

1.1 A bill for an act

1.2 relating to the operation of state government; appropriating money for the

1.3 legislature, the governor's office, state auditor, attorney general, secretary of state,

1.4 and certain agencies, boards, councils, and retirement funds; changing provisions

1.5 in state government operations; making state payment terminology changes; adding

1.6 provisions for presidential nomination primary; changing provisions for information

1.7 technology, military and veterans affairs policy, gambling control board, racing

1.8 commission, and state board of accountancy; ratifying certain labor agreements;

1.9 requiring reports; amending Minnesota Statutes 2018, sections 3.855, by adding

1.10 a subdivision; 3.97, subdivision 3a; 3.971, subdivision 9; 13.599, by adding a

1.11 subdivision; 15.191, subdivisions 1, 3; 15A.083, subdivision 6a; 16A.065; 16A.13,

1.12 subdivision 2a; 16A.15, subdivision 3; 16A.272, subdivision 3; 16A.40; 16A.42,

1.13 subdivision 2, by adding a subdivision; 16A.671, subdivision 1; 16B.37, subdivision

1.14 4; 16C.055, subdivision 2; 16D.09, subdivision 1; 16E.03, subdivision 1, by adding

1.15 subdivisions; 21.116; 43A.10, by adding a subdivision; 43A.15, subdivision 14;

1.16 43A.191, subdivisions 2, 3; 80A.65, subdivision 9; 84A.23, subdivision 4; 84A.33,

1.17 subdivision 4; 84A.52; 88.12, subdivision 1; 94.522; 94.53; 116J.64, subdivision

1.18 7; 127A.34, subdivision 1; 127A.40; 136F.70, subdivision 3; 176.181, subdivision

1.19 2; 176.581; 176.591, subdivision 3; 192.55; 196.05, subdivision 1; 197.603,

1.20 subdivision 2; 201.091, subdivision 4, by adding a subdivision; 203B.121,

1.21 subdivision 4; 204C.10; 207A.11; 207A.12; 207A.14, subdivision 2; 207A.15,

1.22 subdivision 2; 237.30; 240.01, by adding a subdivision; 240.02, subdivisions 2,

1.23 6; 240.08, subdivision 5; 240.10; 240.12; 240.13, subdivision 5; 240.131,

1.24 subdivision 7; 240.135; 240.15, subdivision 6; 240.155, subdivision 1; 240.16,

1.25 subdivisions 1, 2; 240.18, subdivisions 2, 3; 240.22; 240.27; 240A.09; 244.19,

1.26 subdivision 7; 256B.20; 273.1245, subdivision 2; 299C.21; 326A.01, subdivision

1.27 2; 326A.04, subdivisions 4, 5; 326A.08, subdivisions 4, 5, by adding a subdivision;

1.28 326A.10; 349.12, subdivision 2; 349.17, subdivision 6; 349.181, subdivision 5;

1.29 349.19, subdivisions 1, 2; 352.04, subdivision 9; 353.05; 354.42, subdivision 7;

1.30 375.08; 375A.10, subdivision 5; 375A.12, subdivision 2; 382.01; 382.02; 401.15,

1.31 subdivision 1; 446A.16, subdivision 1; 462A.18, subdivision 1; 525.841; Laws

1.32 2016, chapter 189, article 13, section 64; Laws 2018, chapter 100, section 1;

1.33 proposing coding for new law in Minnesota Statutes, chapters 3; 5; 10; 240; 326A;

1.34 375A; repealing Minnesota Statutes 2018, section 3.9735.





4.1 ranking minority members of the committees  
 4.2 before initiating any interagency agreements.

4.3 Sec. 4. STATE AUDITOR \$ 10,336,000 \$ 10,602,000

4.4 Sec. 5. ATTORNEY GENERAL \$ 25,633,000 \$ 26,318,000

4.5 Appropriations by Fund

4.6 2020 2021

4.7 General 22,828,000 23,513,000

4.8 State Government

4.9 Special Revenue 2,464,000 2,521,000

4.10 Environmental 145,000 145,000

4.11 Remediation 250,000 250,000

4.12 Sec. 6. SECRETARY OF STATE \$ 9,334,000 \$ 7,292,000

4.13 (a) Of these amounts, \$2,000,000 the first year  
 4.14 is for election equipment grants under  
 4.15 Minnesota Statutes, section 206.95. This is a  
 4.16 onetime appropriation and is available until  
 4.17 June 30, 2022.

4.18 (b) \$163,000 the first year is transferred from  
 4.19 the general fund to the Help America Vote  
 4.20 Act account under Minnesota Statutes, section  
 4.21 5.30, and is credited to the state match  
 4.22 requirement of the Omnibus Appropriations  
 4.23 Act of 2018, Public Law 115-1410, and the  
 4.24 Help America Vote Act of 2002, Public Law  
 4.25 107-252, section 101. This is a onetime  
 4.26 appropriation.

4.27 Sec. 7. CAMPAIGN FINANCE AND PUBLIC  
 4.28 DISCLOSURE BOARD \$ 1,123,000 \$ 1,123,000

4.29 Sec. 8. STATE BOARD OF INVESTMENT \$ 139,000 \$ 139,000

4.30 Sec. 9. ADMINISTRATIVE HEARINGS \$ 8,231,000 \$ 8,231,000

4.31 Appropriations by Fund

4.32 2020 2021

4.33 General 400,000 400,000

4.34 Workers'

4.35 Compensation 7,831,000 7,831,000

5.1 \$263,000 each year is for municipal boundary  
5.2 adjustments.

5.3 **Sec. 10. OFFICE OF MN.IT SERVICES**                    **\$            7,679,000 \$            7,679,000**

5.4 (a) \$5,000,000 each year is for enhancements  
5.5 to cybersecurity across state government.

5.6 (b) The commissioner of management and  
5.7 budget is authorized to provide cash flow  
5.8 assistance of up to \$50,000,000 from the  
5.9 special revenue fund or other statutory general  
5.10 funds as defined in Minnesota Statutes, section  
5.11 16A.671, subdivision 3, paragraph (a), to the  
5.12 Office of MN.IT Services for the purpose of  
5.13 managing revenue and expenditure  
5.14 differences. These funds shall be repaid with  
5.15 interest by the end of the fiscal year 2021  
5.16 closing period.

5.17 (c) During the biennium ending June 30, 2021,  
5.18 MN.IT Services must not charge fees to a  
5.19 public noncommercial educational television  
5.20 broadcast station eligible for funding under  
5.21 Minnesota Statutes, chapter 129D, for access  
5.22 to the state broadcast infrastructure. If the  
5.23 access fees not charged to public  
5.24 noncommercial educational television  
5.25 broadcast stations total more than \$400,000  
5.26 for the biennium, the office may charge for  
5.27 access fees in excess of these amounts.

5.28 **Sec. 11. ADMINISTRATION**

5.29 **Subdivision 1. Total Appropriation**                    **\$            26,085,000 \$            24,965,000**

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

5.33 **Subd. 2. Government and Citizen Services**                    **11,042,000                    9,442,000**

6.1 \$74,000 each year is for the Council on  
6.2 Developmental Disabilities.

6.3 **State Demographer.** \$2,339,000 the first year  
6.4 and \$739,000 the second year are for the state  
6.5 demographer. Of this amount, \$1,600,000 the  
6.6 first year is for Minnesota Census 2020  
6.7 mobilization, including the grant program  
6.8 required under article 2.

6.9 **State Historic Preservation Office.** \$527,000  
6.10 each year is for the State Historic Preservation  
6.11 Office.

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

6.13 **Subd. 4. Fiscal Agent** 12,372,000 12,872,000

6.14 The appropriations under this section are to  
6.15 the commissioner of administration for the  
6.16 purposes specified.

6.17 **In-Lieu of Rent.** \$9,391,000 the first year and  
6.18 \$9,891,000 the second year are for space costs  
6.19 of the legislature and veterans organizations,  
6.20 ceremonial space, and statutorily free space.

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

6.23 (b) \$250,000 each year is for public television  
6.24 equipment grants under Minnesota Statutes,  
6.25 section 129D.13.

6.26 (c) The commissioner of administration must  
6.27 consider the recommendations of the  
6.28 Minnesota Public Television Association  
6.29 before allocating the amounts appropriated in  
6.30 paragraphs (a) and (b) for equipment or  
6.31 matching grants.

6.32 **Public Radio.** (a) \$392,000 each year is for  
6.33 community service grants to public

7.1 educational radio stations. This appropriation  
7.2 may be used to disseminate emergency  
7.3 information in foreign languages.

7.4 (b) \$117,000 each year is for equipment grants  
7.5 to public educational radio stations. This  
7.6 appropriation may be used for the repair,  
7.7 rental, and purchase of equipment including  
7.8 equipment under \$500.

7.9 (c) \$510,000 each year is for equipment grants  
7.10 to Minnesota Public Radio, Inc., including  
7.11 upgrades to Minnesota's Emergency Alert and  
7.12 AMBER Alert Systems.

7.13 (d) The appropriations in paragraphs (a) to (c)  
7.14 may not be used for indirect costs claimed by  
7.15 an institution or governing body.

7.16 (e) The commissioner of administration must  
7.17 consider the recommendations of the  
7.18 Association of Minnesota Public Educational  
7.19 Radio Stations before awarding grants under  
7.20 Minnesota Statutes, section 129D.14, using  
7.21 the appropriations in paragraphs (a) and (b).  
7.22 No grantee is eligible for a grant unless they  
7.23 are a member of the Association of Minnesota  
7.24 Public Educational Radio Stations on or before  
7.25 July 1, 2019.

7.26 (f) Any unencumbered balance remaining the  
7.27 first year for grants to public television or  
7.28 public radio stations does not cancel and is  
7.29 available for the second year.

7.30 (g) \$162,000 each year is for transfer to the  
7.31 Minnesota Film and TV Board. The  
7.32 appropriation in each year is available only  
7.33 upon receipt by the board of \$1 in matching  
7.34 contributions of money or in-kind

8.1 contributions from nonstate sources for every  
 8.2 \$3 provided by this appropriation, except that  
 8.3 each year up to \$50,000 is available on July  
 8.4 1 even if the required matching contribution  
 8.5 has not been received by that date. \$162,000  
 8.6 in fiscal year 2022 and \$162,000 in fiscal year  
 8.7 2023 are transferred and added to the base for  
 8.8 the Film and TV Board in the Department of  
 8.9 Employment and Economic Development.

8.10 **Sec. 12. CAPITOL AREA ARCHITECTURAL**  
 8.11 **AND PLANNING BOARD** \$ 351,000 \$ 351,000

8.12 **Sec. 13. MINNESOTA MANAGEMENT AND**  
 8.13 **BUDGET** \$ 26,946,000 \$ 26,723,000

8.14 Of these funds, \$141,000 the first year is to  
 8.15 pay to Becker County and to Wright County  
 8.16 the amount each county demonstrates to the  
 8.17 commissioner of management and budget that  
 8.18 it spent on legal fees, including costs and  
 8.19 disbursements, to defend the lawsuit brought  
 8.20 by former state auditor, Rebecca Otto, against  
 8.21 Wright, Becker, and Ramsey Counties, Otto  
 8.22 v. Wright County, Becker County, and  
 8.23 Ramsey County, Minnesota District Court,  
 8.24 Second Judicial District, Court File No.  
 8.25 62-CV-16-606, and all appeals from that suit.

8.26 **Sec. 14. REVENUE**  
 8.27 **Subdivision 1. Total Appropriation** \$ 164,444,000 \$ 167,391,000

8.28 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
8.29 <u>General</u>	<u>160,184,000</u>	<u>163,131,000</u>
8.30 <u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
8.31 <u>Highway User Tax</u>		
8.32 <u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
8.33 <u>Environmental</u>	<u>305,000</u>	<u>305,000</u>

8.34 **Subd. 2. Tax System Management** 135,658,000 138,075,000

9.1	<u>Appropriations by Fund</u>		
9.2	<u>General</u>	<u>131,398,000</u>	<u>133,815,000</u>
9.3	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
9.4	<u>Highway User Tax</u>		
9.5	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
9.6	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>
9.7	<u><b>Taxpayer Assistance.</b> (a) \$400,000 each year</u>		
9.8	<u>is for the commissioner of revenue to make</u>		
9.9	<u>grants to one or more nonprofit organizations,</u>		
9.10	<u>qualifying under section 501(c)(3) of the</u>		
9.11	<u>Internal Revenue Code of 1986, to coordinate,</u>		
9.12	<u>facilitate, encourage, and aid in the provision</u>		
9.13	<u>of taxpayer assistance services. The</u>		
9.14	<u>unencumbered balance in the first year does</u>		
9.15	<u>not cancel but is available for the second year.</u>		
9.16	<u>(b) For purposes of this section, "taxpayer</u>		
9.17	<u>assistance services" means accounting and tax</u>		
9.18	<u>preparation services provided by volunteers</u>		
9.19	<u>to low-income, elderly, and disadvantaged</u>		
9.20	<u>Minnesota residents to help them file federal</u>		
9.21	<u>and state income tax returns and Minnesota</u>		
9.22	<u>property tax refund claims and to provide</u>		
9.23	<u>personal representation before the Department</u>		
9.24	<u>of Revenue and Internal Revenue Service.</u>		
9.25	<u>Subd. 3. <b>Debt Collection Management</b></u>	<u>28,786,000</u>	<u>29,316,000</u>
9.26	Sec. 15. <u><b>GAMBLING CONTROL</b></u>	<u>\$ 3,472,000</u>	<u>\$ 3,472,000</u>
9.27	<u>These appropriations are from the lawful</u>		
9.28	<u>gambling regulation account in the special</u>		
9.29	<u>revenue fund.</u>		
9.30	Sec. 16. <u><b>RACING COMMISSION</b></u>	<u>\$ 913,000</u>	<u>\$ 913,000</u>
9.31	<u>These appropriations are from the racing and</u>		
9.32	<u>card playing regulation accounts in the special</u>		
9.33	<u>revenue fund.</u>		
9.34	Sec. 17. <u><b>STATE LOTTERY</b></u>		

10.1	<u>Notwithstanding Minnesota Statutes, section</u>		
10.2	<u>349A.10, subdivision 3, the State Lottery's</u>		
10.3	<u>operating budget must not exceed \$35,000,000</u>		
10.4	<u>in fiscal year 2020 and \$36,500,000 in fiscal</u>		
10.5	<u>year 2021.</u>		
10.6	Sec. 18. <u>AMATEUR SPORTS COMMISSION</u>	\$ <u>341,000</u>	\$ <u>306,000</u>
10.7	Sec. 19. <u>COUNCIL FOR MINNESOTANS OF</u>		
10.8	<u>AFRICAN HERITAGE</u>	\$ <u>531,000</u>	\$ <u>532,000</u>
10.9	Sec. 20. <u>COUNCIL ON LATINO AFFAIRS</u>	\$ <u>519,000</u>	\$ <u>525,000</u>
10.10	Sec. 21. <u>COUNCIL ON ASIAN-PACIFIC</u>		
10.11	<u>MINNESOTANS</u>	\$ <u>510,000</u>	\$ <u>515,000</u>
10.12	Sec. 22. <u>INDIAN AFFAIRS COUNCIL</u>	\$ <u>853,000</u>	\$ <u>846,000</u>
10.13	Sec. 23. <u>MINNESOTA HISTORICAL</u>		
10.14	<u>SOCIETY</u>		
10.15	Subdivision 1. <u>Total Appropriation</u>	\$ <u>22,968,000</u>	\$ <u>23,518,000</u>
10.16	<u>The amounts that may be spent for each</u>		
10.17	<u>purpose are specified in the following</u>		
10.18	<u>subdivisions.</u>		
10.19	Subd. 2. <u>Operations and Programs</u>	<u>22,647,000</u>	<u>23,197,000</u>
10.20	<u>Notwithstanding Minnesota Statutes, section</u>		
10.21	<u>138.668, the Minnesota Historical Society may</u>		
10.22	<u>not charge a fee for its general tours at the</u>		
10.23	<u>Capitol, but may charge fees for special</u>		
10.24	<u>programs other than general tours.</u>		
10.25	Subd. 3. <u>Fiscal Agent</u>		
10.26	(a) <u>Global Minnesota</u>	<u>39,000</u>	<u>39,000</u>
10.27	(b) <u>Minnesota Air National Guard Museum</u>	<u>17,000</u>	<u>17,000</u>
10.28	(c) <u>Hockey Hall of Fame</u>	<u>100,000</u>	<u>100,000</u>
10.29	(d) <u>Farmamerica</u>	<u>115,000</u>	<u>115,000</u>
10.30	(e) <u>Minnesota Military Museum</u>	<u>50,000</u>	<u>50,000</u>
10.31	<u>Any unencumbered balance remaining in this</u>		
10.32	<u>subdivision the first year does not cancel but</u>		



12.1 section must not use more than ten percent of  
 12.2 the total grant for costs related to travel outside  
 12.3 the state of Minnesota.

12.4 **Sec. 25. MINNESOTA HUMANITIES**  
 12.5 **CENTER**

**\$ 700,000 \$ 700,000**

12.6 \$325,000 each year is for grants under  
 12.7 Minnesota Statutes, section 138.912. No more  
 12.8 than three percent of the appropriation may  
 12.9 be used for the nonprofit administration of the  
 12.10 program. \$325,000 in fiscal year 2022 and  
 12.11 \$325,000 in fiscal year 2023 are transferred  
 12.12 and added to the base of the Department of  
 12.13 Agriculture for grants under Minnesota  
 12.14 Statutes, section 138.912.

12.15 **Sec. 26. BOARD OF ACCOUNTANCY**

**\$ 694,000 \$ 675,000**

12.16 **Sec. 27. BOARD OF ARCHITECTURE**  
 12.17 **ENGINEERING, LAND SURVEYING,**  
 12.18 **LANDSCAPE ARCHITECTURE,**  
 12.19 **GEOSCIENCE, AND INTERIOR DESIGN**

**\$ 855,000 \$ 851,000**

12.20 **Sec. 28. BOARD OF COSMETOLOGIST**  
 12.21 **EXAMINERS**

**\$ 2,904,000 \$ 2,935,000**

12.22 **Sec. 29. BOARD OF BARBER EXAMINERS**

**\$ 343,000 \$ 343,000**

12.23 **Sec. 30. GENERAL CONTINGENT**  
 12.24 **ACCOUNTS**

**\$ 1,000,000 \$ 500,000**

12.25 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
12.26		
12.27 <u>General</u>	<u>500,000</u>	<u>-0-</u>
12.28 <u>State Government</u>		
12.29 <u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
12.30 <u>Workers'</u>		
12.31 <u>Compensation</u>	<u>100,000</u>	<u>100,000</u>

12.32 (a) The appropriations in this section may only  
 12.33 be spent with the approval of the governor  
 12.34 after consultation with the Legislative  
 12.35 Advisory Commission pursuant to Minnesota  
 12.36 Statutes, section 3.30.

13.1 (b) If an appropriation in this section for either  
 13.2 year is insufficient, the appropriation for the  
 13.3 other year is available for it.

13.4 (c) If a contingent account appropriation is  
 13.5 made in one fiscal year, it should be  
 13.6 considered a biennial appropriation.

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

13.8 These appropriations are to be spent by the  
 13.9 commissioner of management and budget  
 13.10 according to Minnesota Statutes, section  
 13.11 3.736, subdivision 7. If the appropriation for  
 13.12 either year is insufficient, the appropriation  
 13.13 for the other year is available for it.

13.14 **Sec. 32. MINNESOTA STATE RETIREMENT**  
 13.15 **SYSTEM**

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

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

13.20 **Subd. 2. Combined Legislators and**  
 13.21 **Constitutional Officers Retirement Plan** **9,111,000 9,151,000**

13.22 Under Minnesota Statutes, sections 3A.03,  
 13.23 subdivision 2; 3A.04, subdivisions 3 and 4;  
 13.24 and 3A.115.

