.** (a) No plan shall be drawn to purposefully favor or  
161.32 disfavor a political party or candidate.

162.1 (b) Information regarding registered voters, political affiliation, voting history, and  
162.2 demographics shall be sequestered from the Redistricting Commission for the initial phase  
162.3 of the process, but may be used to test for compliance with the goals in subdivision 3 and  
162.4 reports described in section 2.036, subdivision 4.

162.5 Subd. 3. **Priority of principles.** Redistricting commissioners appointed under section  
162.6 2.032 shall adhere to the principles in subdivisions 4 to 12 when drawing congressional and  
162.7 legislative districts. Where it is not possible to fully comply with the principles contained  
162.8 below, a redistricting plan shall give priority to those principles in the order in which they  
162.9 are listed, except to the extent that doing so would violate federal or state law.

162.10 Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in  
162.11 population as practicable.

162.12 (b) Legislative districts must be substantially equal in population. The population of a  
162.13 legislative district must not deviate from the ideal by more than one percent.

162.14 Subd. 5. **Contiguity.** The districts must be contiguous allowing for easy travel throughout  
162.15 the district. Contiguity by water is sufficient if the water is not a serious obstacle to travel  
162.16 within the district. Districts with areas that touch only at a point are not contiguous.

162.17 Subd. 6. **Minority representation.** (a) Each district must be drawn in compliance with  
162.18 all state and federal laws. A district must not be drawn with either the purpose or effect of  
162.19 diluting, denying, or abridging the right of any citizen of the United States to vote on account  
162.20 of race, ethnicity, or membership in a language minority group, whether by themselves or  
162.21 when voting in concert with other people.

162.22 (b) Racial, ethnic, and language minorities must have an equal opportunity to participate  
162.23 in the political process and elect candidates of their choice. Racial, ethnic, and language  
162.24 minorities who constitute less than a voting-age majority of a district must have an  
162.25 opportunity to substantially influence the outcome of an election.

162.26 Subd. 7. **Communities of interest.** District boundaries shall recognize communities of  
162.27 interest. A community of interest is a contiguous population sharing common social and  
162.28 economic interests that should be included within a single district for purposes of the  
162.29 community's effective and fair representation. Communities of interest include but are not  
162.30 limited to geographic areas where there are clearly recognizable similarities of social,  
162.31 cultural, ethnic, economic, or other interests. Examples of shared interests are those common  
162.32 to an urban area, rural area, industrial area, or agricultural area and those common to areas  
162.33 in which the people share similar living standards, have similar work opportunities, or have  
162.34 access to the same media of communication relevant to the election process. Communities

163.1 of interest shall not include relationships with political parties, incumbents, or political  
163.2 candidates.

163.3 Subd. 8. **Political subdivisions.** Counties, cities, and municipalities should be preserved  
163.4 to the greatest extent possible and in compliance with the other principles to preserve rather  
163.5 than divide them among multiple districts.

163.6 Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration  
163.7 in the development or approval of a proposed plan.

163.8 Subd. 10. **Compactness.** Compactness must be measured by using one or more statistical  
163.9 tests and must be compact.

163.10 Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that  
163.11 unduly favors or disfavors any political party. The commission shall use judicial standards  
163.12 and the best available scientific and statistical methods to assess whether a plan unduly  
163.13 favors or disfavors a political party.

163.14 Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district one  
163.15 in the southeast corner of the state and end with the district with the highest number in the  
163.16 northeast corner of the state.

163.17 (b) Legislative districts must be numbered in a regular series, beginning with house  
163.18 district 1A in the northwest corner of the state and proceeding across the state from west to  
163.19 east, north to south. In a county that includes more than one whole senate district, the districts  
163.20 must be numbered consecutively.

163.21 Sec. 3. **[2.036] LEGISLATIVE COORDINATING COMMISSION;**  
163.22 **REDISTRICTING.**

163.23 Subdivision 1. **Administrative support.** The Legislative Coordinating Commission  
163.24 shall provide administrative support to the Redistricting Commission.

