

1.1 moves to amend H.F. No. 4608, the delete everything amendment
1.2 (H4608DE2), as follows:

1.3 Page 1, line 22, delete "151,655,000" and insert "146,655,000"

1.4 Page 2, line 2, delete "148,803,000" and insert "143,803,000"

1.5 Page 5, line 18, delete "124,748,000" and insert "119,748,000"

1.6 Page 5, line 21, delete "121,148,000" and insert "117,148,000"

1.7 Page 7 delete lines 19 to 29

1.8 Page 2, line 33, delete the comma and insert "and"

1.9 Page 2, line 34, delete everything after "activities"

1.10 Page 3, delete line 1

1.11 Page 3, line 2, delete everything before the period

1.12 Page 6, line 8, delete "A" and insert "If the commissioner issues a grant for equine
1.13 experiential mental health therapy, the"

1.14 Page 6, line 13, delete everything after "the"

1.15 Page 6, line 14, delete "health"

1.16 Page 14, line 19, after the period, insert "Of this amount, the commissioner may use up
1.17 to \$60,000 to staff and administer the program."

1.18 Page 14, line 23, delete "executive director" and insert "commissioner"

1.19 Page 15, delete line 3 and insert "for staff and operating costs to administer this program
1.20 and the Body Camera Grants Program in the preceding section."

1.21 Page 15, line 4, delete everything before "The"

2.1 Page 16, line 31, delete "24,110,000" and insert "29,110,000"

2.2 Page 18, line 14, delete "7,050,000" and insert "12,050,000"

2.3 Page 18, line 22, delete "\$5,450,000" and insert "\$10,450,000"

2.4 Page 23, after line 6, insert:

2.5 "Sec. Minnesota Statutes 2020, section 13.6905, is amended by adding a subdivision
2.6 to read:

2.7 Subd. 36. **Direct wine shipments.** Data obtained and shared by the commissioner of
2.8 public safety relating to direct shipments of wine are governed by sections 340A.550 and
2.9 340A.555.

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

2.11 Page 32, line 15, strike "regional"

2.12 Page 35, after line 19, insert:

2.13 "Sec. Minnesota Statutes 2020, section 299A.706, is amended to read:

2.14 **299A.706 ALCOHOL ENFORCEMENT ACCOUNT; APPROPRIATION.**

2.15 An alcohol enforcement account is created in the special revenue fund, consisting of
2.16 money credited to the account by law. Money in the account may be appropriated by law
2.17 for (1) costs of the Alcohol and Gambling Division related to administration and enforcement
2.18 of sections 340A.403, subdivision 4; 340A.414, subdivision 1a; ~~and~~ 340A.504, subdivision
2.19 7; and 340A.550, subdivisions 2, 4, 5, and 6; and (2) costs of the State Patrol.

2.20 **EFFECTIVE DATE.** This section is effective July 1, 2022."

2.21 Page 48, after line 4, insert:

2.22 "Sec. Minnesota Statutes 2020, section 340A.304, is amended to read:

2.23 **340A.304 LICENSE SUSPENSION AND REVOCATION.**

2.24 The commissioner shall revoke, or suspend for up to 60 days, a license issued under
2.25 section 340A.301 ~~or~~, 340A.302, or 340A.550, or impose a fine of up to \$2,000 for each
2.26 violation, on a finding that the licensee has violated a state law or rule of the commissioner
2.27 relating to the possession, sale, transportation, or importation of alcoholic beverages. A
2.28 license revocation or suspension under this section is a contested case under sections 14.57
2.29 to 14.69 of the Administrative Procedure Act.

3.1 **EFFECTIVE DATE.** This section is effective July 1, 2022.

3.2 Sec. Minnesota Statutes 2020, section 340A.417, is amended to read:

3.3 **340A.417 WINE SHIPMENTS INTO MINNESOTA.**

3.4 (a) Notwithstanding section 297G.07, subdivision 2, or any provision of this chapter
3.5 except for section 340A.550, a winery licensed in a state other than Minnesota, or a winery
3.6 located in Minnesota, may ship, for personal use and not for resale, not more than ~~two~~ 12
3.7 cases of wine, containing a maximum of nine liters per case, in any calendar year to any
3.8 resident of Minnesota age 21 or over. ~~Delivery of a shipment under this section may not be~~
3.9 ~~deemed a sale in this state.~~

3.10 (b) The shipping container of any wine sent under this section must be clearly marked
3.11 "Alcoholic Beverages: adult signature (over 21 years of age) required."