13.25 If an appropriation in this section for either  
 13.26 year is insufficient, the appropriation for the  
 13.27 other year is available for it.

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

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

14.1 valuation prepared according to Minnesota

14.2 Statutes, section 356.214.

14.3 **Sec. 33. PUBLIC EMPLOYEES RETIREMENT**

14.4 **ASSOCIATION**

**\$**

**10,500,000**

**\$**

**15,000,000**

14.5 (a) \$4,500,000 the first year and \$9,000,000

14.6 the second year are for direct state aid to the

14.7 public employees police and fire retirement

14.8 plan authorized under Minnesota Statutes,

14.9 section 353.65, subdivision 3b.

14.10 (b) State payments from the general fund to

14.11 the Public Employees Retirement Association

14.12 on behalf of the former MERF division

14.13 account are \$6,000,000 on September 15,

14.14 2019, and \$6,000,000 on September 15, 2020.

14.15 These amounts are estimated to be needed

14.16 under Minnesota Statutes, section 353.505.

14.17 **Sec. 34. TEACHERS RETIREMENT**

14.18 **ASSOCIATION**

**\$**

**29,831,000**

**\$**

**29,831,000**

14.19 The amounts estimated to be needed are as

14.20 follows:

14.21 **Special Direct State Aid.** \$27,331,000 each

14.22 year is for special direct state aid authorized

14.23 under Minnesota Statutes, section 354.436.

14.24 **Special Direct State Matching Aid.**

14.25 \$2,500,000 each year is for special direct state

14.26 matching aid authorized under Minnesota

14.27 Statutes, section 354.435.

14.28 **Sec. 35. ST. PAUL TEACHERS RETIREMENT**

14.29 **FUND**

**\$**

**14,827,000**

**\$**

**14,827,000**

14.30 The amounts estimated to be needed for

14.31 special direct state aid to the first class city

14.32 teachers retirement fund association authorized

14.33 under Minnesota Statutes, section 354A.12,

14.34 subdivisions 3a and 3c.

15.1 **Sec. 36. MILITARY AFFAIRS**

15.2	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>24,197,000</u></b>	<b><u>\$</u></b>	<b><u>24,197,000</u></b>
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15.3 The amounts that may be spent for each  
 15.4 purpose are specified in the following  
 15.5 subdivisions.

15.6	<b><u>Subd. 2. Maintenance of Training Facilities</u></b>		<b><u>9,701,000</u></b>		<b><u>9,701,000</u></b>
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15.7	<b><u>Subd. 3. General Support</u></b>		<b><u>3,382,000</u></b>		<b><u>3,382,000</u></b>
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15.8 \$258,000 each year is for reintegration  
 15.9 activities. If the amount for fiscal year 2020  
 15.10 is insufficient, the amount for 2021 is available  
 15.11 in fiscal year 2020. Any unencumbered  
 15.12 balance does not cancel at the end of the first  
 15.13 year and is available for the second year.

15.14	<b><u>Subd. 4. Enlistment Incentives</u></b>		<b><u>11,114,000</u></b>		<b><u>11,114,000</u></b>
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15.15 The appropriations in this subdivision are  
 15.16 available until June 30, 2023, except that any  
 15.17 unspent amounts allocated to a program  
 15.18 otherwise supported by this appropriation are  
 15.19 canceled to the general fund upon receipt of  
 15.20 federal funds in the same amount to support  
 15.21 administration of that program.

15.22 If the amount for fiscal year 2020 is  
 15.23 insufficient, the amount for 2021 is available  
 15.24 in fiscal year 2020. Any unencumbered  
 15.25 balance does not cancel at the end of the first  
 15.26 year and is available for the second year.

15.27 **Sec. 37. VETERANS AFFAIRS**

15.28	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>75,691,000</u></b>	<b><u>\$</u></b>	<b><u>75,914,000</u></b>
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15.29 The amounts that may be spent for each  
 15.30 purpose are specified in the following  
 15.31 subdivisions.

- 16.1 Subd. 2. **Veterans Programs and Services** 17,930,000 18,153,000
- 16.2 (a) **CORE Program.** \$750,000 each year is
- 16.3 for the Counseling and Case Management
- 16.4 Outreach Referral and Education (CORE)
- 16.5 program.
- 16.6 (b) **Veterans Service Organizations.**
- 16.7 \$353,000 each year is for grants to the
- 16.8 following congressionally chartered veterans
- 16.9 service organizations as designated by the
- 16.10 commissioner: Disabled American Veterans,
- 16.11 Military Order of the Purple Heart, the
- 16.12 American Legion, Veterans of Foreign Wars,
- 16.13 Vietnam Veterans of America, AMVETS, and
- 16.14 Paralyzed Veterans of America. This funding
- 16.15 must be allocated in direct proportion to the
- 16.16 funding currently being provided by the
- 16.17 commissioner to these organizations.
- 16.18 (c) **Minnesota Assistance Council for**
- 16.19 **Veterans.** \$750,000 each year is for a grant
- 16.20 to the Minnesota Assistance Council for
- 16.21 Veterans to provide assistance throughout
- 16.22 Minnesota to veterans and their families who
- 16.23 are homeless or in danger of homelessness,
- 16.24 including assistance with the following:
- 16.25 (1) utilities;
- 16.26 (2) employment; and
- 16.27 (3) legal issues.
- 16.28 The assistance authorized under this paragraph
- 16.29 must be made only to veterans who have
- 16.30 resided in Minnesota for 30 days prior to
- 16.31 application for assistance and according to
- 16.32 other guidelines established by the
- 16.33 commissioner. In order to avoid duplication
- 16.34 of services, the commissioner must ensure that

17.1 this assistance is coordinated with all other  
17.2 available programs for veterans.

17.3 (d) State's Veterans Cemeteries. \$1,647,000  
17.4 in the first year and \$1,672,000 in the second  
17.5 year are for the state's veterans cemeteries.

17.6 (e) Honor Guards. \$200,000 each year is for  
17.7 compensation for honor guards at the funerals  
17.8 of veterans under Minnesota Statutes, section  
17.9 197.231.

17.10 (f) Minnesota GI Bill. \$200,000 each year is  
17.11 for the costs of administering the Minnesota  
17.12 GI Bill postsecondary educational benefits,  
17.13 on-the-job training, and apprenticeship  
17.14 program under Minnesota Statutes, section  
17.15 197.791.

17.16 (g) Gold Star Program. \$100,000 each year  
17.17 is for administering the Gold Star Program for  
17.18 surviving family members of deceased  
17.19 veterans.

17.20 (h) County Veterans Service Office.  
17.21 \$1,100,000 each year is for funding the  
17.22 County Veterans Service Office grant program  
17.23 under Minnesota Statutes, section 197.608.

17.24 Subd. 3. Veterans Health Care 57,761,000 57,761,000

17.25 (a) Transfers. These appropriations may be  
17.26 transferred to a veterans homes special  
17.27 revenue account in the special revenue fund  
17.28 in the same manner as other receipts are  
17.29 deposited according to Minnesota Statutes,  
17.30 section 198.34, and are appropriated to the  
17.31 commissioner of veterans affairs for the  
17.32 operation of veterans homes facilities and  
17.33 programs.

18.1 **(b) Report.** No later than January 15, 2020,  
 18.2 the commissioner must submit a report to the  
 18.3 legislative committees with jurisdiction over  
 18.4 veterans affairs and state government finance  
 18.5 on reserve amounts maintained in the veterans  
 18.6 homes special revenue account. The report  
 18.7 must detail current and historical amounts  
 18.8 maintained as a reserve, and uses of those  
 18.9 amounts. The report must also include data on  
 18.10 the utilization of existing veterans homes,  
 18.11 including current and historical bed capacity  
 18.12 and usage, staffing levels and staff vacancy  
 18.13 rates, and staff-to-resident ratios.

18.14 **(c) Maximize Federal Reimbursements.** The  
 18.15 department shall seek opportunities to  
 18.16 maximize federal reimbursements of  
 18.17 Medicare-eligible expenses and provide annual  
 18.18 reports to the commissioner of management  
 18.19 and budget on the federal Medicare  
 18.20 reimbursements received. Contingent upon  
 18.21 future federal Medicare receipts, reductions  
 18.22 to the homes' general fund appropriation may  
 18.23 be made.

18.24 Sec. 38. Laws 2018, chapter 100, section 1, is amended to read:

18.25 Section 1. **SENATE; APPROPRIATION.**

18.26 \$32,299,000 in fiscal year 2018 and ~~\$32,105,000~~ \$37,105,000 in fiscal year 2019 are  
 18.27 appropriated from the general fund to the senate.

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

19.1 Sec. 39. APPROPRIATION; SECRETARY OF STATE; COURT ORDERED  
 19.2 ATTORNEY FEES.

19.3 \$1,290,000 is appropriated in fiscal year 2019 from the general fund to the secretary of  
 19.4 state for the payment of attorney fees awarded by court order in *Minnesota Voters Alliance*  
 19.5 *v. Mansky*. This is a onetime appropriation.

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

19.7 Sec. 40. HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;  
 19.8 SECRETARY OF STATE.

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

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

19.15 (2) improving accessibility;

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

19.17 (4) implementing security improvements for election systems.

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

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

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

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

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

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

20.1 Sec. 41. CANCELLATIONS.

20.2 (a) \$220,000 from the information and telecommunications technology systems and  
 20.3 services account established under Minnesota Statutes, section 16E.21, is canceled to the  
 20.4 general fund by June 29, 2019.

20.5 (b) All unspent funds, estimated to be \$350,000, to provide grants to the veterans Journey  
 20.6 Home program in fiscal year 2019 under Laws 2017, First Special Session chapter 4, article  
 20.7 1, section 38, subdivision 2, are canceled to the general fund by June 29, 2019.

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

20.9 **ARTICLE 2**

20.10 **STATE GOVERNMENT OPERATIONS**

20.11 Section 1. Minnesota Statutes 2018, section 3.855, is amended by adding a subdivision  
 20.12 to read:

20.13 Subd. 5. **Information required.** The commissioner of management and budget must  
 20.14 submit to the Legislative Coordinating Commission the following information with the  
 20.15 submission of a collective bargaining agreement or compensation plan under subdivisions  
 20.16 2 and 3:

20.17 (1) for each agency and for each proposed agreement or plan, a comparison of biennial  
 20.18 compensation costs under the current agreement or plan to the projected biennial  
 20.19 compensation costs under the proposed agreement or plan, paid with funds appropriated  
 20.20 from the general fund;

20.21 (2) for each agency and for each proposed agreement or plan, a comparison of biennial  
 20.22 compensation costs under the current agreement or plan to the projected biennial  
 20.23 compensation costs under the proposed agreement or plan, paid with funds appropriated  
 20.24 from each fund other than the general fund;

20.25 (3) for each agency and for each proposed agreement or plan, an identification of the  
 20.26 amount of the additional biennial compensation costs that are attributable to salary and  
 20.27 wages and to the cost of nonsalary and nonwage benefits; and

20.28 (4) for each agency, for clauses (1) to (3), the impact of the aggregate of all agreements  
 20.29 and plans being submitted to the commission.

- 21.1 Sec. 2. **[3.8845] LEGISLATIVE COMMISSION ON HOUSING AFFORDABILITY.**
- 21.2 Subdivision 1. **Membership.** (a) The Legislative Commission on Housing Affordability
- 21.3 consists of:
- 21.4 (1) two senators appointed by the senate majority leader;
- 21.5 (2) two senators appointed by the senate minority leader;
- 21.6 (3) two representatives appointed by the speaker of the house; and
- 21.7 (4) two representatives appointed by the minority leader of the house of representatives.
- 21.8 (b) Each appointing authority must make appointments by January 31 of the regular
- 21.9 legislative session in the odd-numbered year.
- 21.10 Subd. 2. **Meetings.** The ranking senator from the majority party appointed to the
- 21.11 commission must convene the first meeting of a biennium by February 15 in the
- 21.12 odd-numbered year.
- 21.13 Subd. 3. **Terms; vacancies.** Members of the commission serve for terms beginning upon
- 21.14 appointment and ending at the beginning of the regular legislative session in the next
- 21.15 odd-numbered year. The appropriate appointing authority must fill a vacancy for a seat of
- 21.16 a current legislator for the remainder of the unexpired term.
- 21.17 Subd. 4. **Officers.** The commission must elect a chair and may elect other officers as it
- 21.18 determines are necessary at the first meeting of the commission in an odd-numbered year.
- 21.19 The chair alternates between a member of the senate and a member of the house of
- 21.20 representatives at the start of the regular legislative session in each odd-numbered year.
- 21.21 Subd. 5. **Staff.** The Legislative Coordinating Commission must provide administrative
- 21.22 and research assistance to the commission.
- 21.23 Subd. 6. **Duties.** The commission shall:
- 21.24 (1) define housing affordability and study issues relating to housing affordability and
- 21.25 the construction, preservation, and rehabilitation of owner-occupied and rental housing,
- 21.26 including subsidized housing, existing and future government regulations impacting housing
- 21.27 affordability, market forces impacting housing affordability, and access to homeownership;
- 21.28 (2) review and provide the legislature with research and analysis of emerging issues
- 21.29 affecting housing affordability and homeownership access, including but not limited to
- 21.30 construction work force, innovation, building practices, and building material costs;

22.1 (3) review and provide the legislature with research and analysis of policies to reduce  
 22.2 the homeownership equity gap; and

22.3 (4) review and make recommendations on legislative and rulemaking proposals positively  
 22.4 impacting personal housing affordability, access to homeownership, and other related barriers  
 22.5 to homeownership, especially with regard to first-time homebuyers and economically  
 22.6 disadvantaged buyers and renters.

22.7 Subd. 7. **Expiration.** This section expires June 30, 2023.

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

22.9 Sec. 3. Minnesota Statutes 2018, section 3.97, subdivision 3a, is amended to read:

22.10 Subd. 3a. **Evaluation topics.** ~~(a)~~ The commission shall periodically select topics for the  
 22.11 legislative auditor to evaluate. Topics may include any agency, program, or activity  
 22.12 established by law to achieve a state purpose, or any topic that affects the operation of state  
 22.13 government, ~~but~~. The commission shall give primary consideration to topics that are likely,  
 22.14 upon examination, to produce recommendations for cost savings, increased productivity,  
 22.15 or the elimination of duplication among public agencies. The commission shall also give  
 22.16 consideration to programs and statutory provisions that authorize grants, tax incentives, and  
 22.17 other inducements for economic development. Legislators and legislative committees may  
 22.18 suggest topics for evaluation, but the legislative auditor shall only conduct evaluations  
 22.19 approved by the commission.

22.20 ~~(b) The commission is requested to direct the auditor, in response to a suggestion from~~  
 22.21 ~~an individual legislator of an evaluation topic, to estimate the scope of the proposed~~  
 22.22 ~~evaluation and the time required to complete it. The estimate must be reported to the legislator~~  
 22.23 ~~who submitted the suggestion and to the commission. The commission must determine~~  
 22.24 ~~within 60 days of receiving the estimate whether to proceed with the suggested evaluation~~  
 22.25 ~~and must convey its decision to the legislator along with the reasons for its decision.~~

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

22.27 Sec. 4. Minnesota Statutes 2018, section 3.971, subdivision 9, is amended to read:

22.28 Subd. 9. **Obligation to notify the legislative auditor.** The chief executive, financial,  
 22.29 or information officers of an organization subject to audit under this section must promptly  
 22.30 notify the legislative auditor when the officer obtains information indicating that public  
 22.31 money or other public resources may have been used for an unlawful purpose, or when the  
 22.32 officer obtains information indicating that government data classified by chapter 13 as not

23.1 public may have been accessed ~~or used unlawfully~~ by or provided to a person without lawful  
 23.2 authorization. As necessary, the legislative auditor shall coordinate an investigation of the  
 23.3 allegation with appropriate law enforcement officials.

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

23.5 Sec. 5. **[5.50] EXECUTIVE ORDER LIST SERVE.**

23.6 The secretary of state shall maintain a list of e-mail addresses of people who have  
 23.7 requested to be notified when an executive order is filed with the secretary of state. The  
 23.8 secretary of state shall notify people on the list by e-mail within seven days of the filing of  
 23.9 an executive order.

23.10 Sec. 6. **[10.5805] HMONG SPECIAL GUERRILLA UNITS REMEMBRANCE DAY.**

23.11 May 14 of each year is designated as Hmong Special Guerilla Units Remembrance Day  
 23.12 in honor of Southeast Asians, Americans, and their allies who served, suffered, sacrificed,  
 23.13 or died in the Secret War in Laos during the Vietnam War in the years 1961 to 1975 in  
 23.14 support of the armed forces of the United States, and in recognition of the significance of  
 23.15 May 14, 1975, the last day that the overall American-trained Hmong command structure  
 23.16 over the Special Guerrilla Units in Laos was operational. At least 35,000 Hmong Special  
 23.17 Guerrilla soldiers lost their lives protecting trapped, lost, or captured American soldiers and  
 23.18 pilots in Laos and Vietnam. One-half of the Hmong population in Laos perished as a result  
 23.19 of the American Secret War in Laos. Ethnic Hmong men, women, and children in Laos  
 23.20 faced persecution and forced reeducation in seminar camps after their American support  
 23.21 ended. Despite the tremendous cost and sacrifices in the war, the Hmong remain proud to  
 23.22 stand by the values of freedom and justice that America symbolizes. Those who survived  
 23.23 escaped to western countries to start a new life. Each year, the governor shall issue a  
 23.24 proclamation honoring the observance.

23.25 Sec. 7. Minnesota Statutes 2018, section 13.599, is amended by adding a subdivision to  
 23.26 read:

23.27 Subd. 5. **State Arts Board.** Notwithstanding subdivision 3, responses submitted by a  
 23.28 grantee to the State Arts Board or to a regional arts council under chapter 129D become  
 23.29 public data at the public review meeting at which they are considered, except for trade secret  
 23.30 data as defined and classified in section 13.37.

24.1 Sec. 8. Minnesota Statutes 2018, section 15A.083, subdivision 6a, is amended to read:

24.2 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative  
 24.3 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the  
 24.4 assistant chief administrative law judge and administrative law judge supervisors are ~~93.60~~  
 24.5 100 percent of the salary of a chief district court judge. The salary of an administrative law  
 24.6 judge employed by the Office of Administrative Hearings is 98.52 percent of the salary of  
 24.7 a district court judge as set under section 15A.082, subdivision 3.

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

24.9 Sec. 9. Minnesota Statutes 2018, section 16C.055, subdivision 2, is amended to read:

24.10 Subd. 2. **Restriction.** An agency may not enter into a contract or otherwise agree with  
 24.11 a nongovernmental entity to receive total nonmonetary consideration valued at more than  
 24.12 \$100,000 annually in exchange for the agency providing nonmonetary consideration, unless  
 24.13 such an agreement is specifically authorized by law. This subdivision does not apply to the  
 24.14 State Lottery, optical fiber owned by the state as of July 1, 2019, or private aquaculture  
 24.15 businesses involved in state stocking contracts.

24.16 Sec. 10. Minnesota Statutes 2018, section 43A.10, is amended by adding a subdivision to  
 24.17 read:

24.18 **Subd. 2c. Managerial positions.** (a) The commissioner, and any applicable appointing  
 24.19 authority, must ensure that all hiring for classified positions identified as managerial under  
 24.20 section 43A.18, subdivision 3, is conducted through a fair and open process where all  
 24.21 candidates who meet the minimum qualifications for the position are considered. For  
 24.22 classified management positions filled through a competitive selection process, under no  
 24.23 circumstances may:

24.24 (1) the job requirements be altered to fit a particular candidate prior to the posting of a  
 24.25 position; or

24.26 (2) internal documents identify a particular candidate as the future holder of a position  
 24.27 prior to their official hiring.