163.25 Subd. 2. **Database.** The geographic areas and population counts used in maps, tables,  
163.26 and legal descriptions of congressional and legislative districts considered by the legislature  
163.27 must be those used by the Geographic Information Services (GIS) Office of the Legislative  
163.28 Coordinating Commission. The population counts shall be the block population counts  
163.29 provided to the state under Public Law 94-171 after each decennial census, subject to  
163.30 correction of any errors acknowledged by the United States Census Bureau. The GIS Office  
163.31 must make the database available to the public on the GIS Office website.

164.1 Subd. 3. **Publication; consideration of plans.** A redistricting plan must not be considered  
164.2 for adoption by the senate or house of representatives until the redistricting plan's block  
164.3 equivalency file has been submitted to the GIS Office in a form prescribed by the GIS  
164.4 Office. The block equivalency file must show the district to which each census block has  
164.5 been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office  
164.6 website.

164.7 Subd. 4. **Reports.** Publication of a plan must include the following reports:

164.8 (1) a population equality report, listing each district in the plan, its population as the  
164.9 total number of persons, and deviations from the ideal as both a number of persons and as  
164.10 a percentage of the population. The report must also show the populations of the largest  
164.11 and smallest districts and the overall range of deviations of the districts;

164.12 (2) a contiguity report, listing each district that is noncontiguous either because two  
164.13 areas of a district do not touch or because they are linked by a point;

164.14 (3) a minority voting-age population report, listing for each district the voting age  
164.15 population of each racial or language minority and the total minority voting age population,  
164.16 according to the categories recommended by the United States Department of Justice. The  
164.17 report must also highlight each district with 30 percent or more total minority population;

164.18 (4) a communities of interest report, if the chief author of a plan asserts that it preserves  
164.19 a community of interest, maps of the plan must include a layer identifying the census blocks  
164.20 within the community of interest. Publication of the plan must also include a report that  
164.21 lays out the research and process used to identify the communities of interest and lists the  
164.22 district or districts to which the community of interest has been assigned. The report must  
164.23 include the number of communities of interest that are split and the number of times the  
164.24 communities were split;

164.25 (5) a political subdivision splits report, listing the split counties, cities, towns, unorganized  
164.26 territories, and precincts, and the district to which each portion of a split subdivision is  
164.27 assigned. The report must also show the number of subdivisions split and the number of  
164.28 times a subdivision is split;

164.29 (6) a plan components report, listing for each district the names and populations of the  
164.30 counties within it and, where a county is split between or among districts, the names and  
164.31 populations of the portion of the split county and each of the split county's whole or partial  
164.32 cities, townships, unorganized territories, and precincts within each district.

165.1 (7) a measures of compactness report, listing for each district at least the results of the  
165.2 Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle,  
165.3 Ehrenburg, Length-Width, measures of compactness. The report must also state for all the  
165.4 districts in a plan the sum of its perimeters and the mean of its other measurements. The  
165.5 commission may consider other tests of compactness; and

165.6 (8) a partisan bias report, listing multiple measures of partisan symmetry or other  
165.7 measures of partisan bias as accepted in political science literature and the best available  
165.8 scientific and statistical methods.

165.9 **Sec. 4. [204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

165.10 Subdivision 1. **Redistricting plan standards; Redistricting Commission.** The principles  
165.11 provided in section 2.035 must be applied to the redistricting of:

165.12 (1) county commissioner districts, county park districts, and soil and water conservation  
165.13 supervisor districts in counties with a population greater than 100,000; and

165.14 (2) wards in cities with a population greater than 75,000.

165.15 Subd. 2. **Population variance.** The minimum population variance permitted for county  
165.16 districts and wards may be up to 1.5 percent of the mean population for all districts or wards  
165.17 in a redistricting plan adopted as provided in this section.

165.18 Subd. 3. **Procedure.** Redistricting plans required by this section shall be prepared and  
165.19 adopted by the charter commission, or where such a commission does not exist, by a  
165.20 redistricting commission of no fewer than seven and no more than 15 members appointed  
165.21 by the chief judge of the district court in which a majority of the population of the affected  
165.22 jurisdiction reside. Members of a commission appointed under this subdivision must meet  
165.23 the qualification standards for a public member of the Redistricting Commission as described  
165.24 in section 2.032, subdivision 2, paragraph (d)."

165.25 Amend the title accordingly