3.12 (c) It is not the intent of this section to impair the distribution of wine through distributors
3.13 or importing distributors, but only to permit shipments of wine for personal use.

3.14 (d) Except for a violation of section 295.75 or chapters 297A and 297G, no criminal
3.15 penalty may be imposed on a person for a violation of this section or section 340A.550
3.16 other than a violation described in paragraph (e) or (f). Whenever it appears to the
3.17 commissioner that any person has engaged in any act or practice constituting a violation of
3.18 this section, or section 340A.550 and the violation is not within two years of any previous
3.19 violation of this section, the commissioner shall issue and cause to be served upon the person
3.20 an order requiring the person to cease and desist from violating this section. The order must
3.21 give reasonable notice of the rights of the person to request a hearing and must state the
3.22 reason for the entry of the order. Unless otherwise agreed between the parties, a hearing
3.23 shall be held not later than ~~seven~~ 20 days after the request for the hearing is received by the
3.24 commissioner after which and within 20 days after the receipt of the administrative law
3.25 judge's report and subsequent exceptions and argument, the commissioner shall issue an
3.26 order vacating the cease and desist order, modifying it, or making it permanent as the facts
3.27 require. If no hearing is requested within 30 days of the service of the order, the order
3.28 becomes final and remains in effect until modified or vacated by the commissioner. All
3.29 hearings shall be conducted in accordance with the provisions of chapter 14. If the person
3.30 to whom a cease and desist order is issued fails to appear at the hearing after being duly
3.31 notified, the person shall be deemed in default, and the proceeding may be determined
3.32 against the person upon consideration of the cease and desist order, the allegations of which
3.33 may be deemed to be true.

4.1 (e) Any person who violates this section or section 340A.550 within two years of a
4.2 violation for which a cease and desist order was issued under paragraph (d), is guilty of a
4.3 misdemeanor.

4.4 (f) Any person who commits a third or subsequent violation of this section or section
4.5 340A.550 within any subsequent two-year period is guilty of a gross misdemeanor.

4.6 **EFFECTIVE DATE.** This section is effective July 1, 2022.

4.7 Sec. **[340A.550] DIRECT SHIPMENTS OF WINE; LICENSING, TAXATION,**
4.8 **AND RESTRICTIONS.**

4.9 **Subdivision 1. Definitions.** (a) "Direct ship purchaser" means a person who purchases
4.10 wine for personal use and not for resale from a winery located in a state other than Minnesota
4.11 for delivery to a Minnesota address.

4.12 (b) "Direct ship winery" means a winery licensed in a state other than Minnesota that
4.13 manufactures and makes a retail sale of wine and ships the wine to a direct ship purchaser
4.14 as authorized under section 340A.417.

4.15 **Subd. 2. License requirements.** (a) A direct ship winery must apply to the commissioner
4.16 for a direct ship license. The commissioner must not issue a license under this section unless
4.17 the applicant:

4.18 (1) is a licensed winery in a state other than Minnesota and provides a copy of its current
4.19 license in any state in which it is licensed to manufacture wine;

4.20 (2) provides a shipping address list, including all addresses from which it intends to ship
4.21 wine;

4.22 (3) agrees to comply with the requirements of subdivision 4; and

4.23 (4) consents to the jurisdiction of the Departments of Public Safety and Revenue, the
4.24 courts of this state, and any statute, law, or rule in this state related to the administration or
4.25 enforcement of this section, including any provision authorizing the commissioners of public
4.26 safety and revenue to audit a direct ship winery for compliance with this and any related
4.27 section.

4.28 (b) A direct ship winery obtaining a license under this section must annually renew its
4.29 license by January 1 of each year and must inform the commissioner at the time of renewal
4.30 of any changes to the information previously provided in paragraph (a).

5.1 (c) The application fee for a license is \$50. The fee for a license renewal is \$50. The
5.2 commissioner must deposit all fees received under this subdivision in the alcohol enforcement
5.3 account in the special revenue fund established under section 299A.706.

5.4 Subd. 3. **Direct ship wineries; restrictions.** (a) A direct ship winery may only ship
5.5 wine from an address provided to the commissioner as required in subdivision 2, paragraph
5.6 (a), clause (2), or through a third-party provider whose name and address the licensee
5.7 provided to the commissioner in the licensee's application for a license.