24.28 (b) Notice of a vacant position subject to this section must be posted, and applications  
 24.29 must be accepted, for a period of no fewer than 21 days before the position is filled. Upon  
 24.30 request of an appointing authority, the commissioner may waive the requirements of this  
 24.31 paragraph. Notice of a waiver must be published in the State Register no more than 14 days  
 24.32 after the waiver is granted. The notice must describe the reason for the waiver.

25.1 (c) This subdivision does not apply to positions subject to more specific appointment  
 25.2 procedures under section 43A.15 or other applicable law, and does not restrict the authority  
 25.3 of the commissioner to limit or remove an applicant from consideration under subdivision  
 25.4 6a or 6b.

25.5 Sec. 11. Minnesota Statutes 2018, section 43A.15, subdivision 14, is amended to read:

25.6 Subd. 14. **On-the-job demonstration process and appointment.** (a) The commissioner  
 25.7 shall establish qualifying procedures for applicants whose disabilities are of such a ~~severe~~  
 25.8 significant nature that the applicants are unable to demonstrate their abilities in the selection  
 25.9 process. The qualifying procedures must consist of up to 700 hours on-the-job trial work  
 25.10 experience ~~for which the disabled person has the option of being paid or unpaid.~~ Up to three  
 25.11 persons with ~~severe~~ significant disabilities and their job coach may be allowed to demonstrate  
 25.12 their job competence as a unit through the on-the-job trial work experience selection  
 25.13 procedure. This on-the-job demonstration process must be limited to applicants for whom  
 25.14 there is no reasonable accommodation in the selection process.

25.15 (b) The commissioner may authorize the probationary appointment of an applicant based  
 25.16 on the request of the appointing authority that documents that the applicant has successfully  
 25.17 demonstrated qualifications for the position through completion of an on-the-job trial work  
 25.18 experience. The implementation of this subdivision may not be deemed a violation of chapter  
 25.19 43A or 363A.

25.20 Sec. 12. Minnesota Statutes 2018, section 43A.191, subdivision 2, is amended to read:

25.21 Subd. 2. **Agency affirmative action plans.** (a) The head of each agency in the executive  
 25.22 branch shall prepare and implement an agency affirmative action plan consistent with this  
 25.23 section and rules issued under section 43A.04, subdivision 3.

25.24 (b) The agency plan must include a plan for the provision of reasonable accommodation  
 25.25 in the hiring and promotion of qualified disabled persons. The reasonable accommodation  
 25.26 plan must consist of at least the following:

25.27 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,  
 25.28 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United  
 25.29 States Code, title 29, section 794, as amended through December 31, 1984, which is section  
 25.30 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,  
 25.31 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501  
 25.32 to 514;

26.1 (2) methods and procedures for providing reasonable accommodation for disabled job  
 26.2 applicants, current employees, and employees seeking promotion; ~~and~~

26.3 (3) provisions for funding reasonable accommodations; and

26.4 (4) the number of requests made, the number of requests approved, and the number of  
 26.5 requests reimbursed from the state accommodation account under section 16B.4805.

26.6 (c) The agency plan must be prepared by the agency head with the assistance of the  
 26.7 agency affirmative action officer and the director of diversity and equal employment  
 26.8 opportunity. The agency may consult with the Council on Disability ~~shall provide assistance~~  
 26.9 ~~with the agency reasonable accommodation plan,~~ vocational rehabilitation services, state  
 26.10 services for the blind, and other disability experts to review and make recommendations on  
 26.11 recruitment and retention of people with disabilities.

26.12 (d) The agency plan must identify any positions in the agency that can be used for  
 26.13 supported employment as defined in section 268A.01, subdivision 13, of persons with severe  
 26.14 disabilities. The agency shall report this information to the commissioner. An agency that  
 26.15 hires more than one supported worker in the identified positions must receive recognition  
 26.16 for each supported worker toward meeting the agency's affirmative action goals and  
 26.17 objectives.

26.18 (e) An agency affirmative action plan may not be implemented without the  
 26.19 commissioner's approval.

26.20 Sec. 13. Minnesota Statutes 2018, section 43A.191, subdivision 3, is amended to read:

26.21 Subd. 3. **Audits; sanctions and incentives.** (a) The commissioner shall annually audit  
 26.22 the record of each agency to determine the rate of compliance with affirmative action  
 26.23 requirements.

26.24 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on  
 26.25 affirmative action progress of each agency and the state as a whole to the governor and to  
 26.26 the Finance Committee of the senate, the Ways and Means Committee of the house of  
 26.27 representatives, the Governmental Operations Committees of both houses of the legislature,  
 26.28 and the Legislative Coordinating Commission. The report must include noncompetitive  
 26.29 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,  
 26.30 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.

26.31 (c) An agency that does not meet its hiring goals must justify its nonaffirmative action  
 26.32 hires in competitive appointments and noncompetitive appointments made under section  
 26.33 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions

- 27.1 3, 10, 12, and 13, according to criteria issued by the Department of Management and Budget.
- 27.2 ~~"Missed opportunity" includes failure to justify a nonaffirmative action hire. An agency~~
- 27.3 ~~must have 25 percent or less missed opportunities in competitive appointments and 25~~
- 27.4 ~~percent or less missed opportunities in appointments made under sections 43A.08,~~
- 27.5 ~~subdivisions 1, clauses (9), (11), and (16); and 2a; and 43A.15, subdivisions 3, 10, 12, and~~
- 27.6 ~~13.~~ In addition, an agency shall:
- 27.7 (1) demonstrate a good faith effort to recruit protected group members by following an
- 27.8 active recruitment plan;
- 27.9 (2) implement a coordinated retention plan; and
- 27.10 (3) have an established complaint resolution procedure.
- 27.11 (d) The commissioner shall develop reporting standards and procedures for measuring
- 27.12 compliance.
- 27.13 (e) An agency is encouraged to develop other innovative ways to promote awareness,
- 27.14 acceptance, and appreciation for diversity and affirmative action. These innovations will
- 27.15 be considered when evaluating an agency's compliance with this section.
- 27.16 (f) An agency not in compliance with affirmative action requirements of this section
- 27.17 must identify methods and programs to improve performance, to reallocate resources
- 27.18 internally in order to increase support for affirmative action programs, and to submit program
- 27.19 and resource reallocation proposals to the commissioner for approval. An agency must
- 27.20 submit these proposals within 120 days of being notified by the commissioner that it is out
- 27.21 of compliance with affirmative action requirements. The commissioner shall monitor
- 27.22 quarterly the affirmative action programs of an agency found to be out of compliance.
- 27.23 (g) The commissioner shall establish a program to recognize an agency that has made
- 27.24 significant and measurable progress in implementing an affirmative action plan.
- 27.25 (h) The commissioner must maintain and make available, on an annual basis, summary
- 27.26 data as defined in section 13.02, subdivision 19, on the percentage of members of each
- 27.27 protected group as defined in section 43A.02, subdivision 33, that were hired in the executive
- 27.28 branch in each of the federal Equal Employment Opportunity (EEO) occupational categories
- 27.29 applicable to state employment. Nothing in this provision, however, shall require any person
- 27.30 to disclose their protected group status, nor shall it require the commissioner or any
- 27.31 appointing authority to determine the protected group status of any person.

28.1 Sec. 14. Minnesota Statutes 2018, section 155A.25, subdivision 1a, is amended to read:

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

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

28.5 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

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

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

28.8 (2) \$115 renewal of practitioner license, divided as follows:

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

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

28.11 (3) \$145 renewal of manager or instructor license, divided as follows:

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

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

28.14 (4) \$350 initial salon license, divided as follows:

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

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

28.17 (5) \$225 renewal of salon license, divided as follows:

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

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

28.20 (6) \$4,000 initial school license, divided as follows:

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

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

28.23 (7) \$2,500 renewal of school license, divided as follows:

28.24 (i) \$2,000 for each renewal; and

28.25 (ii) \$500 for each renewal application fee.

28.26 (c) Penalties may be assessed in amounts up to the following:

28.27 (1) reinspection fee, \$150;

- 29.1 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 29.2 (3) expired practitioner or instructor found on inspection, \$200;
- 29.3 (4) expired salon found on inspection, \$500;
- 29.4 (5) expired school found on inspection, \$1,000;
- 29.5 (6) failure to display current license, \$100;
- 29.6 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 29.7 under section 155A.355, subdivision 1, \$500;
- 29.8 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 29.9 subdivision 2, \$500;
- 29.10 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 29.11 or cosmetology services in a nail salon, \$500;
- 29.12 (10) owner and manager allowing an operator to work as an independent contractor,
- 29.13 \$200;
- 29.14 (11) operator working as an independent contractor, \$100;
- 29.15 (12) refusal or failure to cooperate with an inspection, \$500;
- 29.16 (13) practitioner late renewal fee, \$45; and
- 29.17 (14) salon or school late renewal fee, \$50.
- 29.18 (d) Administrative fees are as follows:
- 29.19 (1) homebound service permit, \$50 three-year fee;
- 29.20 (2) name change, \$20;
- 29.21 (3) certification of licensure, \$30 each;
- 29.22 (4) duplicate license, \$20;
- 29.23 (5) special event permit, \$75 per year;
- 29.24 ~~(6) registration of hair braiders, \$20 per year;~~
- 29.25 ~~(7)~~ (6) \$100 for each temporary military license for a cosmetologist, nail technician,
- 29.26 esthetician, or advanced practice esthetician one-year fee;
- 29.27 ~~(8)~~ (7) expedited initial individual license, \$150;
- 29.28 ~~(9)~~ (8) expedited initial salon license, \$300;

- 30.1 ~~(10)~~ (9) instructor continuing education provider approval, \$150 each year; and
- 30.2 ~~(11)~~ (10) practitioner continuing education provider approval, \$150 each year.

30.3 Sec. 15. Minnesota Statutes 2018, section 155A.28, is amended by adding a subdivision

30.4 to read:

30.5 Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the

30.6 requirements of this chapter.

30.7 Sec. 16. Minnesota Statutes 2018, section 240A.09, is amended to read:

30.8 **240A.09 PLAN DEVELOPMENT; CRITERIA.**

30.9 The Minnesota Amateur Sports Commission shall develop a plan to promote the

30.10 development of proposals for new statewide public ice facilities including proposals for ice

30.11 centers and matching grants based on the criteria in this section.

30.12 (a) For ice center proposals, the commission will give priority to proposals that come

30.13 from more than one local government unit. Institutions of higher education are not eligible

30.14 to receive a grant.

30.15 (b) The commission must give priority to grant applications for indoor air quality

30.16 improvements and projects that eliminate R-22. For purposes of this section:

30.17 (1) "indoor air quality improvements" means: (i) renovation or replacement of heating,

30.18 ventilating, and air conditioning systems in existing indoor ice arenas whose ice resurfacing

30.19 and ice edging equipment are not powered by electricity in order to reduce concentrations

30.20 of carbon monoxide and nitrogen dioxide; and (ii) acquisition of zero-emission ice resurfacing

30.21 and ice edging equipment. The new or renovated systems may include continuous electronic

30.22 air monitoring devices to automatically activate the ventilation systems when the

30.23 concentration of carbon monoxide or nitrogen dioxide reaches a predetermined level; and

30.24 (2) "projects that eliminate R-22," means replacement of ice-making systems in existing

30.25 public facilities that use R-22 as a refrigerant, with systems that use alternative

30.26 non-ozone-depleting refrigerants.

30.27 (c) In the metropolitan area as defined in section 473.121, subdivision 2, the commission

30.28 is encouraged to give priority to the following proposals:

- 30.29 (1) proposals for construction of two or more ice sheets in a single new facility;
- 30.30 (2) proposals for construction of an additional sheet of ice at an existing ice center;

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

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

31.5 (d) The commission shall administer a site selection process for the ice centers. The  
31.6 commission shall invite proposals from cities or counties or consortia of cities. A proposal  
31.7 for an ice center must include matching contributions including in-kind contributions of  
31.8 land, access roadways and access roadway improvements, and necessary utility services,  
31.9 landscaping, and parking.

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

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

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

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

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

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

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

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

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

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

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

32.5 Sec. 17. Minnesota Statutes 2018, section 375.08, is amended to read:

32.6 **375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

32.7 When a vacancy occurs in the office of an elected county auditor, county treasurer,  
32.8 county recorder, sheriff, county attorney, county surveyor, or coroner, the county board  
32.9 shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon  
32.10 one day's notice from the chair or clerk, which shall be served personally upon each member  
32.11 in the same manner as a district court summons. The person appointed shall give the bond  
32.12 and take the oath required by law, and serve the remainder of the term, and until a successor  
32.13 qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the  
32.14 chief deputy or first assistant may perform all the duties and functions of the office until it  
32.15 is filled by appointment by the county board.

32.16 Sec. 18. Minnesota Statutes 2018, section 375A.10, subdivision 5, is amended to read:

32.17 Subd. 5. **Auditor-treasurer.** In any county exercising the option provided in subdivision  
32.18 2, clause (c), the office shall be known thereafter as the office of auditor-treasurer, if the  
32.19 office is to remain elective. If the board chooses to make the office of auditor-treasurer  
32.20 elective, and not require a referendum, it must act with the concurrence of at least 80 percent  
32.21 of its members.

32.22 In the exercise of this option, the county board shall direct which of the offices of auditor  
32.23 or treasurer shall be terminated for the purpose of providing for the election to the single  
32.24 office of auditor-treasurer. The duties, functions and responsibilities which have been  
32.25 heretofore and which shall hereafter be required by statute to be performed by the county  
32.26 auditor and the county treasurer shall be vested in and performed by the auditor-treasurer  
32.27 without diminishing, prohibiting or avoiding those specific duties required by statute to be  
32.28 performed by the county auditor and the county treasurer.

32.29 Nothing in this subdivision shall preclude the county from exercising the option to make  
32.30 the combined office of auditor-treasurer appointive as if it had been specifically enumerated  
32.31 in subdivision 2. If the combined office is to be appointive, a referendum under section  
32.32 375A.12 shall be necessary, except as provided by section 375A.1205.

33.1 If the combined office is to be elective, a referendum under section 375A.12 shall be  
33.2 necessary if:

33.3 (a) the county board requires a referendum; or

33.4 (b) a referendum is required by a petition of a number of voters equal to ten percent of  
33.5 those voting in the county at the last general election that is received by the county auditor  
33.6 within 30 days after the second publication of the board resolution that orders the  
33.7 combination.

33.8 The persons last elected to the positions of auditor and treasurer before adoption of the  
33.9 resolution shall serve in those offices and perform the duties of those offices until the  
33.10 completion of the terms to which they were elected.

33.11 Sec. 19. Minnesota Statutes 2018, section 375A.12, subdivision 2, is amended to read:

33.12 Subd. 2. **Form of government options.** Except as provided in section 375A.1205 or by  
33.13 special law, the options provided in sections 375A.01 to 375A.10 shall be adopted in any  
33.14 county only after an affirmative vote of the voters in the county on the question of the  
33.15 adoption of the option. Except as provided in section 375A.01, only one such plan may be  
33.16 submitted at any one election.

33.17 Sec. 20. **[375A.1205] APPOINTING COUNTY OFFICERS.**

33.18 Subdivision 1. Authority to appoint certain officers. A county board may appoint the  
33.19 county auditor, county treasurer, or county recorder under section 375A.10, subdivision 2,  
33.20 or the auditor-treasurer under section 375A.10, subdivision 5, by following the process  
33.21 outlined in this section. Notwithstanding section 375A.12, a referendum is not required if  
33.22 the appointment is made pursuant to this section. A county board shall only use the authority  
33.23 to appoint under the following circumstances:

33.24 (1) there is a vacancy in the office as provided in section 351.02;

33.25 (2) the current office holder has notified the county board that the officer will not file  
33.26 for the office, as provided in subdivision 2; or

33.27 (3) there is a signed contract with the county board and the incumbent auditor, treasurer,  
33.28 auditor-treasurer, or recorder that provides that the incumbent officer will be appointed to  
33.29 the position and retain tenure, pay, and benefits equal to or greater than length of service.

33.30 Subd. 2. **Responsibility of county officer.** At least 104 days before the filing date for  
33.31 office under section 204B.09, an elected county officer must notify the county board in

34.1 writing whether the officer will be filing for another term. If the officer indicates in writing  
 34.2 that the officer will not file for the office and the county board has passed a resolution under  
 34.3 subdivision 6, affidavits of candidacy will not be accepted for that office, and the office  
 34.4 will not be placed on the ballot.

34.5 Subd. 3. **Board controls; may change as long as duties done.** Upon adoption of a  
 34.6 resolution by the county board of commissioners and subject to subdivisions 5 and 6, the  
 34.7 duties of an elected official required by statute whose office is made appointive as authorized  
 34.8 by this section must be discharged by the county board of commissioners acting through a  
 34.9 department head appointed by the board for that purpose. Reorganization, reallocation,  
 34.10 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
 34.11 the discharge of duties required by statute.

34.12 Subd. 4. **Discharge or demotion.** (a) A county auditor, county treasurer, county  
 34.13 auditor-treasurer, or county recorder who was elected at the most recent election for that  
 34.14 office prior to a county board resolution to make the office an appointed position, and the  
 34.15 elected official is subsequently appointed by the county board to the office, may not be  
 34.16 involuntarily demoted or discharged except for incompetency or misconduct.

34.17 (b) Prior to demoting or discharging an office holder under this subdivision, the board  
 34.18 must notify the office holder in writing and state its grounds for the proposed demotion or  
 34.19 discharge in reasonable detail. Within ten days after receipt of this notification, the office  
 34.20 holder may make a written request for a hearing before an arbitrator and the request must  
 34.21 be granted before final action is taken. Failure to request a hearing before an arbitrator  
 34.22 during this period is considered acquiescence to the board's action. The board may suspend  
 34.23 an office holder with pay pending the conclusion of the hearing and determination of the  
 34.24 issues raised in the hearing after charges have been filed which constitute grounds for  
 34.25 demotion or discharge. If an office holder has been charged with a felony and the underlying  
 34.26 conduct that is the subject of the felony charge is grounds for a proposed discharge, the  
 34.27 suspension pending the conclusion of the hearing and determination of the issues may be  
 34.28 without pay. If a hearing under this subdivision is held, the board must reimburse the office  
 34.29 holder for any salary or compensation withheld if the final decision of the arbitrator does  
 34.30 not result in a penalty or discharge of the office holder.

34.31 (c) If the office holder and the board are unable to mutually agree on an arbitrator, the  
 34.32 board must request from the Bureau of Mediation Services a list of seven persons qualified  
 34.33 to serve as an arbitrator. If the office holder and the board are unable to mutually agree on  
 34.34 an arbitrator from the list provided, the parties shall alternately strike names from the list  
 34.35 until the name of one arbitrator remains. The person remaining after the striking procedure

35.1 must be the arbitrator. If the parties are unable to agree on who shall strike the first name,  
35.2 the question must be decided by a flip of a coin. The office holder and the board must share  
35.3 equally the costs and fees of the arbitrator except as set forth in paragraph (g).

35.4 (d) The arbitrator shall determine, by a preponderance of the evidence, whether the  
35.5 grounds for discharge or demotion exist to support the proposed discharge or demotion. A  
35.6 lesser penalty than demotion or discharge may be imposed by the arbitrator only to the  
35.7 extent that either party proposes such lesser penalty in the proceeding. In making the  
35.8 determination, the arbitration proceeding is governed by sections 572B.15 to 572B.28.

35.9 (e) An arbitration hearing conducted under this subdivision is a meeting for preliminary  
35.10 consideration of allegations or charges within the meaning of section 13D.05, subdivision  
35.11 3, paragraph (a), and must be closed, unless the office holder requests it to be open.

35.12 (f) The arbitrator's award is final and binding on the parties, subject to sections 572B.18  
35.13 to 572B.28.

35.14 (g) In the event the arbitrator rules not to demote or discharge the office holder, the  
35.15 board shall pay all of the costs and fees of the arbitrator and the attorney fees of the office  
35.16 holder.

35.17 Subd. 5. **Incumbents to complete term.** The person elected at the last general election  
35.18 to an office made appointive under this section must serve in that capacity and perform the  
35.19 duties, functions, and responsibilities required by statute until the completion of the term  
35.20 of office to which the person was elected, or until a vacancy occurs in the office, whichever  
35.21 occurs earlier.

35.22 Subd. 6. **Publishing resolution; petition; referendum.** (a) Before the adoption of the  
35.23 resolution to provide for the appointment of an office as described in subdivision 1, the  
35.24 county board must publish a proposed resolution notifying the public of its intent to consider  
35.25 the issue once each week, for two consecutive weeks, in the official publication of the  
35.26 county. Following publication and prior to formally adopting the resolution, the county  
35.27 board shall provide an opportunity at its next regular meeting for public comment relating  
35.28 to the issue. After the public comment opportunity, at the same meeting or a subsequent  
35.29 meeting, the county board of commissioners may adopt a resolution that provides for the  
35.30 appointment of the office or offices as permitted in this section. The resolution must be  
35.31 approved by at least 80 percent of the members of the county board. The resolution may  
35.32 take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a  
35.33 petition is filed as provided in paragraph (b).

36.1 (b) Except when an office is made appointive under subdivision 1, clause (3), within 30  
 36.2 days after the county board adopts the resolution, a petition requesting a referendum may  
 36.3 be filed with the county auditor. The petition must be signed by at least ten percent of the  
 36.4 registered voters of the county. The petition must meet the requirements of the secretary of  
 36.5 state, as provided in section 204B.071, and any rules adopted to implement that section. If  
 36.6 the petition is sufficient, the county board resolution is rescinded.

36.7 Subd. 7. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
 36.8 provide for the election of an office that was made an appointed position under this section,  
 36.9 but not until at least three years after the office was made an appointed position. The county  
 36.10 board must publish a proposed resolution notifying the public of its intent to consider the  
 36.11 issue once each week, for two consecutive weeks, in the official publication of the county.  
 36.12 Following publication and before formally adopting the resolution, the county board must  
 36.13 provide an opportunity at its next regular meeting for public comment relating to the issue.  
 36.14 After the public comment opportunity, at the same meeting or a subsequent meeting, the  
 36.15 county board of commissioners may adopt the resolution. The resolution must be approved  
 36.16 by at least 60 percent of the members of the county board and is effective August 1 following  
 36.17 adoption of the resolution.

36.18 (b) The question of whether an office that was made an appointed position under this  
 36.19 section must be made an elected office must be placed on the ballot at the next general  
 36.20 election if (1) the position has been an appointed position for at least three years; (2) a  
 36.21 petition signed by at least ten percent of the registered voters of the county is filed with the  
 36.22 office of the county auditor by August 1 of the year in which the general election is held;  
 36.23 and (3) the petition meets the requirements of the secretary of state, as provided in section  
 36.24 204B.071, and any rules adopted to implement that section. If a majority of the voters of  
 36.25 the county voting on the question vote in favor of making the office an elected position, the  
 36.26 election for that office must be held at the next regular or special election.

36.27 Sec. 21. Minnesota Statutes 2018, section 382.01, is amended to read:

36.28 **382.01 OFFICERS ELECTED; TERMS.**

36.29 In every county in this state there shall be elected at the general election in 1918 a county  
 36.30 auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

36.31 The terms of office of these officers shall be four years and shall begin on the first  
 36.32 Monday in January next succeeding their election. They shall hold office until their successors  
 36.33 are elected and qualified. Each of these offices shall ~~shall~~ must be filled by election every four

37.1 years thereafter, unless an office is consolidated with another county office or made  
 37.2 appointive under chapter 375A or other general or special law.

37.3 Sec. 22. Minnesota Statutes 2018, section 382.02, is amended to read:

37.4 **382.02 VACANCIES, HOW FILLED.**

37.5 Any appointment made to fill a vacancy in any of the offices named in section 382.01  
 37.6 that has not been made appointive under chapter 375A or other general or special law shall  
 37.7 be for the balance of such entire term, and be made by the county board.

37.8 Sec. 23. **INITIAL APPOINTMENTS.**

37.9 (a) Appointing authorities for the Legislative Commission on Housing Affordability  
 37.10 under Minnesota Statutes, section 3.8845, must make initial appointments by June 1, 2019,  
 37.11 to serve a term ending in January 2021.

37.12 (b) The speaker of the house must designate one member of the commission to convene  
 37.13 the first meeting of the commission by June 15, 2019. A member of the house of  
 37.14 representatives shall serve as the first chair of the commission. A member of the senate  
 37.15 shall serve as chair of the commission beginning in January 2021.

37.16 Sec. 24. **ADVISORY TASK FORCE ON STATE EMPLOYMENT AND RETENTION**  
 37.17 **OF EMPLOYEES WITH DISABILITIES.**

37.18 Subdivision 1. **Members.** (a) A task force on state employment and retention of  
 37.19 employees consists of the following ten members:

37.20 (1) a person serving on the Commission of the Deaf, Deafblind and Hard-of-Hearing,  
 37.21 appointed by the executive director of the commission;

37.22 (2) a person serving on the governor's Council on Developmental Disabilities, appointed  
 37.23 by the executive director;

37.24 (3) a person employed by the vocational rehabilitation services from within the  
 37.25 Department of Employment and Economic Development, appointed by the director of  
 37.26 vocational rehabilitation services;

37.27 (4) an employee of the State Services for the Blind from within the Department of  
 37.28 Employment and Economic Development, appointed by the director of the State Services  
 37.29 for the Blind;

38.1 (5) a person serving on the Minnesota Council on Disability, appointed by the executive  
 38.2 director of the council;

38.3 (6) an employee of the Office of Ombudsman for Mental Health and Developmental  
 38.4 Disabilities, appointed by the ombudsman;

38.5 (7) an employee of the Olmstead Implementation Office with the Minnesota Housing  
 38.6 Finance Agency, appointed by the executive director of the office;

38.7 (8) an employee of the MN.IT Office of Accessibility, appointed by the chief information  
 38.8 officer;

38.9 (9) a representative of A System of Technology to Achieve Results who is an employee  
 38.10 of the Department of Administration, appointed by the commissioner of administration;  
 38.11 and

38.12 (10) an employee of Minnesota Management and Budget, appointed by the commissioner  
 38.13 of management and budget.

38.14 (b) Appointing authorities must make their appointments by July 31, 2019.

38.15 Subd. 2. **Chair; convening authority; first meeting.** The governor shall appoint a chair  
 38.16 of the task force, who shall convene the first meeting by September 30, 2019.

38.17 Subd. 3. **Duties; timing.** The task force must submit a report to the chairs and ranking  
 38.18 minority members of the committees in the house of representatives and the senate with  
 38.19 jurisdiction over state government finance and policy, the chairs and ranking minority  
 38.20 members of the Finance Committee in the senate and the Committee on Ways and Means  
 38.21 in the house of representatives, and to the commissioner of management and budget on  
 38.22 strategies for attracting and retaining state employees with disabilities. The report must  
 38.23 include a proposal for any legislation necessary to implement recommendations of the task  
 38.24 force. The report must be submitted by January 15, 2021.

38.25 Subd. 4. **Administration.** The commissioner of management and budget shall provide  
 38.26 administrative support and meeting space to the task force.

38.27 Subd. 5. **Open meetings.** The meetings of the task force are subject to Minnesota Statutes,  
 38.28 chapter 13D.

38.29 Subd. 6. **Compensation.** Members may be compensated and reimbursed for expenses  
 38.30 as provided in Minnesota Statutes, section 15.059.

38.31 Subd. 7. **Sunset.** This section expires after the task force submits the report, as required  
 38.32 in subdivision 3, or February 16, 2021, whichever is later.

39.1 Sec. 25. MINNESOTA CENSUS 2020 MOBILIZATION.

39.2 Subdivision 1. Duty of commissioner of administration; grants and contracts. (a)

39.3 The commissioner of administration must, in collaboration with the Minnesota Census 2020  
39.4 Mobilization Partnership, facilitate the administration of a census mobilization program.  
39.5 The purpose of the program must be to increase the participation of Minnesotans in the  
39.6 2020 United States Census by implementing the outreach and mobilization activities  
39.7 described in subdivisions 2 to 5.

39.8 (b) At least 45 percent of any appropriation provided to the commissioner for the program  
39.9 required by this section must be allocated for a grant to the Minnesota Council on  
39.10 Foundations. The Minnesota Council on Foundations must use the grant to issue subgrants  
39.11 of up to \$5,000 to the identified fiscal hosts of any Minnesota-based complete count  
39.12 committees. To be eligible for a subgrant, a complete count committee must be registered  
39.13 with the United States Census Bureau and be a tribal nation, political subdivision, nonpartisan  
39.14 nonprofit community organization, or public or private college or university engaged in  
39.15 census mobilization work in Minnesota. The commissioner must advance up to 50 percent  
39.16 of the grant and the Minnesota Council on Foundations may advance all or a portion of a  
39.17 subgrant awarded under this section. Any appropriations not allocated for grants may be  
39.18 used by the commissioner to further implement the outreach and mobilization activities  
39.19 described in subdivisions 2 to 5 by contract or by directing the work of the office of the  
39.20 state demographer.

39.21 (c) The commissioner of administration may waive application of all or any portion of  
39.22 Minnesota Statutes, sections 16B.97 to 16B.991, in awarding grants; Minnesota Statutes,  
39.23 chapter 16C, in entering contracts; and Minnesota Statutes, chapter 16E, in purchasing  
39.24 technology systems and software under this section to facilitate the timely distribution of  
39.25 funds and to maximize the impact of the outreach and mobilization activities.  
39.26 Notwithstanding the waivers authorized by this paragraph, the commissioner may not waive  
39.27 application of policies or procedures designed to ensure diversity and the inclusion of  
39.28 traditionally underrepresented groups among grant recipients and contract vendors.

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

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

40.3 (1) initiatives to increase census response rates among households outside of the  
 40.4 11-county metropolitan area who receive mail through a post office box; and

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

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

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

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

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

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

40.20 (2) initiatives that engage historically undercounted communities and reduce census  
 40.21 participation gaps in these communities compared to Minnesota's historically high overall  
 40.22 census response rate.

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

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

40.29 Sec. 26. **LABOR AGREEMENTS AND COMPENSATION PLANS.**

40.30 Subdivision 1. **Minnesota Law Enforcement Association.** The labor agreement between  
 40.31 the state of Minnesota and the Minnesota Law Enforcement Association, submitted to the

41.1 Legislative Coordinating Commission Subcommittee on Employee Relations on April 5,  
 41.2 2019, is ratified.

41.3 Subd. 2. **Minnesota State Board of Investment salary administration plan.** The salary  
 41.4 administration plan for the Minnesota State Board of Investment, submitted to the Legislative  
 41.5 Coordinating Commission Subcommittee on Employee Relations on February 7, 2019, is  
 41.6 ratified.

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

41.8 Sec. 27. **REPEALER.**

41.9 Subdivision 1. **Hair braiding.** Minnesota Statutes 2018, section 155A.28, subdivisions  
 41.10 1, 3, and 4, are repealed.

41.11 Subd. 2. **Legislative auditor.** Minnesota Statutes 2018, section 3.9735, is repealed  
 41.12 effective the day following final enactment.

### 41.13 **ARTICLE 3**

#### 41.14 **STATE PAYMENTS TERMINOLOGY**

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

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

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

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

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

41.26 **16A.065 PREPAY SOFTWARE, SUBSCRIPTIONS, UNITED STATES**  
 41.27 **DOCUMENTS.**

41.28 Notwithstanding section 16A.41, subdivision 1, the commissioner may allow an agency  
 41.29 to make advance deposits or payments for software or software maintenance services for  
 41.30 state-owned or leased electronic data processing equipment, for information technology

42.1 hosting services, for sole source maintenance agreements where it is not cost-effective to  
42.2 pay in arrears, for exhibit booth space or boat slip rental when required by the renter to  
42.3 guarantee the availability of space, for registration fees where advance payment is required  
42.4 or advance payment discount is provided, ~~and~~ for newspaper, magazine, and other  
42.5 subscription fees, and other costs where advance payment discount is provided or are  
42.6 customarily paid for in advance. The commissioner may also allow advance deposits by  
42.7 any department with the Library of Congress and federal Supervisor of Documents for items  
42.8 to be purchased from those federal agencies.

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

42.10 Subd. 2a. **Procedure.** The commissioner shall see that the deduction for the withheld  
42.11 tax is made from an employee's pay on the payroll abstract. The commissioner shall approve  
42.12 one ~~warrant payable~~ payment to the commissioner for the total amount deducted on the  
42.13 abstract. Deductions from the pay of an employee paid direct by an agency shall be made  
42.14 by the employee's payroll authority. A later deduction must correct an error made on an  
42.15 earlier deduction. The paying authority shall see that a ~~warrant or check~~ payment for the  
42.16 deductions is promptly sent to the commissioner. The commissioner shall deposit the amount  
42.17 of the ~~warrant or check~~ payment to the credit of the proper federal authority or other person  
42.18 authorized by federal law to receive it.

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

42.20 Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior  
42.21 obligation. An obligation may not be incurred against any fund, allotment, or appropriation  
42.22 unless the commissioner has certified a sufficient unencumbered balance or the accounting  
42.23 system shows sufficient allotment or encumbrance balance in the fund, allotment, or  
42.24 appropriation to meet it. The commissioner shall determine when the accounting system  
42.25 may be used to incur obligations without the commissioner's certification of a sufficient  
42.26 unencumbered balance. An expenditure or obligation authorized or incurred in violation of  
42.27 this chapter is invalid and ineligible for payment until made valid. A payment made in  
42.28 violation of this chapter is illegal. An employee authorizing or making the payment, or  
42.29 taking part in it, and a person receiving any part of the payment, are jointly and severally  
42.30 liable to the state for the amount paid or received. If an employee knowingly incurs an  
42.31 obligation or authorizes or makes an expenditure in violation of this chapter or takes part  
42.32 in the violation, the violation is just cause for the employee's removal by the appointing  
42.33 authority or by the governor if an appointing authority other than the governor fails to do  
42.34 so. In the latter case, the governor shall give notice of the violation and an opportunity to

43.1 be heard on it to the employee and to the appointing authority. A claim presented against  
 43.2 an appropriation without prior allotment or encumbrance may be made valid on investigation,  
 43.3 review, and approval by the agency head in accordance with the commissioner's policy, if  
 43.4 the services, materials, or supplies to be paid for were actually furnished in good faith  
 43.5 without collusion and without intent to defraud. The commissioner may then ~~draw a warrant~~  
 43.6 ~~to~~ pay the claim just as properly allotted and encumbered claims are paid.

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

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

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

43.16 Subd. 3. **Section 7.19 16A.271 to apply.** The provisions of Minnesota Statutes ~~1944~~,  
 43.17 section ~~7.19~~ 16A.271, shall apply to deposits of securities made pursuant to this section.

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

43.19 **16A.40 WARRANTS AND ELECTRONIC FUND TRANSFERS.**

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

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

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

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

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

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

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

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

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

44.14 Subd. 4. **Work of department for another.** To avoid duplication and improve efficiency,  
44.15 the commissioner may direct an agency to do work for another agency or may direct a  
44.16 division or section of an agency to do work for another division or section within the same  
44.17 agency and shall require reimbursement for the work. Reimbursements received by an  
44.18 agency are reappropriated to the account making the original expenditure in accordance  
44.19 with the transfer ~~warrant~~ procedure established by the commissioner of management and  
44.20 budget.

44.21 Sec. 12. Minnesota Statutes 2018, section 16D.09, subdivision 1, is amended to read:

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

45.1 (b) Uncollectible debt must be reported by the state agency ~~along with the basis for that~~  
 45.2 ~~decision~~ as part of its quarterly reports to the commissioner of management and budget.  
 45.3 The basis for the determination of the uncollectibility of the debt must be maintained by  
 45.4 the state agency. If an uncollectible debt equals or exceeds \$100,000, the agency shall notify  
 45.5 the chairs and ranking minority members of the legislative committees with jurisdiction  
 45.6 over the state agency's budget at the time the debt is determined to be uncollectible. The  
 45.7 information reported shall contain the entity associated with the uncollected debt, the amount  
 45.8 of the debt, the revenue type, the reason the debt is considered uncollectible, and the duration  
 45.9 the debt has been outstanding. The commissioner of management and budget shall report  
 45.10 to the chairs and ranking minority members of the legislative committees with jurisdiction  
 45.11 over Minnesota Management and Budget an annual summary of the number and dollar  
 45.12 amount of debts determined to be uncollectible during the previous fiscal year by October  
 45.13 31 of each year. Determining that the debt is uncollectible does not cancel the legal obligation  
 45.14 of the debtor to pay the debt.

45.15 Sec. 13. Minnesota Statutes 2018, section 21.116, is amended to read:

45.16 **21.116 EXPENSES.**

45.17 All necessary expenses incurred in carrying out the provisions of sections 21.111 to  
 45.18 21.122 and the compensation of officers, inspectors, and employees appointed, designated,  
 45.19 or employed by the commissioner, as provided in such sections, together with their necessary  
 45.20 traveling expenses, together with the traveling expenses of the members of the advisory  
 45.21 seed potato certification committee, and other expenses necessary in attending committee  
 45.22 meetings, shall be paid from, and only from, the seed potato inspection account, on order  
 45.23 of the commissioner and commissioner of management and ~~budget's voucher warrant~~ budget.

45.24 Sec. 14. Minnesota Statutes 2018, section 80A.65, subdivision 9, is amended to read:

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

46.1 Sec. 15. Minnesota Statutes 2018, section 84A.23, subdivision 4, is amended to read:

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

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

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

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

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

46.16 (c) As to public drainage ditches wholly within a project, the amount of money paid to  
46.17 or for the benefit of the county under paragraph (b) must never exceed the principal and  
46.18 interest of the bonds issued to finance or refinance the ditches outstanding at the time of  
46.19 the passage and approval of sections 84A.20 to 84A.30, less money on hand in the county  
46.20 ditch fund to the credit of the ditches. The liabilities must be reduced from time to time by  
46.21 the amount of all payments of assessments after April 25, 1931, made by the owners of  
46.22 lands assessed before that date for benefits on account of the ditches.

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

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

47.5 Sec. 16. Minnesota Statutes 2018, section 84A.33, subdivision 4, is amended to read:

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

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

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

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

47.18 (b) On approving this certificate of the county auditor, the commissioner of management  
 47.19 and budget shall ~~draw a warrant~~ issue a payment, payable out of the fund provided for in  
 47.20 sections 84A.31 to 84A.42, and send it to the county treasurer of the county. These funds  
 47.21 must be credited to the proper ditch of the county and placed in the ditch bond fund of the  
 47.22 county, which is created, and used only to pay the ditch bonded indebtedness of the county  
 47.23 assumed by the state under sections 84A.31 to 84A.42. The total amount of ~~warrants drawn~~  
 47.24 payments issued must not exceed in any one year the total amount of the deficit provided  
 47.25 for under this section.

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

47.28 (d) As to public drainage ditches wholly within a project, the amount paid to, or for the  
 47.29 benefit of, the county under this subdivision must never exceed the principal and interest  
 47.30 of the bonds issued to finance or refinance a ditch outstanding on April 22, 1933, less money  
 47.31 on hand in the county ditch fund to the credit of a ditch. These liabilities must be reduced  
 47.32 from time to time by the amount of any payments of assessments extended after April 22,

48.1 1933, made by the owners of lands assessed before that date for benefits on account of the  
48.2 ditches.