5.8 (b) A direct ship winery or its third-party provider may only ship wine from the direct
5.9 ship winery's own production.

5.10 Subd. 4. **Taxation.** A direct ship winery must:

5.11 (1) collect and remit the liquor gross receipts tax as required in section 295.75;

5.12 (2) apply for a permit as required in section 297A.83 and collect and remit the sales and
5.13 use tax imposed as required in chapter 297A;

5.14 (3) remit the tax as required in chapter 297G; and

5.15 (4) provide a statement to the commissioner, on a form prescribed by the commissioner,
5.16 detailing each shipment of wine made to a resident of this state and any other information
5.17 required by the commissioner.

5.18 Subd. 5. **Private or nonpublic data; classification and sharing.** (a) Data collected,
5.19 created, or maintained by the commissioner as required under this section are classified as
5.20 private data on individuals or nonpublic data, as defined in section 13.02, subdivisions 9
5.21 and 12.

5.22 (b) The commissioner must share data classified as private or nonpublic under this
5.23 section with the commissioner of revenue for purposes of administering section 295.75 and
5.24 chapters 289A, 297A, and 297G.

5.25 Subd. 6. **Enforcement; penalties.** Section 340A.417, paragraphs (d), (e), and (f), apply
5.26 to this section.

5.27 **EFFECTIVE DATE.** This section is effective July 1, 2022.

5.28 Sec. **[340A.555] COMMON CARRIER REGULATIONS FOR DIRECT**
5.29 **SHIPMENTS OF WINE.**

5.30 Subdivision 1. **Monthly report required.** Each common carrier that contracts with a
5.31 winery under section 340A.417 for delivery of wine into this state must file with the

6.1 commissioner a monthly report of known wine shipments made by the carrier. The report
6.2 must be made in a form and manner as prescribed by the commissioner and must contain:

6.3 (1) the name of the common carrier making the report;

6.4 (2) the period of time covered by the report;

6.5 (3) the name and business address of the consignor;

6.6 (4) the name and address of the consignee;

6.7 (5) the weight of the package delivered to the consignee;

6.8 (6) a unique tracking number; and

6.9 (7) the date of delivery.

6.10 Subd. 2. **Record availability and retention.** Upon written request by the commissioner,
6.11 any records supporting the report in subdivision 1 must be made available to the
6.12 commissioner within 30 days of the request. Any records containing information relating
6.13 to a required report must be retained and preserved for a period of two years, unless
6.14 destruction of the records prior to the end of the two-year period is authorized in writing
6.15 by the commissioner. All retained records must be open and available for inspection by the
6.16 commissioner upon written request. The commissioner must make the required reports
6.17 available to any law enforcement agency or regulatory body of any local government in the
6.18 state in which the common carrier making the report resides or does business.

6.19 Subd. 3. **Penalty.** If a common carrier willfully violates the requirement to report a
6.20 delivery under this section or violates any rule related to the administration and enforcement
6.21 of this section, the commissioner must notify the common carrier in writing of the violation.
6.22 The commissioner may impose a fine in an amount not to exceed \$500 for each subsequent
6.23 violation.

6.24 Subd. 4. **Exemptions.** This section does not apply to common carriers regulated as
6.25 provided by United States Code, title 49, section 10101, et. seq.; or to rail
6.26 trailer-on-flatcar/container-on-flatcar (TOFC/COFC) service, as provided by Code of Federal
6.27 Regulations, title 49, section 1090.1; or highway TOFC/COFC service provided by a rail
6.28 carrier, either itself or jointly with a motor carrier, as part of continuous intermodal freight
6.29 transportation, including but not limited to any other TOFC/COFC transportation as defined
6.30 under federal law.

6.31 Subd. 5. **Private or nonpublic data; classification and sharing.** (a) Data collected,
6.32 created, or maintained by the commissioner as required under subdivision 1, clauses (4) to

7.1 (6), are classified as private data on individuals or nonpublic data, as defined in section
7.2 13.02, subdivisions 9 and 12.

7.3 (b) The commissioner must share data classified as private or nonpublic under this
7.4 section with the commissioner of revenue for purposes of administering section 295.75 and
7.5 chapters 289A, 297A, and 297G.

7.6 **EFFECTIVE DATE.** This section is effective July 1, 2022."