48.3 As to public drainage ditches partly within and partly outside a project the amount paid  
48.4 from the fund pertaining to the project to or for the benefit of the county must never exceed  
48.5 a certain percentage of bonds issued to finance and refinance a ditch so outstanding, less  
48.6 money on hand in the county ditch fund to the credit of a ditch on April 22, 1932. The  
48.7 percentage must bear the same proportion to the whole amount of the bonds as the original  
48.8 benefits assessed against these lands within the project bear to the original total benefits  
48.9 assessed to the entire system for a ditch. This liability must be reduced from time to time  
48.10 by the payments of all assessments extended after April 22, 1933, made by the owners of  
48.11 lands within the project of assessments for benefits assessed before that date on account of  
48.12 a ditch.

48.13 Sec. 17. Minnesota Statutes 2018, section 84A.52, is amended to read:

48.14 **84A.52 ACCOUNTS; EXAMINATION, APPROPRIATION, PAYMENT.**

48.15 (a) As a part of the examination provided for by section 6.481, of the accounts of the  
48.16 several counties within a game preserve, area, or project established under section 84A.01,  
48.17 84A.20, or 84A.31, the state auditor shall segregate the audit of the accounts reflecting the  
48.18 receipt and disbursement of money collected or disbursed under this chapter or from the  
48.19 sale of tax-forfeited lands held by the state under section 84A.07, 84A.26, or 84A.36. The  
48.20 auditor shall also include in the reports required by section 6.481 summary statements as  
48.21 of December 31 before the examination that set forth the proportionate amount of principal  
48.22 and interest due from the state to the individual county and any money due the state from  
48.23 the county remaining unpaid under this chapter, or from the sale of any tax-forfeited lands  
48.24 referred to in this section, and other information required by the commissioner of management  
48.25 and budget. On receiving a report, the commissioner of management and budget shall  
48.26 determine the net amount due to the county for the period covered by the report and shall  
48.27 ~~draw a warrant~~ issue a payment upon the state treasury payable out of the consolidated fund  
48.28 for that amount. It must be paid to and received by the county as payment in full of all  
48.29 amounts due for the period stated on the ~~warrants~~ payments from the state under any  
48.30 provision of this chapter.

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

49.1 Sec. 18. Minnesota Statutes 2018, section 88.12, subdivision 1, is amended to read:

49.2 Subdivision 1. **Limitation.** The compensation and expenses of persons temporarily  
 49.3 employed in emergencies in suppression or control of wildfires shall be fixed by the  
 49.4 commissioner of natural resources or an authorized agent and paid as provided by law. Such  
 49.5 compensation shall not exceed the maximum rate for comparable labor established as  
 49.6 provided by law or rules, but shall not be subject to any minimum rate so established. The  
 49.7 commissioner is authorized to draw and expend from money appropriated for the purposes  
 49.8 of sections 88.03 to 88.22 a reasonable sum and through forest officers or other authorized  
 49.9 agent be used in paying emergency expenses, including just compensation for services  
 49.10 rendered by persons summoned and for private property used, damaged, or appropriated  
 49.11 under sections 88.03 to 88.22. The commissioner of management and budget is authorized  
 49.12 to ~~draw a warrant~~ issue a payment for this sum when duly approved by the commissioner.  
 49.13 The commissioner or agent in charge shall take proper subvouchers or receipts from all  
 49.14 persons to whom these moneys are paid, and after these subvouchers have been approved  
 49.15 they shall be filed with the commissioner of management and budget. Authorized funds as  
 49.16 herein provided at any time shall be deposited, subject to withdrawal or disbursement by  
 49.17 check or otherwise for the purposes herein prescribed, in a bank authorized and bonded to  
 49.18 receive state deposits; and the bond of this bank to the state shall cover and include this  
 49.19 deposit.

49.20 Sec. 19. Minnesota Statutes 2018, section 94.522, is amended to read:

49.21 **94.522 WARRANTS PAYMENTS TO COUNTY TREASURERS; USE OF**  
 49.22 **PROCEEDS.**

49.23 It shall be the duty of the commissioner of management and budget to transmit ~~warrants~~  
 49.24 on payments from the state treasury to the county treasurer of the respective counties for  
 49.25 the sums that may be due in accordance with section 94.521, which sums are hereby  
 49.26 appropriated out of the state treasury from the amounts received from the United States  
 49.27 government pursuant to the aforesaid acts of Congress, and such money shall be used by  
 49.28 the counties receiving the same for the purposes and in the proportions herein provided.

49.29 Sec. 20. Minnesota Statutes 2018, section 94.53, is amended to read:

49.30 **94.53 WARRANTS PAYMENTS TO COUNTY TREASURERS; FEDERAL**  
 49.31 **LOANS TO COUNTIES.**

49.32 It shall be the duty of the commissioner of management and budget to transmit ~~warrants~~  
 49.33 on payments from the state treasury to the county treasurers of the respective counties for

50.1 the sum that may be due in accordance with sections 94.52 to 94.54, which sum or sums  
 50.2 are hereby appropriated out of the state treasury from the amounts received from the United  
 50.3 States government pursuant to the aforesaid act of Congress. The commissioner of  
 50.4 management and budget, upon being notified by the federal government or any agencies  
 50.5 thereof that a loan has been made to any such county the repayment of which is to be made  
 50.6 from such fund, is authorized to transmit a ~~warrant or warrants~~ payment to the federal  
 50.7 government or any agency thereof sufficient to repay such loan out of any money apportioned  
 50.8 or due to such county under the provisions of such act of Congress, approved May 23, 1908  
 50.9 (Statutes at Large, volume 35, page 260).

50.10 Sec. 21. Minnesota Statutes 2018, section 116J.64, subdivision 7, is amended to read:

50.11 Subd. 7. **Processing.** (a) An Indian desiring a loan for the purpose of starting a business  
 50.12 enterprise or expanding an existing business shall make application to the appropriate tribal  
 50.13 government. The application shall be forwarded to the appropriate eligible organization, if  
 50.14 it is participating in the program, for consideration in conformity with the plans submitted  
 50.15 by said tribal governments. The tribal government may approve the application if it  
 50.16 determines that the loan would advance the goals of the Indian business loan program. If  
 50.17 the tribal government is not participating in the program, the agency may directly approve  
 50.18 or deny the loan application.

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

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

50.32 (d) On the placing of a loan, additional money equal to ten percent of the total amount  
 50.33 made available to any tribal government, eligible organization, or the agency, if it is  
 50.34 administering the loan, for loans during the fiscal year shall be paid to the tribal government,

51.1 eligible organization, or the agency, prior to December 31 for the purpose of financing  
51.2 administrative costs.

51.3 Sec. 22. Minnesota Statutes 2018, section 127A.34, subdivision 1, is amended to read:

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

51.10 Sec. 23. Minnesota Statutes 2018, section 127A.40, is amended to read:

51.11 **127A.40 MANNER OF PAYMENT OF STATE AIDS.**

51.12 It shall be the duty of the commissioner to deliver to the commissioner of management  
51.13 and budget a certificate for each district entitled to receive state aid under the provisions of  
51.14 this chapter. Upon the receipt of such certificate, it shall be the duty of the commissioner  
51.15 of management and budget to ~~draw a warrant in favor of~~ issue a payment to the district for  
51.16 the amount shown by each certificate to be due to the district. The commissioner of  
51.17 management and budget shall transmit such ~~warrants~~ payments to the district together with  
51.18 a copy of the certificate prepared by the commissioner.

51.19 Sec. 24. Minnesota Statutes 2018, section 136F.70, subdivision 3, is amended to read:

51.20 Subd. 3. **Refunds.** The board may make refunds to students for tuition, activity fees,  
51.21 union fees, and any other fees from imprest cash funds. The imprest cash fund shall be  
51.22 reimbursed periodically by ~~checks or warrants drawn on~~ payments issued from the funds  
51.23 and accounts to which the refund should ultimately be charged. The amounts necessary to  
51.24 pay the refunds are appropriated from the funds and accounts to which they are charged.

51.25 Sec. 25. Minnesota Statutes 2018, section 176.181, subdivision 2, is amended to read:

51.26 Subd. 2. **Compulsory insurance; self-insurers.** (a) Every employer, except the state  
51.27 and its municipal subdivisions, liable under this chapter to pay compensation shall insure  
51.28 payment of compensation with some insurance carrier authorized to insure workers'  
51.29 compensation liability in this state, or obtain a written order from the commissioner of  
51.30 commerce exempting the employer from insuring liability for compensation and permitting  
51.31 self-insurance of the liability. The terms, conditions and requirements governing

52.1 self-insurance shall be established by the commissioner pursuant to chapter 14. The  
52.2 commissioner of commerce shall also adopt, pursuant to paragraph (d), rules permitting  
52.3 two or more employers, whether or not they are in the same industry, to enter into agreements  
52.4 to pool their liabilities under this chapter for the purpose of qualifying as group self-insurers.  
52.5 With the approval of the commissioner of commerce, any employer may exclude medical,  
52.6 chiropractic and hospital benefits as required by this chapter. An employer conducting  
52.7 distinct operations at different locations may either insure or self-insure the other portion  
52.8 of operations as a distinct and separate risk. An employer desiring to be exempted from  
52.9 insuring liability for compensation shall make application to the commissioner of commerce,  
52.10 showing financial ability to pay the compensation, whereupon by written order the  
52.11 commissioner of commerce, on deeming it proper, may make an exemption. An employer  
52.12 may establish financial ability to pay compensation by providing financial statements of  
52.13 the employer to the commissioner of commerce. Upon ten days' written notice the  
52.14 commissioner of commerce may revoke the order granting an exemption, in which event  
52.15 the employer shall immediately insure the liability. As a condition for the granting of an  
52.16 exemption the commissioner of commerce may require the employer to furnish security the  
52.17 commissioner of commerce considers sufficient to insure payment of all claims under this  
52.18 chapter, consistent with subdivision 2b. If the required security is in the form of currency  
52.19 or negotiable bonds, the commissioner of commerce shall deposit it with the commissioner  
52.20 of management and budget. In the event of any default upon the part of a self-insurer to  
52.21 abide by any final order or decision of the commissioner of labor and industry directing and  
52.22 awarding payment of compensation and benefits to any employee or the dependents of any  
52.23 deceased employee, then upon at least ten days' notice to the self-insurer, the commissioner  
52.24 of commerce may by written order to the commissioner of management and budget require  
52.25 the commissioner of management and budget to sell the pledged and assigned securities or  
52.26 a part thereof necessary to pay the full amount of any such claim or award with interest  
52.27 thereon. This authority to sell may be exercised from time to time to satisfy any order or  
52.28 award of the commissioner of labor and industry or any judgment obtained thereon. When  
52.29 securities are sold the money obtained shall be deposited in the state treasury to the credit  
52.30 of the commissioner of commerce and awards made against any such self-insurer by the  
52.31 commissioner of commerce shall be paid to the persons entitled thereto by the commissioner  
52.32 of management and budget upon ~~warrants prepared~~ payments requested by the commissioner  
52.33 of commerce out of the proceeds of the sale of securities. Where the security is in the form  
52.34 of a surety bond or personal guaranty the commissioner of commerce, at any time, upon at  
52.35 least ten days' notice and opportunity to be heard, may require the surety to pay the amount  
52.36 of the award, the payments to be enforced in like manner as the award may be enforced.

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

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

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

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

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

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

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

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

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

53.29 Sec. 26. Minnesota Statutes 2018, section 176.581, is amended to read:

53.30 **176.581 PAYMENT TO STATE EMPLOYEES.**

53.31 Upon a ~~warrant~~ request prepared by the commissioner of administration, and in  
 53.32 accordance with the terms of the order awarding compensation, the commissioner of

54.1 management and budget shall pay compensation to the employee or the employee's  
54.2 dependent. These payments shall be made from money appropriated for this purpose.

54.3 Sec. 27. Minnesota Statutes 2018, section 176.591, subdivision 3, is amended to read:

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

54.7 Sec. 28. Minnesota Statutes 2018, section 192.55, is amended to read:

54.8 **192.55 PAYMENTS TO BE MADE THROUGH ADJUTANT GENERAL.**

54.9 All pay and allowances and necessary expenses for any of the military forces shall, when  
54.10 approved by the adjutant general, be paid by commissioner of management and ~~budget's~~  
54.11 ~~warrants issued~~ budget to the several officers and enlisted members entitled thereto; provided,  
54.12 that upon the request of the adjutant general, approved by the governor, the sum required  
54.13 for any such pay or allowances and necessary expenses shall be paid by commissioner of  
54.14 management and ~~budget's warrant~~ budget to the adjutant general, who shall immediately  
54.15 pay and distribute the same to the several officers or enlisted members entitled thereto or  
54.16 to their commanding officers or to a finance officer designated by the adjutant general. The  
54.17 receipt of any such commanding officer or finance officer for any such payment shall  
54.18 discharge the adjutant general from liability therefor. Every commanding officer or finance  
54.19 officer receiving any such payment shall, as soon as practicable, pay and distribute the same  
54.20 to the several officers or enlisted members entitled thereto. The officer making final payment  
54.21 shall, as evidence thereof, secure the signature of the person receiving the same upon a  
54.22 payroll or other proper voucher.

54.23 Sec. 29. Minnesota Statutes 2018, section 237.30, is amended to read:

54.24 **237.30 TELEPHONE INVESTIGATION FUND; APPROPRIATION.**

54.25 A Minnesota Telephone Investigation Fund shall exist for the use of the Department of  
54.26 Commerce and of the attorney general in investigations, valuations, and revaluations under  
54.27 section 237.295. All sums paid by the telephone companies to reimburse the department  
54.28 for its expenses pursuant to section 237.295 shall be credited to the revolving fund and shall  
54.29 be deposited in a separate bank account and not commingled with any other state funds or  
54.30 moneys, but any balance in excess of \$25,000 in the revolving fund at the end of each fiscal  
54.31 year shall be paid into the state treasury and credited to the general fund. All subsequent  
54.32 credits to said revolving fund shall be paid ~~upon the warrant of~~ by the commissioner of

55.1 management and budget upon application of the department or of the attorney general to  
 55.2 an aggregate amount of not more than one-half of such sums to each of them, which  
 55.3 proportion shall be constantly maintained in all credits and withdrawals from the revolving  
 55.4 fund.

55.5 Sec. 30. Minnesota Statutes 2018, section 244.19, subdivision 7, is amended to read:

55.6 Subd. 7. **Certificate of counties entitled to state aid.** On or before January 1 of each  
 55.7 year, until 1970 and on or before April 1 thereafter, the commissioner of corrections shall  
 55.8 deliver to the commissioner of management and budget a certificate in duplicate for each  
 55.9 county of the state entitled to receive state aid under the provisions of this section. Upon  
 55.10 the receipt of such certificate, the commissioner of management and budget shall ~~draw a~~  
 55.11 ~~warrant in favor of~~ issue a payment to the county treasurer for the amount shown by each  
 55.12 certificate to be due to the county specified. The commissioner of management and budget  
 55.13 shall transmit such ~~warrant~~ payment to the county treasurer together with a copy of the  
 55.14 certificate prepared by the commissioner of corrections.

55.15 Sec. 31. Minnesota Statutes 2018, section 256B.20, is amended to read:

55.16 **256B.20 COUNTY APPROPRIATIONS.**

55.17 The providing of funds necessary to carry out the provisions hereof on the part of the  
 55.18 counties and the manner of administering the funds of the counties and the state shall be as  
 55.19 follows:

55.20 (1) The board of county commissioners of each county shall annually set up in its budget  
 55.21 an item designated as the county medical assistance fund and levy taxes and fix a rate  
 55.22 therefor sufficient to produce the full amount of such item, in addition to all other tax levies  
 55.23 and tax rate, however fixed or determined, sufficient to carry out the provisions hereof and  
 55.24 sufficient to pay in full the county share of assistance and administrative expense for the  
 55.25 ensuing year; and annually on or before October 10 shall certify the same to the county  
 55.26 auditor to be entered by the auditor on the tax rolls. Such tax levy and tax rate shall make  
 55.27 proper allowance and provision for shortage in tax collections.

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

56.1 (3) Upon the order of the county agency the county auditor shall draw a warrant on the  
 56.2 proper fund in accordance with the order, and the county treasurer shall pay out the amounts  
 56.3 ordered to be paid out as medical assistance hereunder. When necessary by reason of failure  
 56.4 to levy sufficient taxes for the payment of the medical assistance in the county, the county  
 56.5 auditor shall carry any such payments as an overdraft on the medical assistance funds of  
 56.6 the county until sufficient tax funds shall be provided for such assistance payments. The  
 56.7 board of county commissioners shall include in the tax levy and tax rate in the year following  
 56.8 the year in which such overdraft occurred, an amount sufficient to liquidate such overdraft  
 56.9 in full.

56.10 (4) Claims for reimbursement and reports shall be presented to the state agency by the  
 56.11 respective counties as required under section 256.01, subdivision 2, paragraph (p). The state  
 56.12 agency shall audit such claims and certify to the commissioner of management and budget  
 56.13 the amounts due the respective counties without delay. The amounts so certified shall be  
 56.14 paid within ten days after such certification, from the state treasury upon ~~warrant~~ payment  
 56.15 of the commissioner of management and budget from any money available therefor. The  
 56.16 money available to the state agency to carry out the provisions hereof, including all federal  
 56.17 funds available to the state, shall be kept and deposited by the commissioner of management  
 56.18 and budget in the revenue fund and disbursed ~~upon warrants~~ in the same manner as other  
 56.19 state funds.

56.20 Sec. 32. Minnesota Statutes 2018, section 299C.21, is amended to read:

56.21 **299C.21 PENALTY ON LOCAL OFFICER REFUSING INFORMATION.**

56.22 If any public official charged with the duty of furnishing to the bureau fingerprint records,  
 56.23 biological specimens, reports, or other information required by sections 299C.06, 299C.10,  
 56.24 299C.105, 299C.11, 299C.17, shall neglect or refuse to comply with such requirement, the  
 56.25 bureau, in writing, shall notify the state, county, or city officer charged with the issuance  
 56.26 of ~~a warrant~~ for the payment of the salary of such official. Upon the receipt of the notice  
 56.27 the state, county, or city official shall withhold the issuance of ~~a warrant~~ for the payment  
 56.28 of the salary or other compensation accruing to such officer for the period of 30 days  
 56.29 thereafter until notified by the bureau that such suspension has been released by the  
 56.30 performance of the required duty.

56.31 Sec. 33. Minnesota Statutes 2018, section 352.04, subdivision 9, is amended to read:

56.32 Subd. 9. **Erroneous deductions, canceled ~~warrants~~ payments.** (a) Deductions taken  
 56.33 from the salary of an employee for the retirement fund in excess of required amounts must,

57.1 upon discovery and verification by the department making the deduction, be refunded to  
57.2 the employee.

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

57.9 (c) If erroneous employee deductions and employer contributions are caused by an error  
57.10 in plan coverage involving the plan and any other plans specified in section 356.99, that  
57.11 section applies. If the employee should have been covered by the plan governed by chapter  
57.12 352D, 353D, 354B, or 354D, the employee deductions and employer contributions taken  
57.13 in error must be directly transferred to the applicable employee's account in the correct  
57.14 retirement plan, with interest at the applicable monthly rate or rates specified in section  
57.15 356.59, subdivision 2, compounded annually, from the first day of the month following the  
57.16 month in which coverage should have commenced in the correct defined contribution plan  
57.17 until the end of the month in which the transfer occurs.

57.18 Sec. 34. Minnesota Statutes 2018, section 353.05, is amended to read:

57.19 **353.05 CUSTODIAN OF FUNDS.**

57.20 The commissioner of management and budget shall be ex officio treasurer of the  
57.21 retirement funds of the association and the general bond of the commissioner of management  
57.22 and budget to the state must be so conditioned as to cover all liability for acts as treasurer  
57.23 of these funds. All money of the association received by the commissioner of management  
57.24 and budget must be set aside in the state treasury to the credit of the proper fund or account.  
57.25 The commissioner of management and budget shall transmit monthly to the executive  
57.26 director a detailed statement of all amounts so received and credited to the funds. Payments  
57.27 out of the funds may only be made ~~on warrants~~ as payments issued by the commissioner of  
57.28 management and budget, upon abstracts signed by the executive director; provided that  
57.29 abstracts for investment may be signed by the executive director of the State Board of  
57.30 Investment.

57.31 Sec. 35. Minnesota Statutes 2018, section 354.42, subdivision 7, is amended to read:

57.32 Subd. 7. **Erroneous salary deductions or direct payments.** (a) Any deductions taken  
57.33 from the salary of an employee for the retirement fund in excess of amounts required must

58.1 be refunded to the employee upon the discovery of the error and after the verification of  
58.2 the error by the employing unit making the deduction. The corresponding excess employer  
58.3 contribution and excess additional employer contribution amounts attributable to the  
58.4 erroneous salary deduction must be refunded to the employing unit.

58.5 (b) If salary deductions and employer contributions were erroneously transmitted to the  
58.6 retirement fund and should have been transmitted to the plan covered by chapter 352D,  
58.7 353D, 354B, or 354D, the executive director must transfer these salary deductions and  
58.8 employer contributions to the account of the appropriate person under the applicable plan.  
58.9 The transfer to the applicable defined contribution plan account must include interest at the  
58.10 rate of 0.71 percent per month, compounded annually, from the first day of the month  
58.11 following the month in which coverage should have commenced in the defined contribution  
58.12 plan until the end of the month in which the transfer occurs.

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

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

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

58.31 (f) Any refund under this subdivision that would cause the plan to fail to be a qualified  
58.32 plan under section 401(a) of the Internal Revenue Code, as amended, may not be refunded  
58.33 and instead must be credited against future contributions payable by the employer. The  
58.34 employer is responsible for refunding to the applicable employee any amount that was

59.1 erroneously deducted from the salary of the employee, with interest as specified in paragraph  
59.2 (e).

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

59.6 Sec. 36. Minnesota Statutes 2018, section 401.15, subdivision 1, is amended to read:

59.7 Subdivision 1. **Certified statements; determinations; adjustments.** Within 60 days  
59.8 of the end of each calendar quarter, participating counties which have received the payments  
59.9 authorized by section 401.14 shall submit to the commissioner certified statements detailing  
59.10 the amounts expended and costs incurred in furnishing the correctional services provided  
59.11 in sections 401.01 to 401.16. Upon receipt of certified statements, the commissioner shall,  
59.12 in the manner provided in sections 401.10 and 401.12, determine the amount each  
59.13 participating county is entitled to receive, making any adjustments necessary to rectify any  
59.14 disparity between the amounts received pursuant to the estimate provided in section 401.14  
59.15 and the amounts actually expended. If the amount received pursuant to the estimate is greater  
59.16 than the amount actually expended during the quarter, the commissioner may withhold the  
59.17 difference from any subsequent monthly payments made pursuant to section 401.14. Upon  
59.18 certification by the commissioner of the amount a participating county is entitled to receive  
59.19 under the provisions of section 401.14 or of this subdivision the commissioner of  
59.20 management and budget shall thereupon issue a state-warrant payment to the chief fiscal  
59.21 officer of each participating county for the amount due together with a copy of the certificate  
59.22 prepared by the commissioner.

59.23 Sec. 37. Minnesota Statutes 2018, section 446A.16, subdivision 1, is amended to read:

59.24 Subdivision 1. **Functions of commissioner of management and budget.** Except as  
59.25 otherwise provided in this section, money of the authority must be paid to the commissioner  
59.26 of management and budget as agent of the authority and the commissioner shall not  
59.27 commingle the money with other money. The money in the accounts of the authority must  
59.28 be paid out only ~~on warrants drawn~~ by the commissioner of management and budget on  
59.29 requisition of the chair of the authority or of another officer or employee as the authority  
59.30 authorizes. Deposits of the authority's money must, if required by the commissioner or the  
59.31 authority, be secured by obligations of the United States or of the state of a market value  
59.32 equal at all times to the amount of the deposit and all banks and trust companies are  
59.33 authorized to give security for the deposits.

60.1 Sec. 38. Minnesota Statutes 2018, section 462A.18, subdivision 1, is amended to read:

60.2 Subdivision 1. **Functions of commissioner of management and budget.** All moneys  
 60.3 of the agency, except as otherwise authorized or provided in this section, shall be paid to  
 60.4 the commissioner of management and budget as agent of the agency, who shall not  
 60.5 commingle such moneys with any other moneys. The moneys in such accounts shall be  
 60.6 paid out ~~on warrants drawn~~ by the commissioner on requisition of the chair of the agency  
 60.7 or of such other officer or employee as the agency shall authorize to make such requisition.  
 60.8 All deposits of such moneys shall, if required by the commissioner or the agency, be secured  
 60.9 by obligations of the United States or of the state of a market value equal at all times to the  
 60.10 amount of the deposit and all banks and trust companies are authorized to give such security  
 60.11 for such deposits.

60.12 Sec. 39. Minnesota Statutes 2018, section 525.841, is amended to read:

60.13 **525.841 ESCHEAT RETURNED.**

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

60.24 Sec. 40. **REVISOR INSTRUCTION.**

60.25 The revisor of statutes shall replace, as the context requires, "warrant," "warrants," or  
 60.26 "warrant or check" with "payment" or "payments" in the following sections and subdivisions  
 60.27 of Minnesota Statutes: 15.0596; 16A.134; 16A.17, subdivision 5; 16A.42, subdivision 4;  
 60.28 16A.56; 43A.30, subdivision 2; 43A.49; 49.24, subdivisions 13 and 16; 69.031, subdivision  
 60.29 1; 84A.40; 126C.55, subdivisions 2 and 9; 126C.68, subdivision 3; 126C.69, subdivision  
 60.30 14; 136F.46, subdivision 1; 162.08, subdivisions 10 and 11; 162.14, subdivisions 4 and 5;  
 60.31 162.18, subdivision 4; 162.181, subdivision 4; 163.051, subdivision 3; 196.052; 198.16;  
 60.32 241.13, subdivision 1; 260B.331, subdivision 2; 260C.331, subdivision 2; 273.121,  
 60.33 subdivision 1; 287.08; 297I.10, subdivision 1; 348.05; 352.05; 352.115, subdivision 12;

61.1 352.12, subdivision 13; 353.27, subdivision 7; 354.52, subdivisions 4 and 4b; 446A.086,  
61.2 subdivision 4; and 475A.04, subdivision 1.

61.3 **ARTICLE 4**

61.4 **PRESIDENTIAL NOMINATION PRIMARY**

61.5 Section 1. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:

61.6 Subd. 4. **Public information lists.** The county auditor shall make available for inspection  
61.7 a public information list which must contain the name, address, year of birth, and voting  
61.8 history of each registered voter in the county. The list must not include the party choice of  
61.9 any voter who voted in ~~the most recent~~ a presidential nomination primary. The telephone  
61.10 number must be included on the list if provided by the voter. The public information list  
61.11 may also include information on voting districts. The county auditor may adopt reasonable  
61.12 rules governing access to the list. No individual inspecting the public information list shall  
61.13 tamper with or alter it in any manner. No individual who inspects the public information  
61.14 list or who acquires a list of registered voters prepared from the public information list may  
61.15 use any information contained in the list for purposes unrelated to elections, political  
61.16 activities, or law enforcement. The secretary of state may provide copies of the public  
61.17 information lists and other information from the statewide registration system for uses  
61.18 related to elections, political activities, or in response to a law enforcement inquiry from a  
61.19 public official concerning a failure to comply with any criminal statute or any state or local  
61.20 tax statute.

61.21 Before inspecting the public information list or obtaining a list of voters or other  
61.22 information from the list, the individual shall provide identification to the public official  
61.23 having custody of the public information list and shall state in writing that any information  
61.24 obtained from the list will not be used for purposes unrelated to elections, political activities,  
61.25 or law enforcement. Requests to examine or obtain information from the public information  
61.26 lists or the statewide registration system must be made and processed in the manner provided  
61.27 in the rules of the secretary of state.

61.28 Upon receipt of a statement signed by the voter that withholding the voter's name from  
61.29 the public information list is required for the safety of the voter or the voter's family, the  
61.30 secretary of state and county auditor must withhold from the public information list the  
61.31 name of a registered voter.

62.1 Sec. 2. Minnesota Statutes 2018, section 201.091, is amended by adding a subdivision to  
62.2 read:

62.3 Subd. 4a. **Presidential primary political party list.** The secretary of state must maintain  
62.4 a list of the voters who voted in a presidential nomination primary and the political party  
62.5 each voter selected. Information maintained on the list is private data on individuals as  
62.6 defined under section 13.02, subdivision 12, except that the secretary of state must provide  
62.7 the list to the chair of each major political party.

62.8 Sec. 3. Minnesota Statutes 2018, section 203B.121, subdivision 4, is amended to read:

62.9 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before  
62.10 the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated  
62.11 as needed in the manner provided in section 206.86, subdivision 5, initialed by the members  
62.12 of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot  
62.13 is enclosed in the ballot envelope, the ballots must be returned in the manner provided by  
62.14 section 204C.25 for return of spoiled ballots, and may not be counted.

62.15 Sec. 4. Minnesota Statutes 2018, section 204C.10, is amended to read:

62.16 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**  
62.17 **VOTER RECEIPT.**

62.18 (a) An individual seeking to vote shall sign a polling place roster or voter signature  
62.19 certificate which states that the individual is at least 18 years of age, a citizen of the United  
62.20 States, has resided in Minnesota for 20 days immediately preceding the election, maintains  
62.21 residence at the address shown, is not under a guardianship in which the court order revokes  
62.22 the individual's right to vote, has not been found by a court of law to be legally incompetent  
62.23 to vote or has the right to vote because, if the individual was convicted of a felony, the  
62.24 felony sentence has expired or been completed or the individual has been discharged from  
62.25 the sentence, is registered and has not already voted in the election. The roster must also  
62.26 state: "I understand that deliberately providing false information is a felony punishable by  
62.27 not more than five years imprisonment and a fine of not more than \$10,000, or both."

62.28 (b) At the presidential nomination primary, the polling place roster must also state: "I  
62.29 am in general agreement with the principles of the party for whose candidate I intend to  
62.30 vote, ~~and I understand that my choice of a party's ballot will be public information.~~" This  
62.31 statement must appear separately from the statements required in paragraph (a). The felony  
62.32 penalty provided for in paragraph (a) does not apply to this paragraph.

63.1 (c) A judge may, before the applicant signs the roster or voter signature certificate,  
63.2 confirm the applicant's name, address, and date of birth.

63.3 (d) After the applicant signs the roster or voter signature certificate, the judge shall give  
63.4 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in  
63.5 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to  
63.6 the voter the ballot. The voters' receipts must be maintained during the time for notice of  
63.7 filing an election contest.

63.8 (e) Whenever a challenged status appears on the polling place roster, an election judge  
63.9 must ensure that the challenge is concealed or hidden from the view of any voter other than  
63.10 the voter whose status is challenged.

63.11 Sec. 5. Minnesota Statutes 2018, section 207A.11, is amended to read:

63.12 **207A.11 PRESIDENTIAL NOMINATION PRIMARY ESTABLISHED.**

63.13 (a) A presidential nomination primary must be held each year in which a president and  
63.14 vice president of the United States are to be nominated and elected.

63.15 (b) The party chairs must jointly submit to the secretary of state, no later than March 1  
63.16 in a year prior to a presidential election year, the single date on which the parties have agreed  
63.17 to conduct the presidential nomination primary in the next year. The date selected must not  
63.18 be the date of the town general election provided in section 205.075, subdivision 1. If a date  
63.19 is not jointly submitted by the deadline, the presidential nomination primary must be held  
63.20 on the first Tuesday in March in the year of the presidential election. No other election may  
63.21 be conducted on the date of the presidential nomination primary.

63.22 (c) The secretary of state must adopt rules to implement the provisions of this chapter.  
63.23 The secretary of state shall consult with the party chairs throughout the rulemaking process,  
63.24 including seeking advice about possible rules before issuing a notice of intent to adopt rules,  
63.25 consultation before the notice of comment is published, consultation on the statement of  
63.26 need and reasonableness, consultation in drafting and revising the rules, and consultation  
63.27 regarding any modifications to the rule being considered.

63.28 (d) This chapter only applies to a major political party that selects delegates at the  
63.29 presidential nomination primary to send to a national convention. A major political party  
63.30 that does not participate in a national convention is not eligible to participate in the  
63.31 presidential nomination primary.

64.1 (e) For purposes of this chapter, "political party" or "party" means a major political party  
 64.2 as defined in section 200.02, subdivision 7, that is eligible to participate in the presidential  
 64.3 nomination primary.

64.4 Sec. 6. Minnesota Statutes 2018, section 207A.12, is amended to read:

64.5 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

64.6 (a) Except as otherwise provided by law, the presidential nomination primary must be  
 64.7 conducted, and the results canvassed and returned, in the manner provided by law for the  
 64.8 state primary.

64.9 (b) An individual seeking to vote at the presidential nomination primary must be  
 64.10 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the  
 64.11 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section  
 64.12 204C.18, subdivision 1, the election judge must record in the polling place roster the name  
 64.13 of the political party whose ballot the voter requested. When posting voter history pursuant  
 64.14 to section 201.171, the county auditor must include the name of the political party whose  
 64.15 ballot the voter requested. ~~The voter instruction posters, pamphlets, and other informational~~  
 64.16 ~~materials prepared for a presidential primary by the secretary of state pursuant to section~~  
 64.17 ~~204B.27 must include information about the requirements of this paragraph, including a~~  
 64.18 ~~notice that the voter's choice of a political party's ballot will be recorded and is public~~  
 64.19 ~~information.~~ The political party ballot selected by a voter is private data on individuals as  
 64.20 defined under section 13.02, subdivision 12, except as provided in section 201.091,  
 64.21 subdivision 4a.

64.22 (c) Immediately after the state canvassing board declares the results of the presidential  
 64.23 nomination primary, the secretary of state must notify the chair of each party of the results.

64.24 (d) The results of the presidential nomination primary must bind the election of delegates  
 64.25 in each party.

64.26 Sec. 7. Minnesota Statutes 2018, section 207A.14, subdivision 2, is amended to read:

64.27 Subd. 2. **Sample Example ballots.** No later than 70 days before the presidential  
 64.28 nomination primary, the secretary of state must supply each county auditor with ~~sample~~  
 64.29 example ballots to be used at the presidential nomination primary. The ~~sample~~ example  
 64.30 ballots must illustrate the format required for the ballots used in the presidential nomination  
 64.31 primary.

65.1 Sec. 8. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:

65.2 Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the  
 65.3 counties and municipalities for expenses incurred in the administration of the presidential  
 65.4 nomination primary from money contained in the presidential nomination primary elections  
 65.5 account. The following expenses are eligible for reimbursement: preparation and printing  
 65.6 of ballots; postage for absentee ballots; publication of the sample ballot; preparation of  
 65.7 polling places in an amount not to exceed \$150 per polling place; preparation of electronic  
 65.8 voting systems in an amount not to exceed \$100 per precinct; compensation for temporary  
 65.9 staff or overtime payments; salaries of election judges; ~~and~~ compensation of county  
 65.10 canvassing board members; and other expenses as approved by the secretary of state.

65.11 (b) Within 60 days after the results of a presidential nomination primary are certified  
 65.12 by the State Canvassing Board, the county auditor must submit a request for payment of  
 65.13 the costs incurred by the county for conducting the presidential nomination primary, and  
 65.14 the municipal clerk must submit a request for payment of the costs incurred by the  
 65.15 municipality for conducting the presidential nomination primary. The request for payment  
 65.16 must be submitted to the secretary of state, and must be accompanied by an itemized  
 65.17 description of actual county or municipal expenditures, including copies of invoices. In  
 65.18 addition, the county auditor or municipal clerk must certify that the request for reimbursement  
 65.19 is based on actual costs incurred by the county or municipality in the presidential nomination  
 65.20 primary.

65.21 (c) The secretary of state shall provide each county and municipality with the appropriate  
 65.22 forms for requesting payment and certifying expenses under this subdivision. The secretary  
 65.23 of state must not reimburse expenses unless the request for payment and certification of  
 65.24 costs has been submitted as provided in this subdivision. The secretary of state must complete  
 65.25 the issuance of reimbursements to the counties and municipalities no later than 90 days after  
 65.26 the results of the presidential nomination primary have been certified by the State Canvassing  
 65.27 Board.

## 65.28 ARTICLE 5

### 65.29 INFORMATION TECHNOLOGY

65.30 Section 1. [3.199] ACCESSIBILITY IN THE LEGISLATURE'S INFORMATION  
 65.31 TECHNOLOGY.

65.32 Subdivision 1. Definitions. (a) For purposes of this section, the following term has the  
 65.33 meaning given.

66.1 (b) "Responsible authority" means:

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

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

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

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

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

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

66.8 (7) for any entity administered by the legislative branch not listed in clauses (1) to (6),

66.9 the director of the Legislative Coordinating Commission.

66.10 Subd. 2. **Accessibility standards; compliance.** The senate, the house of representatives,

66.11 and joint legislative offices and commissions must comply with accessibility standards

66.12 adopted for state agencies by the chief information officer under section 16E.03, subdivision

66.13 9, for technology, software, and hardware procurement, unless the responsible authority for

66.14 a legislative body or office has approved an exception for a standard for that body or office.

66.15 Subd. 3. **Not subject to MN.IT authority.** The chief information officer is not authorized

66.16 to manage or direct compliance of the legislature with accessibility standards.

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

66.18 Sec. 2. Minnesota Statutes 2018, section 16E.03, subdivision 1, is amended to read:

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

66.21 (b) "Information and telecommunications technology systems and services" means all  
66.22 computing and telecommunications hardware and software, the activities undertaken to  
66.23 secure that hardware and software, and the activities undertaken to acquire, transport, process,  
66.24 analyze, store, and disseminate information electronically. "Information and  
66.25 telecommunications technology systems and services" includes all proposed expenditures  
66.26 for computing and telecommunications hardware and software, security for that hardware  
66.27 and software, and related consulting or other professional services.

66.28 (c) "Information and telecommunications technology project" means an effort to acquire  
66.29 or produce information and telecommunications technology systems and services.

66.30 (d) "Telecommunications" means voice, video, and data electronic transmissions  
66.31 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

67.1 (e) "Cyber security" means the protection of data and systems in networks connected to  
67.2 the Internet.

67.3 (f) "State agency" means an agency in the executive branch of state government and  
67.4 includes the Minnesota Office of Higher Education, but does not include the Minnesota  
67.5 State Colleges and Universities unless specifically provided elsewhere in this chapter.

67.6 (g) "Total expected project cost" includes direct staff costs, all supplemental contract  
67.7 staff and vendor costs, and costs of hardware and software development or purchase.  
67.8 Breaking a project into several phases does not affect the cost threshold, which must be  
67.9 computed based on the full cost of all phases.

67.10 (h) "Cloud computing" has the meaning described by the National Institute of Standards  
67.11 and Technology of the United States Department of Commerce in special publication  
67.12 800-145, September 2011.

67.13 Sec. 3. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to  
67.14 read:

67.15 Subd. 4a. **Cloud computing services.** The project evaluation procedure required by  
67.16 subdivision 4 must include a review of cloud computing service options, including any  
67.17 security benefits and cost savings associated with purchasing those service options from a  
67.18 cloud computing service provider.