7.7 Page 59, after line 22, insert:

7.8 "(13) an individual who is a children's mental health professional appointed by
7.9 AspireMN;"

7.10 Page 59, line 23, delete "(13)" and insert "(14)"

7.11 Page 59, line 25, delete "(14)" and insert "(15)"

7.12 Page 59, line 28, delete "(14)" and insert "(15)"

7.13 Page 60, line 1, delete "(14)" and insert "(15)"

7.14 Page 60, line 9, delete "(14)" and insert "(15)"

7.15 Page 61, before line 10, insert:

7.16 "Subdivision 1. **Definition.** "Re-entry" program means county remote monitoring, county
7.17 dosage probation programs, county probation check in stations, and any program primarily
7.18 aimed at supporting individuals with a criminal record including but not limited to
7.19 employment programs, housing programs, and education programs."

7.20 Page 64, delete lines 11 to 13 and insert:

7.21 "(b) The commissioner must prioritize awarding grants to applicants who are not eligible
7.22 to apply for local community innovation grants, local community policing grants, or local
7.23 investigation grants."

7.24 Page 65, after line 29, insert:

7.25 "(e) "Re-entry" program means county remote monitoring, county dosage probation
7.26 programs, county probation check in stations, and any program primarily aimed at supporting
7.27 individuals with a criminal record including but not limited to employment programs,
7.28 housing programs, and education programs."

7.29 Page 65, line 30, delete "(e)" and insert "(f)"

7.30 Page 92, after line 12, insert:

8.1 "Sec. Minnesota Statutes 2020, section 152.32, is amended by adding a subdivision to
8.2 read:

8.3 Subd. 4. **Probation; supervised release.** (a) A court shall not prohibit a person from
8.4 participating in the registry program under sections 152.22 to 152.37 as a condition of
8.5 probation, parole, pretrial conditional release, or supervised release or revoke a patient's
8.6 probation, parole, pretrial conditional release, or supervised release or otherwise sanction
8.7 a patient on probation, parole, pretrial conditional release, or supervised release, nor weigh
8.8 participation in the registry program, or positive drug test for cannabis components or
8.9 metabolites by registry participants, or both, as a factor when considering penalties for
8.10 violations of probation, parole, pretrial conditional release, or supervised release.

8.11 (b) The commissioner of corrections, probation agent, or parole officer shall not prohibit
8.12 a person from participating in the registry program under sections 152.22 to 152.37 as a
8.13 condition of parole, supervised release, or conditional release or revoke a patient's parole,
8.14 supervised release, or conditional release or otherwise sanction a patient on parole, supervised
8.15 release, or conditional release solely for participating in the registry program or for a positive
8.16 drug test for cannabis components or metabolites."

8.17 Page 159, after line 27, insert:

8.18 "Sec. Minnesota Statutes 2020, section 241.272, is amended to read:

8.19 **241.272 FEE COLLECTION; PROHIBITED.**

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

8.22 (b) "Correctional fees" include fees for the following correctional services:

8.23 (1) ~~community service work placement and supervision;~~

8.24 ~~(2) restitution collection;~~

8.25 ~~(3) supervision;~~

8.26 ~~(4)~~ (2) court-ordered investigations; or

8.27 ~~(5)~~ (3) any other service provided by a probation officer or parole agency for offenders
8.28 supervised by the commissioner of corrections, a local unit of government, or a community
8.29 corrections agency.

8.30 (c) "Probation" has the meaning given in section 609.02, subdivision 15.

8.31 (d) "Supervised release" has the meaning given in section 244.01, subdivision 7.

9.1 ~~Subd. 2. **Correctional fees established.** To defray costs associated with correctional~~
9.2 ~~services, the commissioner of corrections may establish a schedule of correctional fees to~~
9.3 ~~charge persons convicted of a crime and supervised by the commissioner. The correctional~~
9.4 ~~fees on the schedule must be reasonably related to offenders' abilities to pay and the actual~~
9.5 ~~cost of correctional services.~~

9.6 Subd. 2a. **Prohibition.** The commissioner of corrections, local units of government, and
9.7 community corrections agencies are prohibited from assessing and collecting correctional
9.8 fees from persons on probation, parole, supervised release, or conditional release except as
9.9 otherwise provided in this section.