67.19 Sec. 4. Minnesota Statutes 2018, section 16E.03, is amended by adding a subdivision to  
67.20 read:

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

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

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

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

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

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

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

68.2 Sec. 5. **LEGISLATIVE EMPLOYEE WORKING GROUP ON THE**  
68.3 **LEGISLATURE'S ACCESSIBILITY MEASURES.**

68.4 Subdivision 1. **Membership.** The legislative employee working group on the legislature's  
68.5 accessibility measures consists of 12 members. The senate majority leader and the speaker  
68.6 of the house must each appoint four employees from among the following offices that serve  
68.7 the respective bodies: media offices, information technology offices, legal and fiscal analysis  
68.8 offices, the secretary of the senate, the chief clerk of the house of representatives, and other  
68.9 offices considered appropriate. The chair of the Legislative Coordinating Commission must  
68.10 appoint four members from among the employees who serve in the Office of the Revisor  
68.11 of Statutes, the Legislative Reference Library, the Legislative Coordinating Commission,  
68.12 and the Office of the Legislative Auditor. In conducting its work, the working group may  
68.13 consult with the MN.IT Office of Accessibility; the Commission of Deaf, Deafblind and  
68.14 Hard of Hearing; the Minnesota Council on Disability; State Services for the Blind; and  
68.15 other groups that may be of assistance. Appointments to the working group must be made  
68.16 by July 1, 2021.

68.17 Subd. 2. **Duties; report.** (a) The employee working group must submit a report to the  
68.18 chairs and ranking minority members of the legislative committees with jurisdiction over  
68.19 rules and to the chair and vice-chair of the Legislative Coordinating Commission by January  
68.20 15, 2023. The report must:

68.21 (1) identify ways the legislature's accessibility measures do not meet accessibility  
68.22 standards applicable to state agencies under Minnesota Statutes, section 16E.03, subdivision  
68.23 9;

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

68.25 (3) suggest a compliance exception process;

68.26 (4) describe a plan to update the legislature's accessibility measures to be comparable  
68.27 to those required of state agencies under Minnesota Statutes, section 16E.03, subdivision  
68.28 9; and

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

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

69.1 Subd. 3. **First meeting; chair.** The executive director of the Legislative Coordinating  
 69.2 Commission must convene the first meeting of the working group by August 15, 2021. At  
 69.3 the first meeting, the members must elect a chair.

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

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

69.8 Subd. 6. **Expiration.** The working group expires January 15, 2023, or a later date selected  
 69.9 by agreement of the appointing authorities in subdivision 1, but not later than January 15,  
 69.10 2028.

69.11 **EFFECTIVE DATE.** This section is effective June 1, 2021.

## 69.12 **ARTICLE 6**

### 69.13 **VETERANS AND MILITARY AFFAIRS POLICY**

69.14 Section 1. **[10.576] POW AND MIA RECOGNITION DAY.**

69.15 The third Friday in September of each year is designated as Prisoners of War (POW)  
 69.16 and Missing in Action (MIA) Recognition Day to honor and recognize the courage and  
 69.17 sacrifices of individuals from Minnesota who have been prisoners of war or who are missing  
 69.18 in action. Each year, the governor shall issue a proclamation honoring this observance.

69.19 Sec. 2. **[10.578] VETERANS SUICIDE AWARENESS DAY.**

69.20 The first Saturday of every October is designated Veterans Suicide Awareness Day.  
 69.21 Each year, the governor shall issue a proclamation honoring this observance.

69.22 Sec. 3. **[10.597] AMERICAN ALLIES DAY.**

69.23 (a) June 30 of each year is designated American Allies Day for the purpose of honoring  
 69.24 foreign-born persons who fought in conflicts around the world on behalf of and alongside  
 69.25 the United States armed forces.

69.26 (b) Each year the governor shall issue a proclamation honoring this observance.

69.27 (c) Schools are encouraged to offer instruction on the role of America's allies during its  
 69.28 military conflicts, including but not limited to sharing the stories of those who fought for  
 69.29 freedom and democracy against tyranny and despotism with special emphasis on those who

70.1 fought on behalf of American allies or alongside American armed forces and later emigrated  
 70.2 to Minnesota.

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

70.4 Sec. 4. Minnesota Statutes 2018, section 196.05, subdivision 1, is amended to read:

70.5 Subdivision 1. **General duties.** The commissioner shall:

70.6 (1) act as the agent of a resident of the state having a claim against the United States for  
 70.7 benefits arising out of or by reason of service in the armed forces and prosecute the claim  
 70.8 without charge;

70.9 (2) act as custodian of veterans' bonus records;

70.10 (3) administer the laws relating to the providing of bronze flag holders at veterans' graves  
 70.11 for memorial purposes;

70.12 (4) administer the laws relating to recreational or rest camps for veterans so far as  
 70.13 applicable to state agencies;

70.14 (5) administer the state soldiers' assistance fund and veterans' relief fund and other funds  
 70.15 appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation  
 70.16 of veterans;

70.17 (6) cooperate with national, state, county, municipal, and private social agencies in  
 70.18 securing to veterans and their dependents the benefits provided by national, state, and county  
 70.19 laws, municipal ordinances, or public and private social agencies;

70.20 (7) provide necessary assistance where other adequate aid is not available to the dependent  
 70.21 family of a veteran while the veteran is hospitalized and after the veteran is released for as  
 70.22 long a period as is necessary as determined by the commissioner;

70.23 (8) cooperate with United States governmental agencies providing compensation,  
 70.24 pensions, insurance, or other benefits provided by federal law, by supplementing the benefits  
 70.25 prescribed therein, when conditions in an individual case make it necessary;

70.26 (9) assist dependent family members of military personnel who are called from reserve  
 70.27 status to extended federal active duty during a time of war or national emergency through  
 70.28 the state soldiers' assistance fund provided by section 197.03;

70.29 (10) exercise other powers as ~~may be~~ authorized and necessary to carry out the provisions  
 70.30 ~~of this chapter and chapter~~ chapters 197, consistent with that chapter and 198;

71.1 (11) provide information, referral, and counseling services to those veterans who may  
 71.2 have suffered adverse health conditions as a result of possible exposure to chemical agents;  
 71.3 and

71.4 (12) in coordination with the Minnesota Association of County Veterans Service Officers,  
 71.5 develop a written disclosure statement for use by private providers of veterans benefits  
 71.6 services as required under section 197.6091. At a minimum, the written disclosure statement  
 71.7 shall include a signature line, contact information for the department, and a statement that  
 71.8 veterans benefits services are offered at no cost by federally chartered veterans service  
 71.9 organizations and by county veterans service officers.

71.10 Sec. 5. Minnesota Statutes 2018, section 197.603, subdivision 2, is amended to read:

71.11 Subd. 2. **Records; data privacy.** Pursuant to chapter 13 the county veterans service  
 71.12 officer is the responsible authority with respect to all records in the officer's custody. The  
 71.13 data on clients' applications for assistance is private data on individuals, as defined in section  
 71.14 13.02, subdivision 12. The county veterans service officer may disclose to the county or  
 71.15 local assessor private data necessary to determine a client's eligibility for the disabled  
 71.16 veteran's homestead market value exclusion under section 273.13, subdivision 34.

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

71.18 Sec. 6. Minnesota Statutes 2018, section 273.1245, subdivision 2, is amended to read:

71.19 Subd. 2. **Disclosure.** The assessor shall disclose the data described in subdivision 1 to  
 71.20 the commissioner of revenue as provided by law. The assessor shall also disclose all or  
 71.21 portions of the data described in subdivision 1 to:

71.22 (1) the county treasurer solely for the purpose of proceeding under the Revenue Recapture  
 71.23 Act to recover personal property taxes owing; and

71.24 (2) the county veterans service officer for the purpose of determining a person's eligibility  
 71.25 for the disabled veteran's homestead market value exclusion under section 273.13, subdivision  
 71.26 34.

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

72.1 Sec. 7. Laws 2016, chapter 189, article 13, section 64, is amended to read:

72.2 Sec. 64. **MEMORIAL COMMEMORATING RECIPIENTS OF THE MEDAL OF**  
72.3 **HONOR.**

72.4 Subdivision 1. **Medal of Honor Memorial on the State Capitol grounds.** Subject to  
72.5 approval by the Capitol Area Architectural and Planning Board, the commissioner of  
72.6 administration shall place a memorial on the State Capitol grounds to honor Minnesotans  
72.7 awarded the Medal of Honor.

72.8 Subd. 2. **Gifts and grants.** The commissioner of veterans affairs may solicit gifts, grants,  
72.9 or donations of any kind from any private or public source to carry out the purposes of this  
72.10 section. A Medal of Honor Memorial account is created in the special revenue fund. The  
72.11 account consists of money transferred by law to the account and any other money donated,  
72.12 gifted, granted, allotted, or otherwise provided to the account. All gifts, grants, or donations  
72.13 received by the commissioner shall be deposited in a Medal of Honor Memorial account in  
72.14 the special revenue fund. Money in the account is annually appropriated to the commissioner  
72.15 of administration for predesign, design, construction, and ongoing maintenance of the  
72.16 memorial.

72.17 ~~Subd. 3. **Restrictions.** Money deposited in the Medal of Honor Memorial account is not~~  
72.18 ~~available until the commissioner of management and budget has determined an amount~~  
72.19 ~~sufficient to complete predesign of the memorial has been committed to the project from~~  
72.20 ~~nonstate sources. The commissioner of administration shall not begin construction on this~~  
72.21 ~~project until money in the account is sufficient to pay for all costs related to construction~~  
72.22 ~~and ongoing maintenance of the memorial.~~

72.23 Sec. 8. **USS MINNEAPOLIS-ST. PAUL ACCOUNT.**

72.24 Subdivision 1. **Account established.** The USS Minneapolis-St. Paul account is established  
72.25 in the gift fund. Money in the account is appropriated to the commissioner of military affairs  
72.26 for the commissioning and preservation of the USS Minneapolis-St. Paul.

72.27 Subd. 2. **Gifts and grants.** The commissioner of military affairs may solicit gifts, grants,  
72.28 or donations of any kind from any private or public source for the commissioning and  
72.29 preservation of the USS Minneapolis-St. Paul. All gifts, grants, or donations received by  
72.30 the commissioner shall be deposited in the USS Minneapolis-St. Paul account under  
72.31 subdivision 1.

## ARTICLE 7

## GAMBLING CONTROL BOARD

73.1  
73.2  
73.3 Section 1. Minnesota Statutes 2018, section 349.12, subdivision 2, is amended to read:

73.4 Subd. 2. **Active member.** "Active member" means a member:

73.5 (1) who has paid all dues to the organization;

73.6 (2) who is 18 years of age or older;

73.7 (3) who has equal voting rights with all other members;

73.8 (4) who has equal opportunity to be an elected officer;

73.9 (5) who has equal right and responsibilities of attendance at the regularly scheduled  
73.10 meetings of the organization;

73.11 (6) whose name and membership origination date appear with the member's knowledge  
73.12 and consent on a list of members of the organization; and

73.13 (7) who has been a member of the organization for at least ~~six months~~ the most recent  
73.14 90 days.

73.15 Sec. 2. Minnesota Statutes 2018, section 349.17, subdivision 6, is amended to read:

73.16 Subd. 6. **Conduct of bingo.** The price of a face played on an electronic bingo device  
73.17 may not be less than the price of a face on a bingo paper sheet sold for the same game at  
73.18 the same occasion. Bingo gift certificates must only be sold for face value. A game of bingo  
73.19 begins with the first letter and number called or displayed. Each player must cover, mark,  
73.20 or activate the numbers when bingo numbers are randomly selected and announced or  
73.21 displayed to the players. The game is won when a player, using bingo paper, bingo hard  
73.22 card, or a facsimile of a bingo paper sheet, has completed, as described in the bingo program,  
73.23 a previously designated pattern or previously determined requirements of the game and  
73.24 declared bingo. A bingo pattern or bingo game requirement may not be completed with  
73.25 fewer than three bingo numbers having been drawn, unless the game being played is a  
73.26 cover-none game. The game is completed when a winning card, sheet, or facsimile is verified  
73.27 and a prize awarded pursuant to subdivision 3.

73.28 Sec. 3. Minnesota Statutes 2018, section 349.181, subdivision 5, is amended to read:

73.29 Subd. 5. **Lessor's immediate family.** The lessor's immediate family may not participate  
73.30 directly or indirectly as a player in a pull-tab, a tipboard, ~~or a paddlewheel~~, or an electronic  
73.31 linked bingo game conducted at that premises.

74.1 Sec. 4. Minnesota Statutes 2018, section 349.19, subdivision 1, is amended to read:

74.2 Subdivision 1. **Required record of receipts.** (a) A licensed organization must keep a  
74.3 record of each occasion on which it conducts gambling, including each bingo occasion and  
74.4 each day on which other forms of lawful gambling are conducted. The record must include  
74.5 gross receipts, quantities of free plays if any, expenses, prizes, and gross profit. The board  
74.6 may by rule provide for the methods by which expenses are documented.

74.7 (b) In the case of bingo;

74.8 (1) gross receipts must be compared to the checkers' records for the occasion by a person  
74.9 who did not sell cards for the occasion; and

74.10 (2) the organization must keep a bingo gift certificate log showing each bingo gift  
74.11 certificate number, the face value, the date sold, and the date redeemed.

74.12 (c) Separate records must be kept for bingo and all other forms of lawful gambling.

74.13 Sec. 5. Minnesota Statutes 2018, section 349.19, subdivision 2, is amended to read:

74.14 Subd. 2. **Accounts.** (a) Gross receipts from lawful gambling by each organization must  
74.15 be segregated from all other revenues of the conducting organization and placed in a separate  
74.16 gambling bank account.

74.17 (b) All expenditures for allowable expenses, taxes, and lawful purposes must be made  
74.18 from the separate account except (1) in the case of expenditures previously approved by  
74.19 the organization's membership for emergencies as defined by board rule, or (2) when  
74.20 restricted to one electronic fund transaction for the payment of taxes for the organization  
74.21 as a whole, the organization may transfer the amount of taxes related to the conduct of  
74.22 gambling to the general account at the time when due and payable.

74.23 (c) The name and address of the bank, the account number for the separate account, and  
74.24 the names of organization members authorized as signatories on the separate account must  
74.25 be provided to the board when the application is submitted. Changes in the information  
74.26 must be submitted to the board at least ten days before the change is made.

74.27 (d) Except as provided in paragraph (e), gambling receipts must be deposited into the  
74.28 gambling bank account within four business days of completion of the bingo occasion, deal,  
74.29 or game from which they are received.

74.30 (1) A deal of paper pull-tabs is considered complete when either the last pull-tab of the  
74.31 deal is sold or the organization does not continue the play of the deal during the next  
74.32 scheduled period of time in which the organization will conduct pull-tabs.

75.1 (2) A tipboard game is considered complete when the seal on the game flare is uncovered  
 75.2 or the organization does not continue the play of the deal during the next scheduled period  
 75.3 of time in which the organization will conduct tipboards.

75.4 (e) Gambling receipts from electronic gambling must be recorded on a daily basis and  
 75.5 deposited into the gambling bank account:

75.6 (1) when the total net receipts from all electronic games at the premises reach the sum  
 75.7 of \$2,000 or on or before; and

75.8 (2) within four business days of the first day of the month immediately following the  
 75.9 month during which the receipts were generated, whichever occurs first.

75.10 (f) Deposit records must be sufficient to allow determination of deposits made from  
 75.11 each bingo occasion, deal, or game at each permitted premises.

75.12 (g) The person who accounts for gambling gross receipts and profits may not be the  
 75.13 same person who accounts for other revenues of the organization.

## 75.14 ARTICLE 8

### 75.15 RACING COMMISSION

75.16 Section 1. Minnesota Statutes 2018, section 240.01, is amended by adding a subdivision  
 75.17 to read:

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

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

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

76.1 Sec. 3. Minnesota Statutes 2018, section 240.02, subdivision 6, is amended to read:

76.2 Subd. 6. **Annual Biennial report.** The commission shall on February 15 of each  
 76.3 odd-numbered year submit a report to the governor and legislature on its activities,  
 76.4 organizational structure, receipts and disbursements, including specific detail on the use of  
 76.5 amounts statutorily appropriated to the commission under this chapter, and recommendations  
 76.6 for changes in the laws relating to racing and pari-mutuel betting.

76.7 Sec. 4. Minnesota Statutes 2018, section 240.08, subdivision 5, is amended to read:

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

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

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

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

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

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

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

76.31 (e) The commission may summarily suspend a license for ~~more than~~ up to 90 days ~~prior~~  
 76.32 ~~to a contested case hearing~~ where it is necessary to ensure the integrity of racing or to protect

77.1 the public health, welfare, or safety. ~~A contested case hearing must be held within 30 days~~  
 77.2 ~~of the summary suspension and the administrative law judge's report must be issued within~~  
 77.3 ~~30 days from the close of the hearing record. In all cases involving summary suspension~~  
 77.4 ~~the commission must issue its final decision within 30 days from receipt of the report of~~  
 77.5 ~~the administrative law judge and subsequent exceptions and argument under section 14.61.~~  
 77.6 The licensee has the right to appeal a summary suspension to the commission according to  
 77.7 its rules.

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

77.9 Sec. 5. Minnesota Statutes 2018, section 240.10, is amended to read:

77.10 **240.10 LICENSE FEES.**

77.11 (a) The fee for a class A license is \$253,000 per year and must be remitted on July 1.  
 77.12 The fee for a class B license is \$500 for each assigned racing day and \$100 for each day on  
 77.13 which simulcasting is authorized and must be remitted on July 1. The fee for a class D  
 77.14 license is \$50 for each assigned racing day on which racing is actually conducted. Fees  
 77.15 imposed on class D licenses must be paid to the commission at a time and in a manner as  
 77.16 provided by rule of the commission.

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

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

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

77.24 Sec. 6. Minnesota Statutes 2018, section 240.12, is amended to read:

77.25 **240.12 LICENSE AGREEMENTS.**

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

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

78.1 Sec. 7. Minnesota Statutes 2018, section 240.13, subdivision 5, is amended to read:

78.2 Subd. 5. **Purses.** (a) From the amounts deducted from all pari-mutuel pools by a licensee,  
78.3 including breakage, an amount equal to not less than the following percentages of all money  
78.4 in all pools must be set aside by the licensee and used for purses for races conducted by the  
78.5 licensee, provided that a licensee may agree by contract with an organization representing  
78.6 a majority of the horsepersons racing the breed involved to set aside amounts in addition  
78.7 to the following percentages, if the contract is in writing and ~~filed with~~ reviewed by the  
78.8 commission for compliance with this subdivision:

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

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

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

78.21 The licensee shall pay to the commission for deposit in the Minnesota breeders fund  
78.22 5-1/2 percent of the takeout from all pari-mutuel pools generated by wagering at the licensee's  
78.23 facility on simulcasts of races not conducted in this state.

78.24 (b) ~~From the money set aside for purses~~, The licensee shall pay to the horseperson's  
78.25 organization representing the majority of the horsepersons racing the breed involved and  
78.26 contracting with the licensee with respect to purses and the conduct of the racing meetings  
78.27 and providing representation to its members, an amount as may be determined by agreement  
78.28 by the licensee and the horsepersons' organization sufficient to provide benevolent programs,  
78.29 benefits, and services for horsepersons and their on-track employees. The amount paid may  
78.30 be deducted ~~only~~ from the money set aside for purses to be paid in races for the breed  
78.31 represented by the horseperson's organization or may be paid from breakage retained by  
78.32 the licensee from live or simulcast wagering as agreed between the licensee and horsepersons'  
78.33 organization. With respect to racing meetings where more than one breed is racing, the  
78.34 licensee may contract independently with the horseperson's organization representing each

79.1 breed racing. The contract must be in writing and reviewed by the commission for compliance  
79.2 with this subdivision.

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

79.6 (d) Money set aside for purses from wagering on simulcasts must be used for purses for  
79.7 live races involving the same breed involved in the simulcast except that money set aside  
79.8 for purses and payments to the breeders fund from wagering on simulcasts of races not  
79.9 conducted in this state, occurring during a live mixed meet, must be allotted to the purses  
79.10 and breeders fund for each breed participating in the mixed meet as agreed upon by the  
79.11 breed organizations participating in the live mixed meet. The agreement shall be in writing  
79.12 and ~~filed with~~ reviewed by the commission for compliance with this subdivision prior to  
79.13 the first day of the live mixed meet. In the absence of a written agreement ~~filed with~~ reviewed  
79.14 by the commission, the money set aside for purses and payments to the breeders fund from  
79.15 wagering on simulcasts, occurring during a live mixed meet, shall be allotted to each breed  
79.16 participating in the live mixed meet in the same proportion that the number of live races  
79.17 run by each breed bears to the total number of live races conducted during the period of the  
79.18 mixed meet.