9.10 ~~Subd. 3. **Fee collection.** (a) The commissioner of corrections may impose and collect~~
9.11 ~~fees from individuals on probation and supervised release at any time while the offender is~~
9.12 ~~under sentence or after the sentence has been discharged.~~

9.13 ~~(b) The commissioner may use any available civil means of debt collection in collecting~~
9.14 ~~a correctional fee.~~

9.15 ~~Subd. 4. **Exemption from fee.** The commissioner of corrections may waive payment~~
9.16 ~~of the fee if the commissioner determines that the offender does not have the ability to pay~~
9.17 ~~the fee, the prospects for payment are poor, or there are extenuating circumstances justifying~~
9.18 ~~waiver of the fee. Instead of waiving the fee, the commissioner may require the offender to~~
9.19 ~~perform community work service as a means of paying the fee.~~

9.20 ~~Subd. 5. **Restitution payment priority.** If an offender has been ordered by a court to~~
9.21 ~~pay restitution, the offender shall be obligated to pay the restitution ordered before paying~~
9.22 ~~the correctional fee. However, if the offender is making reasonable payments to satisfy the~~
9.23 ~~restitution obligation, the commissioner may also collect a correctional fee.~~

9.24 ~~Subd. 6. **Use of fees.** Excluding correctional fees collected from offenders supervised~~
9.25 ~~by department agents under the authority of section 244.19, subdivision 1, paragraph (a),~~
9.26 ~~clause (3), all correctional fees collected under this section go to the general fund. Fees~~
9.27 ~~collected by agents under the authority of section 244.19, subdivision 1, paragraph (a),~~
9.28 ~~clause (3), shall go to the county treasurer in the county where supervision is provided.~~
9.29 ~~These fees may only be used in accordance with section 244.18, subdivision 6.~~

9.30 ~~Subd. 7. **Annual report.** Beginning January 15, 2001, the commissioner shall submit~~
9.31 ~~an annual report on the implementation of this section to the chairs and ranking minority~~
9.32 ~~members of the senate and house of representatives committees and divisions with jurisdiction~~
9.33 ~~over criminal justice funding and policy. At a minimum, the report shall include information~~

10.1 ~~on the types of correctional services for which fees were imposed, the aggregate amount of~~
10.2 ~~fees imposed, and the amount of fees collected.~~

10.3 Subd. 8. **Sex offender treatment fee.** The commissioner of corrections may authorize
10.4 sex offender treatment providers to charge and collect treatment co-pays from all offenders
10.5 in their treatment program. The amount of treatment co-pay assessed to each offender is
10.6 based upon a fee schedule approved by the commissioner. Fees collected under this authority
10.7 are used by the treatment provider to fund the cost of treatment.

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

10.9 Page 168, line 6, before "By" insert "(a)"

10.10 Page 168, after line 10, insert:

10.11 "(b) Beginning August 1, 2023, and each year thereafter, each entity required to submit
10.12 a report under paragraph (a) must include in their report the total number of days in the
10.13 previous fiscal year that offenders supervised by the entity had their probation or supervised
10.14 release revoked."

10.15 Page 168, after line 29, insert:

10.16 "Subd. 1b. **Credit for early discharge.** In calculating grants authorized under subdivision
10.17 1, the commissioner must not reduce the amount of a grant based on offenders being
10.18 discharged from community supervision prior to the sentence expiration date imposed by
10.19 the sentencing court."

10.20 Page 177, after line 5, insert:

10.21 "(c) The reimbursement formulas developed under paragraphs (a) and (b) must:

10.22 (1) limit the weight of a misdemeanor case to no more than one-half of the weight
10.23 assigned to a felony case with a comparable risk level assessment for purposes of calculating
10.24 weighted caseloads; and

10.25 (2) account for the absence of work performed in an entity's caseload that occurs when
10.26 offenders under the entity's supervision are re-incarcerated. The formulas must reduce an
10.27 entity's current grant award by the amount of savings that would have been generated in
10.28 the prior year from supervision that was not performed because of offender re-incarceration."

10.29 Page 182, line 28, before "Minnesota" insert "(a)"

10.30 Page 182, after line 29, insert:

11.1 "(b) Minnesota Statutes 2020, sections 244.18; 401.025; and 609.102, subdivisions 1,
11.2 2, and 2a, are repealed.

11.3 **EFFECTIVE DATE.** Paragraph (a) is effective July 1, 2022. Paragraph (b) is effective
11.4 July 1, 2023."

11.5 Renumber the sections in sequence and correct the internal references

11.6 Renumber the subdivisions in sequence

11.7 Renumber the sections in sequence and correct the internal references