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

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

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

80.1 Sec. 8. Minnesota Statutes 2018, section 240.131, subdivision 7, is amended to read:

80.2 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent  
80.3 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering  
80.4 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
80.5 provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of  
80.6 the month in which the wager was made. Fees collected under this paragraph must be  
80.7 deposited in the state treasury and credited to a racing and card-playing regulation account  
80.8 in the special revenue fund and are appropriated to the commission to offset the costs  
80.9 associated with regulating horse racing and pari-mutuel wagering in Minnesota.

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

80.18 Sec. 9. Minnesota Statutes 2018, section 240.135, is amended to read:

80.19 **240.135 CARD CLUB REVENUE.**

80.20 (a) From the amounts received from charges authorized under section 240.30, subdivision  
80.21 4, the licensee shall set aside the amounts specified in this section to be used for purse  
80.22 payments. These amounts are in addition to the breeders fund and purse requirements set  
80.23 forth elsewhere in this chapter.

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

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

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

80.30 (c) It is the intent of the legislature that the proceeds of the card playing activities  
80.31 authorized by this chapter be used to improve the horse racing industry by improving purses.  
80.32 The licensee and the horseperson's organization representing the majority of horsepersons  
80.33 who have raced at the racetrack during the preceding 12 months may negotiate percentages

81.1 that exceed those stated in this section if the agreement is in writing and ~~filed with~~ reviewed  
81.2 by the commission for compliance with this section. The commission shall annually review  
81.3 the financial details of card playing activities and determine if the present use of card playing  
81.4 proceeds is consistent with the policy established by this paragraph. If the commission  
81.5 determines that the use of the proceeds does not comply with the policy set forth herein,  
81.6 then the commission shall direct the parties to make the changes necessary to ensure  
81.7 compliance. If these changes require legislation, the commission shall make the appropriate  
81.8 recommendations to the legislature.

81.9 Sec. 10. Minnesota Statutes 2018, section 240.15, subdivision 6, is amended to read:

81.10 Subd. 6. **Disposition of proceeds; account.** The commission shall distribute all money  
81.11 received under this section, and, except as provided otherwise by section 240.131, all money  
81.12 received from license fees, regulatory fees, and fines it collects, according to this subdivision.  
81.13 All money designated for deposit in the Minnesota breeders fund must be paid into that  
81.14 fund for distribution under section 240.18 except that all money generated by simulcasts  
81.15 must be distributed as provided in section 240.18, subdivisions 2, paragraph (d), clauses  
81.16 (1), (2), and (3); and 3. Revenue from an admissions tax imposed under subdivision 1 must  
81.17 be paid to the local unit of government at whose request it was imposed, at times and in a  
81.18 manner the commission determines. Taxes received under this section must be paid to the  
81.19 commissioner of management and budget for deposit in the general fund. All revenues from  
81.20 licenses and other fees imposed by the commission must be deposited in the state treasury  
81.21 and credited to a racing and card playing regulation account in the special revenue fund.  
81.22 Receipts in this account are available for the operations of the commission up to the amount  
81.23 authorized in biennial appropriations from the legislature. If a fiscal biennium ends without  
81.24 the enactment of an appropriation to the commission for the following biennium, receipts  
81.25 in this account are annually appropriated to the commission for the operations of the  
81.26 commission up to the amount authorized in the second year of the most recently enacted  
81.27 biennial appropriation, until a biennial appropriation is enacted.

81.28 Sec. 11. Minnesota Statutes 2018, section 240.155, subdivision 1, is amended to read:

81.29 Subdivision 1. **Reimbursement account credit.** Money received by the commission as  
81.30 reimbursement for the costs of services provided by veterinarians, stewards, ~~and~~ medical  
81.31 testing of horses, and fees received by the commission in the form of fees for regulatory  
81.32 services must be deposited in the state treasury and credited to a racing reimbursement  
81.33 account in the special revenue fund, except as provided under subdivision 2. Receipts are  
81.34 appropriated, within the meaning of Article XI, section 1, of the Minnesota Constitution,

82.1 to the commission to pay the costs of providing the services and all other costs necessary  
 82.2 to allow the commission to fulfill its regulatory oversight duties required by chapter 240  
 82.3 and commission rule. If the major appropriation bills needed to finance state government  
 82.4 are not enacted by the beginning of a fiscal biennium, the commission shall continue  
 82.5 operations as required by chapter 240 and commission rule.

82.6 Sec. 12. **[240.1561] APPROPRIATION FOR FUNCTIONS SUPPORTING ONGOING**  
 82.7 **OPERATION OF THE RACING COMMISSION.**

82.8 If, by July 1 of an odd-numbered year, legislation has not been enacted to appropriate  
 82.9 money for the next biennium to the commissioner of management and budget for central  
 82.10 accounting, procurement, payroll, and human resources functions, amounts necessary to  
 82.11 operate those functions associated with operation of the Racing Commission under chapter  
 82.12 240 are appropriated for the next biennium from the general fund to the commissioner of  
 82.13 management and budget. As necessary, the commissioner may transfer a portion of this  
 82.14 appropriation to other state agencies to support carrying out these functions. Any subsequent  
 82.15 appropriation to the commissioner of management and budget for a biennium in which this  
 82.16 section has been applied shall supersede and replace the funding authorized in this section.

82.17 Sec. 13. Minnesota Statutes 2018, section 240.16, subdivision 1, is amended to read:

82.18 Subdivision 1. **Powers and duties.** All horse races run at a licensed racetrack must be  
 82.19 presided over by a board of three stewards, who must be appointees of the commission or  
 82.20 persons approved by it. The commission shall designate one steward as chair. At least two  
 82.21 stewards for all races either shall be employees of the commission who shall serve in the  
 82.22 unclassified service, or shall be under contract with the commission to serve as stewards.  
 82.23 The commission may delegate the following duties and powers to a board of stewards:

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

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

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

82.27 (4) to impose on licensees, for violation of law or commission rules, fines ~~not exceeding~~  
 82.28 ~~\$5,000 and license suspensions not exceeding 90 days~~ of up to \$10,000, suspensions of up  
 82.29 to one year, and other sanctions as delegated by the commission or permitted under its rules;

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

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

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

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

83.3 Sec. 14. Minnesota Statutes 2018, section 240.16, subdivision 2, is amended to read:

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

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

83.10 Sec. 15. Minnesota Statutes 2018, section 240.18, subdivision 2, is amended to read:

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

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

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

83.19 (i) additional equine research and related education;

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

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

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

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

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

84.3 (1) supplement purses for races held exclusively for Minnesota-bred or Minnesota-foaled  
84.4 horses, and supplement purses for Minnesota-bred or Minnesota-foaled horses racing in  
84.5 nonrestricted races in that category;

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

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

84.11 Sec. 16. Minnesota Statutes 2018, section 240.18, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

85.1 Sec. 17. Minnesota Statutes 2018, section 240.22, is amended to read:

85.2 **240.22 FINES.**

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

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

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

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

85.26 Sec. 18. Minnesota Statutes 2018, section 240.27, is amended to read:

85.27 **240.27 EXCLUSION OF CERTAIN PERSONS.**

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

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

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

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

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

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

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

86.17 Subd. 5. **Exclusions by racetrack.** ~~The holder of a license to conduct racing may eject~~  
86.18 ~~and exclude from its premises any licensee or any other person who is in violation of any~~  
86.19 ~~state law or commission rule or order or who is a threat to racing integrity or the public~~  
86.20 ~~safety. A person so excluded from racetrack premises may appeal the exclusion to the~~  
86.21 ~~commission and must be given a public hearing on the appeal upon request. At the hearing~~  
86.22 ~~the person must be given the opportunity to show cause why the exclusion should not have~~  
86.23 ~~been ordered. If the commission after the hearing finds that the integrity of racing and the~~  
86.24 ~~public safety do not justify the exclusion, it shall order the racetrack making the exclusion~~  
86.25 ~~to reinstate or readmit the person. An appeal of a commission order upholding the exclusion~~  
86.26 ~~is governed by section 240.20.~~ A licensed racetrack may eject and exclude from its premises  
86.27 any person for any lawful reason. If a licensed racetrack excludes a person for a suspected  
86.28 or potential violation of law or rule, or if a licensed racetrack excludes any person for more  
86.29 than five days, the licensed racetrack shall provide the person's name and reason for the  
86.30 exclusion to the commission within 72 hours.

87.1 **ARTICLE 9**

87.2 **STATE BOARD OF ACCOUNTANCY**

87.3 Section 1. Minnesota Statutes 2018, section 326A.01, subdivision 2, is amended to read:

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

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

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

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

87.11 ~~(3)~~ (4) an examination of prospective financial information performed in accordance  
87.12 with the Statements on Standards for Attestation Engagements (SSAE);

87.13 ~~(4)~~ (5) an engagement performed in accordance with the standards of the Public Company  
87.14 Accounting Oversight Board (PCAOB); and

87.15 ~~(5)~~ (6) an examination, review, or agreed-upon procedures engagement performed in  
87.16 accordance with SSAE, other than an examination described in clause (3).

87.17 Sec. 2. Minnesota Statutes 2018, section 326A.04, subdivision 4, is amended to read:

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

88.1 Sec. 3. Minnesota Statutes 2018, section 326A.04, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

88.20 (11) initial registered accounting practitioner firm permits, \$100;

88.21 (12) renewal of registered accounting practitioner firm permits, except for sole  
88.22 practitioners, \$100 per year;

88.23 (13) renewal of registered accounting practitioner firm permits for sole practitioners,  
88.24 \$35 per year;

88.25 ~~(14) CPA examination application, \$40;~~

88.26 ~~(15)~~ (14) CPA examination, fee determined by third-party examination administrator;

88.27 ~~(16)~~ (15) renewal of certificates with an inactive status, \$25 per year; ~~and~~

88.28 ~~(17)~~ (16) renewal of CPA firm permits for firms that have one or more offices located  
88.29 in another state, \$68 per year; and

89.1 (17) temporary military certificate, \$100.

89.2 **Sec. 4. [326A.045] RETIRED STATUS.**

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

89.5 (1) is age 55 or older;

89.6 (2) holds a current active license to practice public accounting under this chapter with  
89.7 a license status of active, inactive, or exempt under Minnesota Rules, part 1105.3700;

89.8 (3) declares that he or she is not practicing public accounting in any jurisdiction;

89.9 (4) was in good standing with the board at the time the person last held a license under  
89.10 this chapter; and

89.11 (5) submits an application for retired status on a form provided by the board.

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

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

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

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

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

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

90.1 Sec. 5. Minnesota Statutes 2018, section 326A.08, subdivision 4, is amended to read:

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

90.11 (b) Service of the order ~~is effective when the order is served on the person, firm, or~~  
90.12 ~~counsel of record personally, or by certified mail to the most recent address provided to the~~  
90.13 ~~board for the person, firm, or counsel of record.~~ may be by first class United States mail,  
90.14 including certified United States mail, or overnight express mail service, postage prepaid  
90.15 and addressed to the party at the party's last known address. Service by United States mail,  
90.16 including certified mail, is complete upon placing the order in the mail or otherwise delivering  
90.17 the order to the United States mail service. Service by overnight express mail service is  
90.18 complete upon delivering the order to an authorized agent of the express mail service.

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

90.22 (d) The administrative law judge shall issue a report within 30 days of the close of the  
90.23 contested case hearing record, notwithstanding Minnesota Rules, part 1400.8100, subpart  
90.24 3. Within 30 days after receiving the report and any exceptions to it, the board shall issue  
90.25 a further order vacating, modifying, or making permanent the cease and desist orders as the  
90.26 facts require.

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

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

90.33 (g) In lieu of or in addition to the order provided in paragraph (a), the board may require  
90.34 the person or firm to provide to the board a true and complete list of the person's or firm's

91.1 clientele so that they can, if deemed necessary, be notified of the board's action. Failure to  
91.2 do so, or to provide an incomplete or inaccurate list, is an act discreditable.

91.3 Sec. 6. Minnesota Statutes 2018, section 326A.08, subdivision 5, is amended to read:

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

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

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

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

91.21 (4) has been convicted of, has pled guilty or nolo contendere to, or has been sentenced  
91.22 as a result of the commission of a felony or crime, an element of which is dishonesty or  
91.23 fraud; has been shown to have or admitted to having engaged in acts or practices tending  
91.24 to show that the person or firm is incompetent; or has engaged in conduct reflecting adversely  
91.25 on the person's or firm's ability or fitness to provide professional services, whether or not  
91.26 a conviction was obtained or a plea was entered or withheld and whether or not dishonesty  
91.27 or fraud was an element of the conduct;

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

91.30 (6) has had the person's or firm's permit, registration, practice privileges, certificate,  
91.31 right to examine, or other similar authority revoked, suspended, canceled, limited, or not  
91.32 renewed for cause, or has committed unprofessional acts for which the person or firm was

92.1 otherwise disciplined or sanctioned, including, but not limited to, being ordered to or agreeing  
92.2 to cease and desist from prescribed conduct, in any state or any foreign country;

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

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

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

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

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

92.20 (b) In lieu of or in addition to any remedy provided in paragraph (a), the board, or the  
92.21 complaint committee if authorized by the board, may require, as a condition of continued  
92.22 possession of a certificate, a registration, or practice privileges, termination of suspension,  
92.23 reinstatement of permit, registration of a person or firm or of practice privileges under  
92.24 section 326A.14, a certificate, an examination, or release of examination grades, that the  
92.25 person or firm:

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

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

92.30 (c) Service of the order ~~is effective if the order is served on the person, firm, or counsel~~  
92.31 ~~of record personally or by certified mail to the most recent address provided to the board~~  
92.32 ~~for the person, firm, or counsel of record.~~ may be by first class United States mail, including  
92.33 certified United States mail, or overnight express mail service, postage prepaid and addressed

93.1 to the party at the party's last known address. Service by United States mail, including  
93.2 certified mail, is complete upon placing the order in the mail or otherwise delivering the  
93.3 order to the United States mail service. Service by overnight express mail service is complete  
93.4 upon delivering the order to an authorized agent of the express mail service. The order shall  
93.5 state the reasons for the entry of the order.

93.6 (d) All hearings required by this subdivision must be conducted in accordance with  
93.7 chapter 14 except with respect to temporary suspension orders as provided for in subdivision  
93.8 6.

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

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

93.19 (g) Agreements for corrective action may be used by the board, or the complaint  
93.20 committee if authorized by the board, where the violation committed by the person or firm  
93.21 does not warrant disciplinary action pursuant to this subdivision or subdivision 4 or 6, but  
93.22 where the board, or the complaint committee if authorized by the board, determines that  
93.23 corrective action is required to prevent further such violations and to otherwise protect the  
93.24 public. Warnings may be used by the board, or the complaint committee if authorized by  
93.25 the board, where the violation of the person or firm is de minimus, does not warrant  
93.26 disciplinary action under this subdivision or subdivision 4 or 6, and does not require  
93.27 corrective action to protect the public.

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

94.1 Sec. 7. Minnesota Statutes 2018, section 326A.08, is amended by adding a subdivision to  
94.2 read:

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

94.10 Sec. 8. Minnesota Statutes 2018, section 326A.10, is amended to read:

94.11 **326A.10 UNLAWFUL ACTS.**

94.12 (a) Only a licensee and individuals who have been granted practice privileges under  
94.13 section 326A.14 may issue a report on financial statements of any person, firm, organization,  
94.14 or governmental unit that results from providing attest services, or offer to render or render  
94.15 any attest service. Only a certified public accountant, an individual who has been granted  
94.16 practice privileges under section 326A.14, a CPA firm, or, to the extent permitted by board  
94.17 rule, a person registered under section 326A.06, paragraph (b), may issue a report on financial  
94.18 statements of any person, firm, organization, or governmental unit that results from providing  
94.19 compilation services or offer to render or render any compilation service. These restrictions  
94.20 do not prohibit any act of a public official or public employee in the performance of that  
94.21 person's duties or prohibit the performance by any nonlicensee of other services involving  
94.22 the use of accounting skills, including the preparation of tax returns, management advisory  
94.23 services, and the preparation of financial statements without the issuance of reports on them.  
94.24 Nonlicensees may prepare financial statements and issue nonattest transmittals or information  
94.25 on them which do not purport to be in compliance with the Statements on Standards for  
94.26 Accounting and Review Services (SSARS). Nonlicensees registered under section 326A.06,  
94.27 paragraph (b), may, to the extent permitted by board rule, prepare financial statements and  
94.28 issue nonattest transmittals or information on them.

94.29 (b) Licensees and individuals who have been granted practice privileges under section  
94.30 326A.14 performing attest or compilation services must provide those services in accordance  
94.31 with professional standards. To the extent permitted by board rule, registered accounting  
94.32 practitioners performing compilation services must provide those services in accordance  
94.33 with standards specified in board rule.

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

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

95.11 (e) A person or firm that does not hold a valid certificate or permit issued under section  
95.12 326A.04 or 326A.05 or has not otherwise complied with section 326A.04 or 326A.05 as  
95.13 required in this chapter shall not assume or use the title "certified accountant," "chartered  
95.14 accountant," "enrolled accountant," "licensed accountant," "registered accountant,"  
95.15 "accredited accountant," "accounting practitioner," "public accountant," "licensed public  
95.16 accountant," or any other title or designation likely to be confused with the title "certified  
95.17 public accountant," or use any of the abbreviations "CA," "LA," "RA," "AA," "PA," "AP,"  
95.18 "LPA," or similar abbreviation likely to be confused with the abbreviation "CPA." The title  
95.19 "enrolled agent" or "EA" may only be used by individuals so designated by the Internal  
95.20 Revenue Service.

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

95.25 (g) Except to the extent permitted in paragraph (a), nonlicensees may not use language  
95.26 in any statement relating to the financial affairs of a person or entity that is conventionally  
95.27 used by licensees in reports on financial statements or on an attest service. In this regard,  
95.28 the board shall issue by rule safe harbor language that nonlicensees may use in connection  
95.29 with such financial information. A person or firm that does not hold a valid certificate or  
95.30 permit, or a registration issued under section 326A.04, 326A.05, or 326A.06, paragraph (b),  
95.31 or has not otherwise complied with section 326A.04 or 326A.05 as required in this chapter  
95.32 shall not assume or use any title or designation that includes the word "accountant" or  
95.33 "accounting" in connection with any other language, including the language of a report, that  
95.34 implies that the person or firm holds such a certificate, permit, or registration or has special  
95.35 competence as an accountant. A person or firm that does not hold a valid certificate or

96.1 permit issued under section 326A.04 or 326A.05 or has not otherwise complied with section  
96.2 326A.04 or 326A.05 as required in this chapter shall not assume or use any title or designation  
96.3 that includes the word "auditor" in connection with any other language, including the  
96.4 language of a report, that implies that the person or firm holds such a certificate or permit  
96.5 or has special competence as an auditor. However, this paragraph does not prohibit any  
96.6 officer, partner, member, manager, or employee of any firm or organization from affixing  
96.7 that person's own signature to any statement in reference to the financial affairs of such firm  
96.8 or organization with any wording designating the position, title, or office that the person  
96.9 holds, nor prohibit any act of a public official or employee in the performance of the person's  
96.10 duties as such.

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

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

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

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

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

96.32 (3) the person or firm does not use in this state any title or designation other than the  
96.33 one under which the person practices in the foreign country, followed by a translation of

97.1 the title or designation into English, if it is in a different language, and by the name of the  
97.2 country.

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

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

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

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

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

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

97.18 (1) signs the compilation report identifying the individual as a registered accounting  
97.19 practitioner;

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

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

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

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

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

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

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